

Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (repealed)

PART VI

GENERAL PROVISIONS

Article 190

Financial provisions

Regulation (EC) No 1290/2005 and the provisions adopted for the implementation thereof shall apply to the expenditure incurred by the Member States in carrying out obligations under this Regulation.

[^{F1}Article 190a

Transfer of amounts available in the wine sector to rural development

1 The amounts fixed in paragraph 2, based on historical expenditure under Regulation (EC) No 1493/1999 for intervention measures to regulate agricultural markets as referred to in Article 3(1)(b) of Regulation (EC) No 1290/2005, shall be available as additional Community funds for measures in wine-producing regions under the rural development programming financed under Regulation (EC) No 1698/2005.

2 The following amounts shall be available in the given calendar years:

- 2009: EUR 40 660 000,
- 2010: EUR 82 110 000,
- from 2011 onwards: EUR 122 610 000.

3 The amounts set in paragraph 2 shall be allocated among Member States in accordance with Annex Xc.]

Textual Amendments

- F1** Inserted by [Council Regulation \(EC\) No 491/2009 of 25 May 2009 amending Regulation \(EC\) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products \(Single CMO Regulation\)](#).

Article 191

Emergency

The Commission shall adopt the measures which are both necessary and justifiable in an emergency, in order to resolve specific practical problems.

Status: Point in time view as at 02/04/2012.

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 1234/2007 (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Such measures may derogate from provisions of this Regulation, but only to the extent that, and for such a period, as is strictly necessary.

Article 192

Exchange of information between the Member States and the Commission

1 Member States and the Commission shall provide each other with any information necessary for the application of this Regulation or for market monitoring and analysis and for complying with the international obligations concerning the products referred to in Article 1.

2 The Commission shall adopt detailed rules to determine what information is necessary for the application of paragraph 1, as well as those on its form, content, timing and deadlines and on arrangements for transmitting or making available information and documents.

Article 193

Circumvention clause

Without prejudice to any specific provisions, no advantage provided for under this Regulation shall be granted in favour of a natural or legal person in respect of whom it is established that the conditions required for obtaining such advantages were created artificially, contrary to the objectives of this Regulation.

Article 194

Controls and administrative measures and administrative penalties and their reporting

The Commission shall determine:

- (a) the rules concerning administrative and physical controls to be conducted by the Member States with regard to the respect of obligations resulting from the application of this Regulation;
- (b) a system for the application of administrative measures and administrative penalties where non-compliance with any of the obligations resulting from the application of this Regulation is found;
- (c) the rules regarding the recovery of undue payments resulting from the application of this Regulation;
- (d) the rules on the reporting of the controls carried out and their results.

The administrative penalties referred to in point (b) shall be graduated according to the severity, extent, permanence and repetition of the non-compliance found.

[^{F1}The Commission may also determine the rules on the measurement of areas in the wine sector ensuring uniform application of Community provisions as laid down in this Regulation. Such rules may, in particular, relate to controls and rules governing the specific financial procedures for the improvement of controls.]

Status: Point in time view as at 02/04/2012.

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 1234/2007 (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Inserted by Council Regulation (EC) No 491/2009 of 25 May 2009 amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation).

[^{F1}Article 194a

Compatibility with the integrated administration and control system

For the purposes of applying this Regulation in the wine sector, Member States shall ensure that the administration and control procedures, referred to in the first and the third paragraph of Article 194, which relate to areas, are compatible with the integrated administration control system (IACS) as regards the following elements:

- (a) the computerised database;
- (b) the identification systems for agricultural parcels referred to in Article 20(1) of Regulation (EC) No 1782/2003;
- (c) the administrative checks.

The procedures shall allow, without any problems or conflicts, a common functioning or the exchange of data with the IACS.]

Textual Amendments

- F1** Inserted by Council Regulation (EC) No 491/2009 of 25 May 2009 amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation).

Status:

Point in time view as at 02/04/2012.

Changes to legislation:

There are outstanding changes not yet made to Council Regulation (EC) No 1234/2007 (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations.