

Commission Implementing Regulation (EU) 2017/892 of 13 March 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors

COMMISSION IMPLEMENTING REGULATION (EU) 2017/892

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laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007⁽¹⁾, and in particular Article 38, Article 174(1)(d), Article 181(3), and Article 182(1) and (4) thereof,

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008⁽²⁾, and in particular Article 58(4) (a), Article 62(2)(a) to (d) and (h) and Article 64(7)(a) thereof,

Whereas:

- (1) Regulation (EU) No 1308/2013 has replaced Council Regulation (EC) No 1234/2007⁽³⁾ and lays down new rules concerning the fruit and vegetables and processed fruit and vegetables sectors. It also empowers the Commission to adopt delegated and implementing acts in that respect. Those acts should replace some of the provisions of Commission Implementing Regulation (EU) No 543/2011⁽⁴⁾. That Regulation is amended by Commission Delegated Regulation (EU) 2017/891⁽⁵⁾.
- (2) In order to optimise the allocation of financial resources and to improve the quality of the strategy, provisions should be laid down establishing the structure and content of the national strategy for sustainable operational programmes and the national framework for environmental actions. The environmental actions that may be included in that national framework and the requirements to be complied with should be established to facilitate the drafting and implementation of those actions.
- (3) Furthermore, rules should be provided regarding the content of the operational programmes, the documents to be submitted, time limits for submission and implementation periods of operational programmes.

- (4) To ensure the correct application of the aid scheme for producer organisations, provisions on information to be included in the applications for aid as well as procedures for the payment of aid should be laid down. To prevent cash-flow difficulties, a system of advance payments accompanied by appropriate securities should be made available to producer organisations. For similar reasons, an alternative system should be available for the reimbursement of expenditure already incurred.
- (5) As the production of fruit and vegetables is unpredictable and the products are perishable, the surplus on the market, even if it is not too great, can significantly disturb the market. Therefore, implementing rules relating to crisis prevention and management measures need to be laid down.
- (6) Detailed rules concerning the national financial assistance which Member States may grant in regions of the Union where the degree of organisation of producers is particularly low should be laid down. Procedures should be provided for the approval of such national financial assistance as well as for the approval and the amount of the reimbursement by the Union. In addition, the proportion of reimbursement should be laid down.
- (7) Provisions concerning the type and format of certain information to be provided for the application of Regulation (EU) No 1308/2103, Delegated Regulation (EU) 2017/891 and this Regulation should be laid down. Those provisions should cover information from producers and producer organisations to the Member States and from the Member States to the Commission.
- (8) Provisions should be laid down as regards the administrative and the on-the spot checks necessary to ensure the proper application of Regulation (EU) No 1308/2013 in the fruit and vegetables sector.
- (9) For the purposes of Article 59(6) of Regulation (EU) No 1306/2013, rules on the correction of obvious errors in aid applications, notifications, claims or requests need to be laid down.
- (10) Rules should be laid down concerning financial contributions from producers who do not belong to producer organisations, associations of producer organisations or inter-branch organisations for which rules are made binding that are agreed within organisations or associations that are considered to be representative in a specific economic area.
- (11) Standard import values should be calculated on the basis of the weighted average of the average representative prices of imported products sold on Member State's import markets, using the data on these prices and on imported quantities of the products concerned notified by Member States to the Commission pursuant to Article 74 of Delegated Regulation (EU) 2017/891. Provisions should be laid down concerning cases in which no average representative prices are available for products of a given origin.
- (12) Detailed rules concerning the import duty which can be imposed on certain products in addition to that provided for in the Common Customs Tariff should be laid down. Provision should be made that additional import duty may be imposed if import volumes

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of the products concerned exceed trigger levels determined for the product and the period of application. Goods en route to the Union are exempt from the additional import duty and, therefore, specific provisions for such goods should be adopted.

- (13) This Regulation should enter into force on and apply from the seventh day following that of its publication in the *Official Journal of the European Union*.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Modifications etc. (not altering text)

- C1** Regulation: power to modify conferred (E.) (11.11.2020 for specified purposes, 11.1.2021 in so far as not already in force) by [Agriculture Act 2020 \(c. 21\)](#), ss. 15, 57(1)(b)(c)(6)

CHAPTER I

PRODUCER ORGANISATIONS

SECTION 1

Introductory provision

Article 1

Subject matter and scope

1 This Regulation lays down rules for the application of Regulation (EU) No 1308/2013 as regards the fruit and vegetables and processed fruit and vegetables sectors, with the exception of marketing standards.

2 Chapters I to V shall only apply to products of the fruit and vegetables sector as referred to in Article 1(2)(i) of Regulation (EU) No 1308/2013 and to such products intended solely for processing.

^{F1}Article 1A

Definitions

For the purposes of this Regulation, the following definitions apply:

- a ‘constituent nation’ means England, Wales, Scotland or Northern Ireland, as the case may be;
- b ‘public funds’ means moneys provided by Parliament, Senedd Cymru, the Scottish Parliament, the Northern Ireland Assembly or a body exercising public functions within the United Kingdom. References to ‘public funding’ are to be construed accordingly;
- c ‘relevant authority’ means:

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- i in relation to England, the Secretary of State;
- ii in relation to Wales, the Welsh Ministers;
- iii in relation to Scotland, the Scottish Ministers;
- iv in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
- d ‘third country’ means any country or territory other than:
 - i the United Kingdom;
 - ii the Bailiwick of Jersey;
 - iii the Bailiwick of Guernsey;
 - iv the Isle of Man;
- e ‘existing non-UK member’ means an ex-transnational producer organisation member:
 - i who was, immediately before IP completion day, a producer member of a transnational producer organisation within the meaning of Articles 2(b) and 2(d) of Regulation (EU) 2017/891 (as they had effect immediately before IP completion day); and
 - ii at least one of whose holdings is situated in a European Union Member State;
- f ‘ex-transnational producer organisation’ means a producer organisation that was, immediately before IP completion day, recognised in the United Kingdom as a transnational producer organisation within the meaning of Article 2(d) of Regulation (EU) 2017/891 (as it had effect immediately before IP completion day).]

Textual Amendments

- F1** Arts. 1A, 1B inserted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(2)**, 7(a)

Article 1B

Definition of appropriate authority

- [^{F1} For the purposes of this Regulation, ‘appropriate authority’ means:
- a in relation to England, the Secretary of State;
 - b in relation to Wales, the Welsh Ministers;
 - c in relation to Scotland, the Scottish Ministers;
 - d in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.
- 2 But the appropriate authority is the Secretary of State:
- a in relation to Scotland, at any time that the Secretary of State and the Scottish Ministers so agree;
 - b in relation to Northern Ireland, at any time that the Secretary of State and the Department of Agriculture, Environment and Rural Affairs so agree.
- 3 The relevant authorities for Scotland and Northern Ireland must ensure that a statement identifying the appropriate authority for their constituent nation is published on websites maintained by them or on their behalf.]

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

- F1** Arts. 1A, 1B inserted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(2)**, 7(a)

SECTION 2

Operational programmes

Article 2

[^{F2}Strategy] for sustainable operational programmes

The structure and content of the ^{F3}... strategy referred to in Article 36(2) of Regulation (EU) No 1308/2013 shall be as set out in Annex I to this Regulation.

Textual Amendments

- F2** Word in Art. 2 heading substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(3)(a)**, 7(a)
- F3** Word in Art. 2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(3)(b)**, 7(a)

Article 3

[^{F4}Framework] for environmental actions and the eligible investments

1 A separate section of the ^{F5}... framework referred to in Article 36(1) of Regulation (EU) No 1308/2013, shall indicate the requirements laid down in Article 28 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council⁽⁶⁾ to be fulfilled by the environmental actions selected under an operational programme.

The ^{F5}... framework shall set out a non-exhaustive list of environmental actions and the conditions thereof applicable in the [^{F6}constituent nation or the United Kingdom (as the case may be)] for the purposes of Article 33(5) of Regulation (EU) No 1308/2013.

The list referred to in the second subparagraph may include the following types of environmental actions:

- a actions that are identical to agri-environment-climate or organic farming commitments as referred to in Articles 28 and 29 of Regulation (EU) No 1305/2013, respectively, and which are provided for under the rural development programme of the [^{F7}constituent nation concerned or the rural development programmes of the constituent nations concerned (as the case may be)];
- b investments beneficial for the environment;
- c other actions beneficial for the environment, including those which do not relate directly or indirectly to a particular parcel but that are linked to the fruit and vegetables

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sector, provided they contribute to soil protection, water or energy saving, improvement or maintenance of water quality, habitats or biodiversity protection, climate change mitigation and reduction or improved management of waste.

For each environmental action referred to in points (b) and (c) of the third subparagraph, the ^{F5}... framework shall indicate:

- a the justification of the action, on the basis of its environmental impact; and
- b the specific commitment(s) entailed.

The ^{F5}... framework shall include at least one action on the application of integrated pest management practices.

2 Environmental actions which are identical to agri-environmental-climate or organic farming commitments supported under a rural development programme shall have the same duration as those commitments. Where the duration of the action exceeds the duration of the initial operational programme, the action shall be continued in a subsequent operational programme.

[^{F8}The appropriate authority] may authorise shorter durations for environmental actions or even their discontinuance in duly justified cases, and in particular taking into account the results of the evaluation in the last but one year of the implementation of the operational programme referred to in Article 57(3) of Delegated Regulation (EU) 2017/891.

3 Investments beneficial for environment made at the premises of producer organisations, associations of producer organisations or subsidiaries complying with the 90 % requirement referred to in Article 22(8) of Delegated Regulation (EU) 2017/891, or at the premises of their producer members shall be eligible for support if they:

- a could achieve a reduction in the current use of production inputs, emission of pollutants or waste from the production process; or
- b could achieve replacement of the use of fossil energy sources with renewable energy sources; or
- c could achieve a reduction in the environmental risks linked to the use of certain production inputs, including plant protection products or fertilisers; or
- d lead to improvement of the environment; or
- e are linked to non-productive investments needed to achieve the objectives of an agri-environmental-climate or organic farming commitment, in particular where those objectives relate to the protection of habitats and biodiversity.

4 Investments referred to in point (a) of paragraph 3 shall be eligible for support if they provide for a reduction of at least 15 %, calculated over the fiscal depreciation period of the investment compared to the pre-existing situation, of:

- a the use of production inputs that are non-renewable natural resources, such as water or fossil fuel, or possible source of environmental pollution, such as fertilisers, plant protection products or certain types of energy sources;
- b the emission of air, soil or water pollutants from the production process; or
- c the production of waste, including waste water, from the production process.

By way of derogation from the first subparagraph, [^{F9}the appropriate authority] may accept investments that allow for a reduction of at least 7 %, calculated over the fiscal depreciation period of the investment compared to the pre-existing situation, provided that those investments allow for at least one additional environmental benefit.

The expected reduction and, where applicable, the expected additional environmental benefit, shall be demonstrated *ex ante* through project specifications or other technical documents to be presented by the producer organisation or association of producer organisations at the moment of the submission of the proposed operational programme or of the amendment of such a programme for approval, showing the results that could be obtained through the implementation of the investment, as attested by the technical documents or by an independent qualified body or expert agreed by the [F¹⁰appropriate authority].

Investments aimed to achieve a reduction in water use shall:

- a provide for a reduction of at least 5 % in water use in drip irrigation or similar systems compared to the consumption prior to the investment; and
- b not result in a net increase of the area under irrigation, unless the total water consumption for irrigation of the whole farm, including the increased area, does not exceed the average of water consumption of the previous 5 years prior to the investment.

5 Investments referred to in point (b) of paragraph 3 consisting of systems which generate energy shall be eligible for support if the amount of energy generated does not exceed the amount that can be used *ex ante* on a yearly basis for the actions related to fruit and vegetables by the producer organisation, association of producer organisations, subsidiary or the producer organisation's members that benefit from the investment.

6 Investments referred to in points (c) and (d) of paragraph 3 shall be eligible for support where they contribute to soil protection, water or energy saving, improvement or maintenance of water quality, habitats or biodiversity protection, climate change mitigation, and reduction or improved management of waste, although their contribution is not quantifiable.

The producer organisation or association of producer organisations shall provide evidence of the expected positive contribution to one or more environmental objectives at the moment of the submission for approval of the proposed operational programme or amendment of such a programme. The [F¹¹appropriate] authority may require that evidence to be provided in the form of project specifications attested by an independent qualified body or expert in the environmental fields concerned.

7 The following rules shall apply to environmental actions:

- a various environmental actions may be combined provided that they are complementary and compatible. Where environmental actions other than investments in physical assets are combined, the level of support shall take account of the specific income foregone and additional costs resulting from the combination;
- b commitments to limit the use of fertilisers, plant protection products or other inputs shall be accepted only if such limitations can be assessed in a way that provides assurance about compliance with those commitments;
- c investments beneficial for the environment referred to in paragraph 3 shall be fully eligible for support.

Textual Amendments

- F4** Word in [Art. 3](#) heading substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(4)(a)**, 7(a)
- F5** Word in [Art. 3\(1\)](#) omitted (25.6.2021) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(4)(b)(i)**, 7(a)

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- F6** Words in Art. 3(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(4)(b)(ii)**, 7(a)
- F7** Words in Art. 3(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(4)(b)(iii)**, 7(a)
- F8** Words in Art. 3(2) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(4)(c)** (replacing an amendment purportedly made by S.I. 2020/1445 (revoked))
- F9** Words in Art. 3(4) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(4)(d)(i)**, 7(a)
- F10** Words in Art. 3(4) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(4)(d)(ii)**, 7(a)
- F11** Word in Art. 3(6) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(4)(e)**, 7(a)

Article 4

Content of operational programmes

- 1 Operational programmes shall include the following:
- ^{F12}a a description of the initial situation, based, where relevant, on the indicators listed in Table 4.1 of Annex II;
- b the objectives of the programme, taking into account the outlook for production and outlets, with an explanation of how the programme intends to contribute to and is consistent with the objectives of the ^{F13}strategy referred to in Article 36(2) of Regulation (EU) No 1308/2013 of the constituent nation in which the producer organisation has its head office], including the balance between activities. The description of the objectives shall indicate measurable targets, so as to facilitate the monitoring of progress gradually made in implementing the programme;
- c the proposed measures, including the actions for crisis prevention and management;
- d the duration of the programme; and
- e the financial aspects, in particular:
- (i) the method of calculation and the level of financial contributions;
- (ii) the procedure for financing the operational fund;
- (iii) information necessary to justify different levels of contribution; and
- (iv) the budget and timetable for operations for each implementation year of the programme.
- 2 Operational programmes shall indicate:
- a the extent to which the different measures complement and are consistent with other measures, including measures financed or eligible for support by other ^{F14}public] funds, and in particular under Regulation (EU) No 1305/2013 and promotion programmes approved under Regulation (EU) No 1144/2014 of the European Parliament and of the

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Council⁽⁷⁾. If applicable, specific reference shall also be made to measures carried out under previous operational programmes; and

- b that they do not entail any risk of double financing by [^{F14}public] funds.

Textual Amendments

- F12** Substituted by Commission Implementing Regulation (EU) 2018/1146 of 7 June 2018 amending Implementing Regulation (EU) 2017/892 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and Regulation (EC) No 606/2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions.
- F13** Words in Art. 4(1)(b) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(5)(a)**, 7(a)
- F14** Word in Art. 4(2) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(5)(b)**, 7(a)

Article 5

Documents to be submitted with the operational programme

Operational programmes shall be accompanied by:

- (a) evidence of the creation of an operational fund;
- (b) a written commitment from the producer organisation to comply with Regulation (EU) No 1308/2013, Delegated Regulation (EU) 2017/891 and this Regulation; and
- (c) a written commitment from the producer organisation that it has not received and will not receive, directly or indirectly, any other [^{F15}European Union or public] funding in respect of actions qualifying for aid under Regulation (EU) No 1308/2013 in the fruit and vegetables sector.

Textual Amendments

- F15** Words in Art. 5(c) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(6)**, 7(a)

Article 6

Time limit for submission

1 An operational [^{F16}programme] shall be submitted for approval by a producer organisation to the [^{F17}appropriate authority of the constituent nation] in which the producer organisation has its [^{F18}head office], by 15 September of the year preceding that in which the programme is to be implemented. However, [^{F19}nothing in this Regulation prevents the appropriate authority from setting] a date later than 15 September.

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2 When a legal entity or clearly defined part of a legal entity, including ^{F20}... a producer group referred to in Article 27 of Regulation (EU) No 1305/2013, submits an application for recognition as a producer organisation it may, at the same time, submit for approval the operational programme referred to in paragraph 1. Approval of the operational programme shall be subject to recognition being granted no later than on the final date laid down in Article 33(2) of Delegated Regulation (EU) 2017/891.

Textual Amendments

- F16** Word in Art. 6(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(7)(a)(i)**, 7(a)
- F17** Words in Art. 6(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(7)(a)(ii)**, 7(a)
- F18** Words in Art. 6(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(7)(a)(iii)**, 7(a)
- F19** Words in Art. 6(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(7)(a)(iv)**, 7(a)
- F20** Words in Art. 6(2) omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(7)(b)**, 7(a)

Article 7

Implementation periods of operational programmes

1 Operational programmes shall be implemented in annual periods running from 1 January to 31 December.

2 Operational programmes approved by 15 December shall be implemented from 1 January of the following year.

The implementation of programmes approved after 15 December shall be postponed for one year.

3 By way of derogation from paragraph 2, where the third subparagraph of Article 33(2) or the second subparagraph of Article 34(1) of Delegated Regulation (EU) 2017/891 applies, the implementation of operational programmes approved in accordance with those provisions shall start not later than 31 January following their approval.

SECTION 3

Aid

Article 8

Approved amount of aid

[^{F21}The appropriate authority] shall notify producer organisations and associations of producer organisations of the approved amount of aid by 15 December of the year preceding the year for which aid is requested.

By way of derogation from the first paragraph, where the third subparagraph of Article 33(2) or the second subparagraph of Article 34(1) of Delegated Regulation (EU) 2017/891 applies, [^{F22}the appropriate authority] shall notify those organisations and associations of the approved amount of aid by 20 January of the year for which aid is requested.

Textual Amendments

- F21** Words in Art. 8 substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(8)(a)**, 7(a)
- F22** Words in Art. 8 substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(8)(b)**, 7(a)

^{F23}Article 8a

Implementation of increase of the limit of the Union financial assistance from 50 % to 60 %

Textual Amendments

- F23** Art. 8a omitted (25.6.2021) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(9)**, 7(a)

Article 9

Aid applications

1 Producer organisations shall submit an application for aid, or the balance thereof, to the [^{F24}appropriate authority] for each operational programme for which aid is requested by 15 February of the year following the year for which the aid is requested.

2 The aid applications shall be accompanied by supporting documents showing:

- a the aid requested;

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- b the value of marketed production;
 - c the financial contributions levied on its members and those of the producer organisation itself;
 - d the expenditure incurred in respect of the operational programme;
 - e the expenditure concerning crisis prevention and management broken down by actions;
 - f the proportion of the operational fund spent on crisis prevention and management broken down by actions;
 - g compliance with Article 33(3), the first subparagraph of Article 33(5) and Article 34 of Regulation (EU) No 1308/2013;
 - h a written commitment that it has not received any duplicate [F25European Union or public] funding in respect of measures or operations qualifying for aid under Regulation (EU) No 1308/2013 in the fruit and vegetables sector; [F26and]
- [F27;
.....
[F28; an annual report on the execution of the operational programme.]

3 The aid applications may cover expenditure programmed but not incurred if the following elements are proved:

- a the operations concerned could not be carried out by 31 December of the year of implementation of the operational programme, for reasons beyond the control of the producer organisation concerned;
- b those operations can be carried out by 30 April of the year following the year for which the aid is requested; and
- c an equivalent contribution from the producer organisation remains in the operational fund.

The aid shall be paid and the security lodged in accordance with Article 11(2) shall be released only on condition that proof of implementation of the programmed expenditure referred to in point (b) of the first subparagraph of this paragraph is provided by 30 April of the year following that for which the expenditure in question was programmed, and on the basis that the entitlement to the aid is established.

4 In exceptional and duly justified cases, the [F29appropriate authority] may accept applications after the date provided for in paragraph 1, if the necessary checks have been carried out and the time limit for payment provided for in Article 10 is complied with. Where applications are submitted after the date provided for in paragraph 1, the aid shall be reduced by 1 % for each day the application is late.

5 Associations of producer organisations may submit an application for aid as referred to in paragraph 1 in the name and on behalf of only those members that are producer organisations recognised in the [F30United Kingdom] and provided that the supporting documents referred to in paragraph 2 are submitted for each member. The producer organisations shall be the final beneficiaries of the aid.

[F315A. An application for aid by an association of producer organisations must relate to actions implemented at the level of the association and must be submitted to the appropriate authority for the constituent nation where that association has its head office. The appropriate authorities must ensure that there is no double funding risk.]

[F126 Producer organisations shall submit an application for aid regarding actions that are implemented at the level of the producer organisations [F32to the appropriate authority for the constituent nation in which the producer organisation’s head office is located.]F33 ...

F347]

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

- F12** Substituted by Commission Implementing Regulation (EU) 2018/1146 of 7 June 2018 amending Implementing Regulation (EU) 2017/892 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and Regulation (EC) No 606/2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions.
- F24** Words in Art. 9(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(a)**, 7(a)
- F25** Words in Art. 9(2)(h) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(b)(i)(aa)**, 7(a)
- F26** Word in Art. 9(2)(h) inserted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(b)(i)(bb)**, 7(a)
- F27** Art. 9(2)(i) omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(b)(ii)**, 7(a)
- F28** Art. 9(2)(j) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(b)(iii)**, 7(a)
- F29** Words in Art. 9(4) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(c)**, 7(a)
- F30** Words in Art. 9(5) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(d)**, 7(a)
- F31** Art. 9(5A) inserted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(e)**, 7(a)
- F32** Words in Art. 9(6) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(10)(f)**, 7(a)
- F33** Words in Art. 9(6) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(3)(a)**
- F34** Art. 9(7) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(3)(b)**

Article 10

Payment of the aid

[^{F35}The appropriate authority] shall pay the aid by 15 October of the year following the year of implementation of the programme.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

- F35** Words in Art. 10 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(11)**, 7(a)

Article 11

Advance payments

1 Applications for advance payments may be submitted ^{F36}... on a three-monthly basis in January, April, July and October ^{F37}....

Total advance payments made for a given year shall not exceed 80 % of the initially approved amount of aid for the operational programme.

2 Advance payments shall be paid subject to the lodging of a security equivalent to 110 % thereof in accordance with Commission Delegated Regulation (EU) No 907/2014⁽⁸⁾.

3 [^{F38}Nothing in this Regulation prevents the appropriate authority from setting] a minimum amount and the deadlines for advance payments.

Textual Amendments

- F36** Words in Art. 11(1) omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(12)(a)(i)**, 7(a)
- F37** Words in Art. 11(1) omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(12)(a)(ii)**, 7(a)
- F38** Words in Art. 11(3) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(12)(b)**, 7(a)

Article 12

Partial payments

1 [^{F39}A producer organisation may apply to the appropriate authority for the constituent nation in which the producer organisation has its head office] for the payment of the part of the aid corresponding to the amounts already spent under the operational programme.

2 Applications may be submitted at any time, but no more than three times each year. They shall be accompanied by supporting documents, such as invoices and documents proving that the payment has been made.

3 Payments in respect of applications for parts of the aid shall not exceed 80 % of the part of the aid corresponding to the amounts already spent under the operational programme for the period concerned. [^{F40}Nothing in this Regulation prevents the appropriate authority from setting] a minimum amount for partial payments and deadlines for applications.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

- F39** Words in Art. 12(1) substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(13)(a)**, 7(a)
- F40** Words in Art. 12(3) substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(13)(b)**, 7(a)

CHAPTER II

CRISIS PREVENTION AND MANAGEMENT MEASURES

^{F41} Article 13

Training measures and exchanges of better practices

Training measures and exchanges of better practices cannot constitute crisis prevention and management measures unless they are additional to any ongoing training actions not related to crisis prevention and management being applied by the producer organisation concerned in its operational programme.]

Textual Amendments

- F41** Art. 13 substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(14)**, 7(a)

Article 14

Promotion and communication measures

^{F121} ^{F42}Promotion and communication measures implemented by producer organisations in relation to crisis prevention or crisis management, including actions and activities aimed at diversification and consolidation on the fruit and vegetable markets, may be applied rapidly when required.]

The principal aim of those measures shall be enhancing the competitiveness of the products marketed by the producer organisations and their associations in the case of serious market disturbance, loss of consumer confidence or other related problems.

The specific objectives of the promotion and communication measures implemented by the producer organisations and their associations shall be:

- a increasing awareness about the quality of agricultural products produced in the ^{F43}United Kingdom] and about the high quality standards applicable to their production in the ^{F43}United Kingdom];
- b increasing the competitiveness and consumption of agricultural products and of certain processed products produced in the ^{F43}United Kingdom] and raising awareness about their quality both inside and outside the ^{F43}United Kingdom];

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

- c increasing awareness about [^{F43}United Kingdom] quality schemes both inside and outside the [^{F43}United Kingdom];
- d increasing the market share of agricultural products and certain processed products produced in the [^{F43}United Kingdom], focusing on the markets in third countries that have the highest growth potential; and
- e contributing to the recovery of normal market conditions in the [^{F43}United Kingdom] market in the event of serious market disturbance, loss of consumer confidence or other related problems.]

2 Actions under promotion and communication measures shall be additional to any ongoing promotion and communication actions not related to crisis prevention and management being applied by the producer organisation concerned in their operational programme.

Textual Amendments

- F12** Substituted by Commission Implementing Regulation (EU) 2018/1146 of 7 June 2018 amending Implementing Regulation (EU) 2017/892 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and Regulation (EC) No 606/2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions.
- F42** Words in Art. 14(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(15)(a)**, 7(a)
- F43** Words in Art. 14(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(15)(b)**, 7(a)

^{F44} Article 15

Marketing standards of products withdrawn

Textual Amendments

- F44** Arts. 15-17 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(16)**, 7(a)

^{F44} Article 16

Transport costs for free distribution

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

F44 Arts. 15-17 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(16)**, 7(a)

F44 Article 17

Sorting and packing costs for free distribution

Textual Amendments

F44 Arts. 15-17 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(16)**, 7(a)

F45 CHAPTER III

[*F45* NATIONAL FINANCIAL ASSISTANCE

F45 Article 18

Authorisation to pay national financial assistance

F45 Article 19

Application for and payment of the national financial assistance

F45 Article 20

Union reimbursement of the national financial assistance]

Textual Amendments

F45 Deleted by Commission Implementing Regulation (EU) 2018/1146 of 7 June 2018 amending Implementing Regulation (EU) 2017/892 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and Regulation (EC) No 606/2009 laying down certain detailed

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions.

CHAPTER IV

INFORMATION, REPORTS AND CHECKS

SECTION 1

Information and reports

[^{F12}Article 21

Information ^{F46} ... from producer groups, producer organisations and associations of producer organisations and annual reports from [^{F47} the appropriate authorities]

At the request of [^{F48}the appropriate authority], recognised producer organisations, associations of producer organisations^{F49} ... and producer groups [^{F50}referred to in Article 27 of Regulation (EU) No 1305/2013] shall provide any relevant information needed for drawing up of the annual report referred to in Article 54(b) of Delegated Regulation (EU) 2017/891. The structure of the annual report is set out in Annex II to this Regulation.

[^{F51}The appropriate authority] shall take the measures necessary to gather information on the number of members, the volume and the value of marketed production of producer organisations which have not submitted operational programmes. Producer organisations and producer groups referred to in Article 27 of Regulation (EU) No 1305/2013 shall be requested to provide the number of members, the volume and the value of the marketed production.]

Textual Amendments

- F12** Substituted by Commission Implementing Regulation (EU) 2018/1146 of 7 June 2018 amending Implementing Regulation (EU) 2017/892 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and Regulation (EC) No 606/2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions.
- F46** Words in Art. 21 heading omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(17)(a)(i)**, 7(a)
- F47** Words in Art. 21 heading substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(17)(a)(ii)**, 7(a)
- F48** Words in Art. 21 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(17)(b)(i)**, 7(a)
- F49** Words in Art. 21 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(4)**

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

- F50** Words in Art. 21 inserted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(17)(b)(ii)**, 7(a)
- F51** Words in Art. 21 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(17)(c)**, 7(a)

SECTION 2

Checks

Article 22

Unique identification system

[^{F52}The Secretary of State must ensure that a unique identification system applies to producer organisations and associations of producer organisations with regard to their aid applications.] This identification system shall be compatible with the system for the identification of beneficiaries referred to in Article 73 of Regulation (EU) No 1306/2013.

Textual Amendments

- F52** Words in Art. 22 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(5)**

[^{F53}Article 23

Submission procedures

Without prejudice to Articles 9, 24 and 25, the procedures for the submission of aid applications, requests for approval of operational programmes, and payment claims are those published from time to time by the appropriate authority, and the procedures for the submission of requests for recognition are those published from time to time by the Secretary of State.]

Textual Amendments

- F53** Art. 23 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(18)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Article 24

Granting of recognition

1 Prior to granting recognition to a producer organisation or association of producer organisations under Article 154(4)(a) or Article 156(1) of Regulation (EU) No 1308/2013, [^{F54}the Secretary of State] shall carry out administrative and an on-the-spot checks on the producer organisation or association of producer organisations to verify compliance with the recognition criteria.

2 [^{F55}The Secretary of State] shall carry out administrative and on-the-spot checks with regard to the recognition criteria which apply to all recognised producer organisations and associations of producer organisations at least once every five years even if the producer organisations or the associations of producer organisations do not implement an operational programme.

Textual Amendments

- F54** Words in Art. 24(1) substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products \(Producer Organisations and Wine\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1446\)](#), regs. 1(3), **6(7)(a)**
- F55** Words in Art. 24(2) substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products \(Producer Organisations and Wine\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1446\)](#), regs. 1(3), **6(7)(b)**

Article 25

Approval of operational programmes and their amendments

1 Prior to the approval of an operational programme under Article 33 of Delegated Regulation (EU) 2017/891, [^{F56}the appropriate authority] shall verify, by all the appropriate means, including through on-the-spot checks, the operational programme submitted for approval and the request for amendment, where applicable. Those checks shall in particular concern:

- a the accuracy of the information referred to in Article 4(1)(a), (b) and (e), which shall be included in the draft operational programme;
- b compliance of the programme with Article 33 of Regulation (EU) No 1308/2013 as well as with the [^{F57}strategy and framework referred to in Article 36 of Regulation (EU) No 1308/2013 of the constituent nation concerned];
- c the eligibility of the actions and the eligibility of the expenditure proposed; and
- d the consistency and technical quality of the programme, the soundness of the estimates and the aid plan, and the planning of its implementation.

2 The checks referred to in paragraph 1 shall verify whether:

- a targets are measurable and can be monitored and achieved through the proposed actions; and
- b the operations for which aid is requested are in compliance with the applicable ^{F58}... laws in particular, State aid, rural development and promotion programmes, and obligatory standards established by ^{F59}... legislation or the [^{F60}strategy referred to in Article 36(2) of Regulation (EU) No 1308/2013 of the constituent nation concerned].

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

- F56** Words in Art. 25(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(19)(a)(i)**, 7(a)
- F57** Words in Art. 25(1)(b) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(19)(a)(ii)**, 7(a)
- F58** Words in Art. 25(2)(b) omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(19)(b)(i)**, 7(a)
- F59** Word in Art. 25(2)(b) omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(19)(b)(ii)**, 7(a)
- F60** Words in Art. 25(2)(b) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(19)(b)(iii)**, 7(a)

Article 26

Administrative checks

- 1 The procedures relating to the administrative checks shall require the recording of operations undertaken, the results of the verification and the measures taken in respect of discrepancies.
- 2 Prior to granting the aid, [^{F61}the appropriate authority] shall carry out administrative checks on all aid applications.
- 3 Administrative checks on aid applications shall include, where applicable, a verification of:
 - a the annual report on the execution of the operational programme transmitted together with the aid application;
 - b the value of marketed production, the contributions to the operational fund and the expenditure incurred;
 - c the accurate correlation of expenditure claimed with products and services delivered;
 - d the conformity of the actions undertaken with those included in the approved operational programme; and
 - e the respect of financial or other limits and ceilings imposed.
- 4 Expenditure incurred under the operational programme shall be supported by proof of payment. Invoices used shall be established in the name of the producer organisation, association of producer organisations or the subsidiary complying with the 90 % requirement referred to in Article 22(8) of Delegated Regulation (EU) 2017/891 or, subject to [^{F62}approval by the appropriate authority], in the name of one or more of its producer members. However, invoices in respect of the personnel costs referred to in point 2 of Annex III to Delegated Regulation (EU) 2017/891 shall be established in the name of the producer organisation, association of producer organisation, subsidiary complying with the 90 % requirement referred to in Article 22(8) of that Regulation or, subject to [^{F62}approval by the appropriate authority], cooperatives which are a member of the producer organisation.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

- F61** Words in Art. 26(2) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(20)(a)**, 7(a)
- F62** Words in Art. 26(4) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(20)(b)**, 7(a)

Article 27

On-the-spot checks on annual aid applications

1 [^{F63}The appropriate authority] shall carry out on-the-spot checks at the premises of producer organisations, associations of producer organisations and their subsidiaries, where applicable, to ensure compliance with the conditions for recognition, for granting an aid or the balance thereof for the year concerned as referred to in Article 9(1), which shall supplement the administrative checks.

2 The on-the-spot checks shall relate to a sample representing at least 30 % of the total aid applied for each year. Each producer organisation or association of producer organisations implementing an operational programme shall be visited at least once every three years.

3 [^{F64}The appropriate authority] shall determine the producer organisations to be checked on the basis of a risk analysis that shall take account of the following criteria:

- a the amount of aid;
- b the findings of the checks in previous years;
- c a random parameter; and
- d other parameters to be determined by [^{F65}the appropriate authority].

4 Advance notice of on-the-spot checks may be given, provided that the purpose of the check is not jeopardised.

5 The on-the-spot checks shall cover all the commitments and obligations of the producer organisation or association of producer organisations, its members or subsidiaries, where applicable, which can be checked at the time of the visit and which could not have been checked during the administrative checks. On-the-spot checks shall in particular concern:

- a the compliance with the recognition criteria for the year concerned;
- b the implementation of the actions and their consistency with the approved operational programme;
- c in relation to a relevant number of actions: the compliance of the expenditure with [^{F66}applicable] law and respect of the deadlines set out therein;
- d the use of the operational fund, including expenditure declared in claims for advance payments or partial payments, the value of marketed production, the contributions to the operational fund and the expenditure declared as supported by accounting or equivalent documents;
- e the full delivery of the products by the members, the delivery of the services and the genuineness of the expenditure claimed; and

^{F67}f

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

6 The value of marketed production shall be verified on the basis of the financial accounting system as audited and certified in accordance with [F68the law as it applies in the relevant constituent nation].

To that end, the [F69appropriate authority] may decide that the declaration of the value of marketed production shall be certified in the same way as the financial accounting data.

The check on the declaration of the value of marketed production may be carried out before the relevant aid application is transmitted but it shall be carried out at the latest before payment of the aid.

7 Except in exceptional circumstances, the on-the-spot checks shall include a visit to the place where the action is implemented or, if the action is intangible, to the action promoter. In particular, actions on individual holdings of members of producer organisations covered by the sample referred to in paragraph 2 shall be subject of at least one visit to verify their execution.

However, [F70the appropriate authority] may decide not to carry out such visits for small actions, or where they consider that there is a low risk that the conditions for receiving aid are not fulfilled, or that the operation has not been implemented. The respective decision and its justification shall be recorded. The risk analysis criteria set out in paragraph 3 shall apply *mutatis mutandis* to this paragraph.

8 Only checks meeting all the requirements of this Article may be counted towards the fulfilment of the checking rate set out in paragraph 2.

9 The results of the on-the-spot checks shall be assessed to establish whether any problems encountered are of a systemic nature, entailing a risk for other similar actions, beneficiaries or bodies. This assessment shall also identify the causes of such situations, any further examination which may be required and the recommended corrective and preventive action.

If the checks reveal significant irregularities in a region or part of a region or for a specific producer organisation or association of producer organisations, the [F71appropriate authority] shall carry out additional checks during the year in the region or on the organisation or association concerned and shall increase the percentage of corresponding applications to be checked the following year.

Textual Amendments

- F63** Words in Art. 27(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(a)**, 7(a)
- F64** Words in Art. 27(3) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(b)(i)**, 7(a)
- F65** Words in Art. 27(3)(d) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(b)(ii)**, 7(a)
- F66** Word in Art. 27(5)(c) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(c)(i)**, 7(a)
- F67** Art. 27(5)(f) omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(c)(ii)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

- F68** Words in Art. 27(6) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(d)(i)**, 7(a)
- F69** Words in Art. 27(6) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(d)(ii)**, 7(a)
- F70** Words in Art. 27(7) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(e)**, 7(a)
- F71** Words in Art. 27(9) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(21)(f)**, 7(a)

Article 28

Reports of on-the-spot checks

1 ^[F72]The appropriate authority must produce a detailed report] for each on-the-spot check indicating at least the following information:

- a the aid scheme and the application checked;
- b the names and functions of the persons present;
- c the actions, measures and documents checked, including the audit trail and supporting evidence verified; and
- d the results of the check.

2 A representative of the producer organisation or association of producer organisations shall be given the opportunity to sign the report to attest his/her presence at the check and to record his/her comments. Where irregularities are found, the beneficiary shall receive a copy of the report.

^[F73] If the check reveals any non-compliance with the recognition criteria, the producer organisation or association of producer organisations concerned must send a copy of the report to the Secretary of State within 28 days of the date on which the final version of the report is sent to the producer organisation or association of producer organisations.]

Textual Amendments

- F72** Words in Art. 28(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(22)**, 7(a)
- F73** Art. 28(3) inserted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(8)**

^{F74} Article 29

First-level checks on withdrawal operations

.....

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

F74 Arts. 29-31 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(23)**, 7(a)

F74 Article 30

Second-level checks on withdrawal operations

Textual Amendments

F74 Arts. 29-31 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(23)**, 7(a)

F74 Article 31

Green harvesting and non-harvesting

Textual Amendments

F74 Arts. 29-31 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(23)**, 7(a)

F75 Article 32

Transnational producer organisations

Textual Amendments

F75 Art. 32 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Producer Organisations and Wine\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1446\)](#), regs. 1(3), **6(9)**

F76 Article 33

Transnational associations of producer organisations

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

- F76** Art. 33 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(9)**

Article 34

Checks

Without prejudice to specific provisions of this Regulation or other [^{F77}retained EU law, the appropriate authority must conduct] checks and [^{F78}take] measures to ensure the proper application of Regulation (EU) No 1308/2013, Delegated Regulation (EU) 2017/891 and this Regulation. Those checks and measures shall be effective, proportionate and dissuasive [^{F79}in order to ensure proper management of public funds].

In particular, [^{F80}the appropriate authority] shall ensure that:

- (a) [^{F81}all eligibility criteria established by applicable legislation or by the strategy and framework referred to in Article 36 of Regulation (EU) No 1308/2013 of the constituent nation in which the producer organisation or association of producer organisations (as the case may be) has its head office can be checked;]
- (b) [^{F82}it has] a sufficient number of suitably qualified and experienced staff to carry out the checks effectively; and
- (c) provision is made for checks to avoid irregular duplicated financing of measures under Regulation (EU) No 1308/2013 in the fruit and vegetables sector and under other [^{F83}schemes funded in whole or in part by European Union or public funds].

[^{F84}If a check reveals any non-compliance with the recognition criteria, a detailed report must be made and sent to the Secretary of State in accordance with Article 28.]

Textual Amendments

- F77** Words in Art. 34 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(24)(a)(i)**, 7(a)
- F78** Word in Art. 34 inserted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(24)(a)(ii)**, 7(a)
- F79** Words in Art. 34 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(24)(a)(iii)**, 7(a)
- F80** Words in Art. 34 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(24)(b)(i)**, 7(a)
- F81** Words in Art. 34 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(24)(b)(ii)**, 7(a)
- F82** Words in Art. 34 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(24)(b)(iii)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

- F83** Words in Art. 34 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(24)(b)(iv)**, 7(a)
- F84** Words in Art. 34 inserted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(10)**

[^{F85} Article 34A

Checks on producer organisations

- 1 The appropriate authority for the constituent nation in which a producer organisation has its head office must:
- organise checks on that organisation in respect of the operational programme and operational fund; and
 - apply administrative penalties in accordance with Section 3 of Chapter V of Title II of Regulation (EU) 2017/891 where such checks demonstrate that the relevant obligations have not been met.
- 2 The appropriate authorities for any other constituent nations in which the producer organisation's members are located must, within any reasonable period provided by the appropriate authority in which the producer organisation has its head office:
- provide such administrative assistance and carry out such administrative and on-the-spot checks as are required by that authority; and
 - report the results of those checks to that authority.
- 3 In respect of environmental and phytosanitary measures and crisis prevention and management measures, a producer organisation must comply with the rules of the constituent nation where the respective measures and actions take place. In respect of all other matters in relation to the producer organisation and the operational programme and operational fund, the producer organisation must comply with the rules applicable in the constituent nation in which its head office is located.]

Textual Amendments

- F85** Arts. 34A, 34B inserted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(25)**, 7(a)

[^{F85} Article 34B

Checks on associations of producer organisations

- 1 The appropriate authority for the constituent nation in which a producer organisation which is a member of an association has its head office must:
- organise checks in respect of actions of the operational programme implemented in that constituent nation and of the operational fund;
 - apply administrative penalties in accordance with Section 3 of Chapter V of Title II of Regulation (EU) 2017/891 where such checks demonstrate that the relevant obligations have not been met;

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

- c provide such administrative assistance as is requested by the appropriate authority for the constituent nation in which the association of producer organisations has its head office; and
 - d notify the results of checks it has carried out and administrative penalties it has applied without delay to the appropriate authority for the constituent nation in which the association of producer organisations has its head office.
- 2 The appropriate authority for the constituent nation in which the association of producer organisations has its head office must:
- a organise checks in respect of actions of the operational programme implemented at the level of the association and of the operational fund of the association;
 - b apply administrative penalties in accordance with Section 3 of Chapter V of Title II of Regulation (EU) 2017/891 where such checks demonstrate that the relevant obligations have not been met; and
 - c co-ordinate checks and payments in respect of the actions of the operational programme of the association implemented outside the constituent nation where its head office is located.
- 3 The actions of the operational programmes must comply with the rules and strategy referred to in Article 36(2) of Regulation (EU) No 1308/2013 of the constituent nation where, in accordance with Article 9(6), the application for aid is submitted.

But environmental and phytosanitary measures and crisis prevention and management measures must comply with the rules of the constituent nation where these measures and actions are actually carried out.]

Textual Amendments

F85 Arts. 34A, 34B inserted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(25)**, 7(a)

Article 35

Obvious errors

In cases of obvious errors recognised by the [^{F86}appropriate authority or the Secretary of State (as the case may be)], as referred to in Article 59(6) of Regulation (EU) No 1306/2013, any notification, claim or request made to [^{F87}an appropriate authority or the Secretary of State (as the case may be)] under Regulation (EU) No 1308/2013, Delegated Regulation (EU) 2017/891 or this Regulation and any aid application may be corrected and adjusted at any time after its submission.

Textual Amendments

F86 Words in [Art. 35](#) substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(26)(a)**, 7

F87 Words in [Art. 35](#) substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(26)(b)**, 7

F88 CHAPTER V**EXTENSION OF RULES***Article 36***Financial contributions**

.....

*Article 37***Extensions beyond one year**

.....

Textual Amendments

F88 Chapter 5 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Producer Organisations and Wine\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1446\)](#), regs. 1(3), **6(12)**

CHAPTER VI

ENTRY PRICE SYSTEM AND IMPORT DUTIES*Article 38***Standard import values**

1 For each product and for the periods of application set out in Part A of Annex VII to Delegated Regulation (EU) 2017/891, the Commission shall fix each working day and for each origin, a standard import value equal to the weighted average of the representative prices referred to in Article 74 of that Regulation, less a standard amount of EUR 5/100 kg and the *ad valorem* customs duties.

2 Where a standard import value is established for the products and for the periods of application set out in Part A of Annex VII to Delegated Regulation (EU) 2017/891, in accordance with Articles 74 and 75 of that Regulation and this Article, the unit price as referred to in Article 142 of Commission Implementing Regulation (EU) 2015/2447⁽⁹⁾ shall not apply. It shall be replaced by the standard import value referred to in paragraph 1.

3 Where no standard import value is in force for a product of a given origin, the weighted average of standard import values in force for that product shall apply.

4 During the periods of application set out in Part A of Annex VII to Delegated Regulation (EU) 2017/891, the standard import values shall remain applicable until they are changed. They shall cease to apply, however, where no average representative price has been notified to the Commission for two consecutive weeks.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Where, pursuant to the first subparagraph, no standard import value applies to a given product, the standard import value applicable to that product shall be equal to the last average standard import value.

5 By way of derogation from paragraph 1, where it has not been possible to calculate a standard import value, no standard import value shall be applicable from the first day of the periods of application set out in Part A of Annex VII to Delegated Regulation (EU) 2017/891.

6 The exchange rate applicable to the standard import value shall be the rate most recently published by the European Central Bank prior to the last day of the period for which prices are transmitted.

7 The standard import values expressed in euro shall be published by the Commission via TARIC⁽¹⁰⁾.

CHAPTER VII

ADDITIONAL IMPORT DUTIES

Article 39

Levying of additional import duty

[^{F12}1 An additional import duty as referred to in Article 182(1) of Regulation (EU) No 1308/2013 may be applied to the products and during the periods listed in Annex VII to this Regulation. That additional import duty shall apply if the quantity of any of the products put into free circulation for any of the periods of application set out in that Annex exceeds the trigger volume for that product unless the imports are unlikely to disturb the Union market, or the effects of the additional import duty would be disproportionate to the intended objective.]

2 For each of the products listed in Annex VII and during the periods indicated in that Annex, Member States shall notify the Commission of details of the volumes put into free circulation using the method for the surveillance of preferential imports set out in Article 55 of Implementing Regulation (EU) 2015/2447.

3 The additional import duty shall be levied on quantities put into free circulation after the date of application of that duty, provided that:

- a their customs value determined in accordance with Article 74 of Delegated Regulation (EU) 2017/891 entails the application of the highest specific duties applicable to imports of the origin in question; and
- b the import takes place during the period of application of the additional import duty.

Textual Amendments

F12 Substituted by [Commission Implementing Regulation \(EU\) 2018/1146 of 7 June 2018 amending Implementing Regulation \(EU\) 2017/892 laying down rules for the application of Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and Regulation \(EC\) No 606/2009 laying down certain detailed rules for implementing Council Regulation \(EC\) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions.](#)

Article 40

Amount of additional import duty

The additional import duty applied in accordance with Article 39 shall be equivalent to one third of the customs duty specified in the Common Customs Tariff for the product in question.

However, for products benefiting from an import tariff preference as to *ad valorem* duty, the additional import duty shall be equivalent to one third of the specific customs duty for the product in question where Article 39(2) applies.

Article 41

Exemptions from additional import duty

- 1 The following goods are exempt from the additional import duty:
 - a goods imported under a tariff quota;
 - b goods that left the country of origin before the decision to apply the additional import duty, and which are being transported under cover of a transport document valid from the place of loading in the country of origin to the place of unloading in the Union that was drawn up before application of the additional import duty.
- 2 Interested parties shall provide evidence to the satisfaction of the customs authorities that the requirements of paragraph 1(b) have been met.

Customs authorities may deem that goods left the country of origin before the date of application of the additional import duty if one of the following documents is provided for:

- a sea transport, the bill of lading showing that loading took place before that date;
- b rail transport, the waybill accepted by the rail authorities of the country of origin before that date;
- c road transport, the road carriage contract (CMR) or another transit document issued in the country of origin before that date, if the conditions laid down in bilateral or multilateral arrangements concluded in the context of Union transit or common transit are observed;
- d air transport, the air way bill showing that the airline accepted the goods before that date.

CHAPTER VIII

FINAL PROVISIONS

Article 42

Entry into force and application

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

Changes to legislation: There are currently no known outstanding effects for the
Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

F89
...

Textual Amendments

F89 Words in Signature omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(27)**, 7(a)

[^{F12}ANNEX I

Structure and content of a ^{F90}... strategy for sustainable operational programmes as referred to in Article 2

Textual Amendments

F90 Word in Annex 1 heading omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(a)**, 7(a)

1. Duration of the ^{F91}... strategy

To be indicated by the [^{F92}relevant authority].

Textual Amendments

F92 Words in Annex 1 Point 1 heading substituted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(b)(ii)**, 7(a)

Textual Amendments

F91 Word in Annex 1 Point 1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(b)(i)**, 7(a)

2. Analysis of the situation in terms of strengths and weaknesses and potential for development, the strategy chosen to meet them and the justification of the priorities chosen as referred to in Article 36(2)(a) and (b) of Regulation (EU) No 1308/2013.

2.1. Analysis of the situation

Description of the current situation of the fruit and vegetable sector using quantified data, highlighting strengths and weaknesses, disparities, needs and gaps and potential for development on the basis of the relevant indicators set out in Table 4.1 of Annex II. This description shall concern at least:

- the performances of the fruit and vegetables sector: strengths and weaknesses of the sector, competitiveness and the potential for development of the producer organisations;
- the environmental effects (impacts, pressures and benefits) of the fruit and vegetables production, including key trends.

2.2. The strategy chosen to meet strengths and weaknesses

Description of the key areas where intervention is expected to bring the maximum value added:

- relevance of the objectives set for the operational programmes, of the expected results and the extent to which they can be realistically achieved;
- internal coherence of the strategy, existence of mutually reinforcing interactions and possible conflicts or contradictions between the operational objectives of different actions selected;

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

- complementarity and consistency of the actions selected with other national or regional actions, and with activities supported through [^{F93}public] funds, in particular with the rural development and promotion programmes;
- expected results and impact compared to the baseline situation and their contribution to [^{F94}the constituent nation's] objectives.

Textual Amendments

- F93** Word in Annex 1 Point 2.2 substituted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(c)(i)**, 7(a)
- F94** Words in Annex 1 Point 2.2 substituted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(c)(ii)**, 7(a)

2.3. Impact from the previous ^{F95}... strategy (where applicable)

Description of results and impact of operational programmes implemented in the recent past.

Textual Amendments

- F95** Word in Annex 1 Point 2.3 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(d)**, 7(a)

3. Objectives of operational programmes and performance indicators as referred to in Article 36(2)(c) of Regulation (EU) No 1308/2013

Description of the types of actions selected as eligible for support (non-exhaustive list), the objectives pursued, the verifiable targets and the indicators that allow the progress towards achievement of the objectives, efficiency and effectiveness to be assessed.

3.1. Requirements concerning all or several types of actions

[^{F96}The relevant authorities] shall ensure that all the actions included in the ^{F97}... strategy and in the ^{F97}... framework [^{F98}referred to in Article 36 of Regulation (EU) No 1308/2013] are verifiable and controllable. Where the assessment during the implementation of the operational programmes reveals that the requirements of verifiability and controllability are not met, the actions concerned shall be adjusted accordingly or deleted. ^{F99}... Environmental actions shall comply with the requirements set out in Article 33(5) of Regulation (EU) No 1308/2013.

Textual Amendments

- F96** Words in Annex 1 Point 3.1 substituted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(e)(i)(aa)**, 7(a)
- F97** Words in Annex 1 Point 3.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(e)(i)(bb)**, 7(a)
- F98** Words in Annex 1 Point 3.1 inserted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(e)(i)(cc)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

F99 Words in Annex 1 Point 3.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(28)(e)(i)(dd)**, 7(a)

[^{F100}The relevant authorities] shall adopt safeguards, provisions and checks for ensuring that actions selected as eligible for support are not also supported by other relevant instruments of the common agricultural policy, in particular by rural development and promotion programmes or other [^{F101}schemes funded in whole or in part by public funds]. Effective safeguards in place pursuant to Article 33(6) of Regulation (EU) No 1308/2013, to protect the environment from possible increased pressures coming from investments supported under operational programmes, and eligibility criteria adopted pursuant to Article 36(1) of that Regulation ^{F102}...

Textual Amendments

F100 Words in Annex 1 Point 3.1 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(28)(e)(ii)(aa)**, 7(a)

F101 Words in Annex 1 Point 3.1 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(28)(e)(ii)(bb)**, 7(a)

F102 Words in Annex 1 Point 3.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(28)(e)(ii)(cc)**, 7(a)

3.2. Specific information required for types of actions aimed at the attainment of the objectives set out or referred to in Article 33(1) of Regulation (EU) No 1308/2013 (to be filled only for the types of actions selected).

3.2.1. Acquisition of fixed assets

- types of investments eligible for support,
- other forms of acquisition eligible for support, e.g. renting, leasing,
- details on eligibility conditions for support.

3.2.2. Other actions

- description of the types of actions eligible for support,
- details on eligibility conditions for support.

4. Designation of competent authorities and responsible bodies

Designation by the [^{F103}relevant authority] of the ^{F104}... authority responsible for the management, monitoring and evaluation of the ^{F104}... strategy.

Textual Amendments

F103 Words in Annex 1 Point 4 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(28)(f)(i)**, 7(a)

F104 Words in Annex 1 Point 4 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(28)(f)(ii)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

5. A description of the monitoring and evaluation systems

The performance indicators set out by the ^{F105}... strategy shall comprise the indicators provided for in Article 4 and listed in Table 4.1 of Annex II. Where deemed appropriate, the ^{F105}... strategy shall specify additional indicators reflecting national or regional needs, conditions and objectives specific to the national operational programmes.

Textual Amendments

F105 Words in Annex 1 Point 5 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(g)**, 7(a)

- 5.1. Assessment of the operational programmes and reporting obligations for producer organisations as referred to in Article 36(2)(d) and (e) of Regulation (EU) No 1308/2013.

Description of the monitoring and evaluation requirements and procedures in relation to operational programmes, including the reporting obligations for producer organisations.

- 5.2. Monitoring and evaluation of the ^{F106}... strategy

Description of the monitoring and evaluation requirements and procedures in relation to the ^{F106}... strategy.

Textual Amendments

F106 Words in Annex 1 Point 5.2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(28)(h)**, 7(a)

ANNEX II

Annual Report Part A

STRUCTURE OF THE ANNUAL REPORT – PART A

These forms constitute the part A of the annual report that the [^{F107}appropriate authority is] required to [^{F108}publish] by 15 November each year [^{F109}starting in 2022,] in the year following the calendar year covered by the report.

Textual Amendments

F107 Words in Annex 2 substituted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(a)(i)(aa)**, 7(a)

F108 Word in Annex 2 substituted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(a)(i)(bb)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

F109 Words in Annex 2 inserted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(a)(i)(cc)**, 7(a)

These forms are based on the reporting requirements set out in Article 54(b) and in Annex V to Commission Delegated Regulation (EU) 2017/891, laying down detailed rules for the application of Regulation (EU) No 1308/2013 in respect of the fruit and vegetables and processed fruit and vegetables sectors.

F110₁.

Textual Amendments

F110 Annex 2 Point 1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(a)(ii)**, 7(a)

2. **Information on producer organisations [^{F111}and associations of producer organisations]^{F112}...**

Table 2.1.	Producer organisations
F113	F113
...	...
Table 2.3.	Associations of producer organisations
F113	F113
...	...
F114	F114
...	...

Textual Amendments

F113 Words in Annex 2 Point 2 omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Producer Organisations and Wine\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1446\)](#), regs. 1(3), **6(13)(a)(i)(bb)**

F114 Words in Annex 2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(a)(iii)(bb)**, 7(a)

Textual Amendments

F111 Words in Annex 2 Point 2 substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products \(Producer Organisations and Wine\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1446\)](#), regs. 1(3), **6(13)(a)(i)(aa)**

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

F112 Words in Annex 2 heading omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(29)(a)(iii)(aa)**, 7(a)

3. Information related to expenditures

Table 3.1.	Expenditures related to producer organisations [^{F115} and associations of producer organisations]
Table 3.2.	Total expenditures of operational programmes for producer organisations [^{F115} and associations of producer organisations]
F116	F116
...	...
F116	F116
...	...

Textual Amendments

F115 Words in Annex 2 Point 3 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(13)(a)(ii)**

F116 Words in Annex 2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(29)(a)(iv)**, 7(a)

4. Monitoring of operational programmes ^{F117}...

Table 4.1.	Indicators as regards producer organisations and [^{F118} associations of producer organisations]
F119	F119
...	...

Textual Amendments

F118 Words in Annex 2 Point 4 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(13)(a)(iii)**

F119 Words in Annex 2 heading omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(29)(a)(v)(bb)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

F117 Words in Annex 2 heading omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(a)(v)(aa)**, 7(a)

Explanatory notes

Abbreviations

Common market organisation	CMO
F120	F120
...	...
Producer organisation	PO
F121	F121
...	...
Association of producers organisation	APO
F121	F121
...	...
Operational fund	OF
Operational programme	OP
Value of marketed production	VMP
F120	F120
...	...

Textual Amendments

F120 Words in Annex 2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(b)(i)**, 7(a)

F121 Words in Annex 2 omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Producer Organisations and Wine\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1446\)](#), regs. 1(3), **6(13)(b)(i)**

Country codes

Country name (source language)	Short name (English)	Code
F122	F122	F122
...
F122	F122	F122
...
F122	F122	F122
...

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

F122	F122	F122
...
F122	F122	F122
...
F122	F122	F122
...
F122	F122	F122
...
F122	F122	F122
...
United Kingdom	United Kingdom	UK

Textual Amendments

F122 Words in Annex 2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(b)(ii)**, 7(a)

Region codes

F123

Textual Amendments

F123 Words in Annex 2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(b)(iii)**, 7(a)

Code number (ID) of POs [^{F124} and APOs]^{F125}...

The code number of each PO [^{F126}or APO]^{F127}... is UNIQUE. If a PO [^{F126}or APO]^{F127}... has its recognition withdrawn, the same code number should never be used again.

Textual Amendments

F126 Words in Annex 2 substituted (31.12.2020) by The Common Organisation of the Markets in [Agricultural Products \(Producer Organisations and Wine\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1446\)](#), regs. 1(3), **6(13)(b)(ii)(bb)**

F127 Words in Annex 2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(b)(iv)(bb)**, 7(a)

Monetary values

F128

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

F128 Words in Annex 2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(b)(v)**, 7(a)

Contact point for communication

[^{F129} Constituent nation]:		Year:	
F130			
...			

Textual Amendments

F129 Words in Annex 2 Table substituted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(c)(i)**, 7(a)

F130 Words in Annex 2 Table omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(c)(ii)**, 7(a)

Organisation	Name	
	Postal address	
Contact person 1	Family name	
	First name	
	Job Title	
	Email address	
	Business phone	
	Business fax	
Contact person 2	Family name	
	First name	
	Job Title	
	Email address	
	Business phone	
	Business fax	

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[^{F131} Constituent nation]:		Year:	
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Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

F132			
...			

Textual Amendments

F131 Words in Annex 2 Table substituted (25.6.2021) by The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(d)(i)**, 7(a)

F132 Words in Annex 2 Table omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(29)(d)(ii)**, 7(a)

SECTION 1

ADMINISTRATIVE INFORMATION

F133

Textual Amendments

F133 Annex 2 Section 1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(30)**, 7(a)

SECTION 2

INFORMATION RELATED TO POs [F134 AND APOs] F135 ...

Table 2.1.

PRODUCER ORGANISATIONS

Total number of recognised POs		
Total number of suspended POs		
Total number of POs for which the recognition was withdrawn		
Total number of POs that merged with another (or more) PO(s)/APO(s) F136 ...	Total number of POs concerned	
	Total number of new PO(s)/APO(s) F136 ...	
	New ID number(s)	
Number of members of POs	Total	

a excluding mushrooms

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

		Legal entities	
		Natural persons	
		Number of fruit and/or vegetable producers	
Total number of POs implementing an operational programme	— recognised POs		
	— suspended POs		
	— POs subject to merger		
Part of the production intended for the fresh market	Value		
	Volume (tonnes)		
Part of the production intended for processing	Value		
	Volume (tonnes)		
Total area under fruit and vegetables production (ha) ^a			
a excluding mushrooms			

Textual Amendments

F136 Word in Annex 2 Section 2 Table 2.1 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(14)(b)**

^{F137}Table 2.2.

Textual Amendments

F137 Annex 2 Section 2 Table 2.2 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(14)(c)**

Table 2.3.

ASSOCIATIONS OF PRODUCER ORGANISATIONS ^{F138} ...

Total number of recognised APOs		
	—Number of PO members	
Total number of suspended APOs		
	—Number of PO members	
Total number of APOs for which the recognition was withdrawn		
^{F138}		
...		
a excluding mushrooms		

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

	—Number of PO members		
Total number of APOs that merged with another (or more) APO(s) F139 ...	Total number of APOs concerned		
	Total number of new APO(s) F139 ...		
	New ID number(s)		
Number of members of APOs	Total		
	Legal entities		
	Natural persons		
	Number of fruit and/or vegetable producers		
Total number of APOs implementing an operational programme	—recognised APOs	with entire OP	
		with partial OP	
	—suspended APOs	with entire OP	
		with partial OP	
	—APOs subject to merger	with entire OP	
		with partial OP	
Part of the production intended for the fresh market	Value		
	Volume (tonnes)		
Part of the production intended for processing	Value		
	Volume (tonnes)		
Total area under fruit and vegetables production (ha) ^a			
F138			
...			
a excluding mushrooms			

Textual Amendments

F138 Annex 2 Section 2 Table 2.3 Footnote 1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(31)(b)**, 7(a)

F139 Word in Annex 2 Section 2 Table 2.3 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(14)(d)**

F140 Table 2.4.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Textual Amendments

F140 Annex 2 Section 2 Table 2.4 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(14)(e)**

^{F141}Table 2.5.

Textual Amendments

F141 Annex 2 Section 2 Table 2.5 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(31)(c)**, 7(a)

Textual Amendments

F134 Words in Annex 2 Section 2 heading substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(14)(a)**

F135 Words in Annex 2 Section 2 heading omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(31)(a)**, 7(a)

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^{F142} Constituent nation]:		Year:	
Region			

Textual Amendments

F142 Words in Annex 2 Section 2 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(31)(d)**, 7(a)

SECTION 3

EXPENDITURES INFORMATION

Table 3.1.

EXPENDITURES RELATED TO POS [^{F143}AND APOS]

		All POs	F144 ...	All APOs	F144 ...
Operational Fund	Total approved				

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

	— Amount of the financial contribution of the organisation and/or organisation's members				
	— Amount of the ^{F145} financial assistance referred to in Articles 32(1) (b) and 34 of Regulation (EU) No 1308/2013]				
Final Operational Fund	Total spent				
	— Amount of the financial contribution of the organisation's member				
	— Amount of the ^{F145} financial assistance referred to in Articles 32(1) (b) and 34 of Regulation (EU) No 1308/2013]				
^{F146} Additional financial assistance	Amount of the ^{F146} Additional financial assistance actually paid				
	^{F147} ...				
	List of the beneficiary regions under				

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

	Article 35 of Regulation (EU) No 1308/2013			
Value of marketed production (calculated in accordance with Article 22 of Regulation (EU) 2017/891)				

Textual Amendments

- F143** Words in Annex 2 Section 3 Table 3.1 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(15)(a)(i)**
- F144** Words in Annex 2 Section 3 Table 3.1 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(15)(a)(ii)**
- F145** Words in Annex 2 Section 3 Table 3.1 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(a)(i)**, 7(a)
- F146** Word in Annex 2 Section 3 Table 3.1 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(a)(ii)**, 7(a)
- F147** Words in Annex 2 Section 3 Table 3.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(a)(iii)**, 7(a)

F148 ...

Textual Amendments

- F148** Words in Annex 2 Section 3 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(b)**, 7(a)

Table 3.2.

TOTAL ACTUAL EXPENDITURES OF OPERATIONAL PROGRAMMES FOR POS [F149 AND APOS]

Actions/ Measures Article 2(f) and (g) of Regulation (EU) 2017/891	Objectives Articles 33(1) and (3) and 152(1)(c) of Regulation (EU) No 1308/2013	Total actual expenditures F151			
		All POs	F152	All APOs	F152
	

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Investments	Planning of production				
	Improvement of product quality				
	Boosting products' commercial value				
	Environmental measures				
	F153 ...				
	Research				
Research and experimental production	Planning of production				
	Improvement of product quality				
	Boosting products' commercial value				
	Environmental measures				
Quality schemes F154 ... and measures related to quality improvement	Improvement of product quality				
Promotion and communications	Boosting products' commercial value				
	Promotion of the products				
	Crisis prevention and management				

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Training and exchange of best practices	Planning of production				
	Improvement of product quality				
	Boosting products' commercial value				
	Environmental measures				
	Crisis prevention and management				
Advisory services and technical assistance	Planning of production				
	Improvement of product quality				
	Boosting products' commercial value				
	Environmental measures				
Organic production	Environmental measures				
Integrated production					
Improved use or management of water, including water saving and drainage					
Actions to conserve soil					
Actions to create or maintain habitat favourable for biodiversity or to maintain					

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

the landscape, including the conservation of historical features				
Actions favouring energy saving (excluding transport)				
Action related to reduction of waste production and to improve waste management				
Transport				
Marketing				
Setting-up mutual funds	Crisis prevention and management			
Replenishment of mutual funds				
F155 ...				
F155 ...				
F155 ...				
F155 ...				
F155 ...				
F155 ...				
F155 ...				
F155 ...				
Harvest insurance				
F156 ...				
Administrative costs	Planning of production			

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

	Improvement of product quality				
	Boosting products' commercial value				
	Environmental measures				
	Crisis prevention and management				
	Research				
Others	Planning of production				
	Improvement of product quality				
	Boosting products' commercial value				
	Environmental measures				

Note: Regulation (EU) No 1308/2013 provides for the following objectives:

— Planning of production	Articles 33(1)(a) and 152(1)(c)(i),(ii) and (xi)
— Improvement of product quality	Articles 33(1)(b) and 152(1)(c)(i),(iv) and (vi)
— Boosting products' commercial value	Articles 33(1)(c) and 152(1)(c)(i),(ii),(iii),(iv),(ix) and (xi)
— Promotion of the products	Article 33(1)(d) and 152(1)(c)(vi) and (ix)
— Environmental measures	Articles 33(1)(e) and 152(1)(c)(iii),(iv), (v),(vii) and (viii)
— Crisis prevention and management	Articles 33(1)(f), [F15033(3)] and 152(1)(c)(iv) and (xi)
— Research	Article 152(1)(c)(iv)

Textual Amendments

F149 Words in Annex 2 Section 3 Table 3.2 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(15)(b)(i)**

F150 Word in Annex 2 Section 3 Table 3.2 Note substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(c)(vi)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

- F151** Words in Annex 2 Section 3 Table 3.2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(c)(i)**, 7(a)
- F152** Words in Annex 2 Section 3 Table 3.2 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(15)(b)(ii)**
- F153** Words in Annex 2 Section 3 Table 3.2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(c)(ii)**, 7(a)
- F154** Words in Annex 2 Section 3 Table 3.2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(c)(iii)**, 7(a)
- F155** Words in Annex 2 Section 3 Table 3.2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(c)(iv)**, 7(a)
- F156** Words in Annex 2 Section 3 Table 3.2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(c)(v)**, 7(a)

^{F157}Table 3.3.

Textual Amendments
F157 Annex 2 Section 3 Tables 3.3, 3.4 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(d)**, 7(a)

^{F157}Table 3.4.

Annual Report – Part A

[^{F158} Constituent nation]:		Year:	
F159			
. . .			

Textual Amendments
F158 Words in Annex 2 Section 3 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(e)(i)**, 7(a)
F159 Words in Annex 2 Section 3 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(32)(e)(ii)**, 7(a)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

SECTION 4

MONITORING OF OPERATIONAL PROGRAMMES

The indicators related to actions undertaken by recognised producer organisations [^{F160}and associations] of producer organisations ^{F161}...^{F162}... under an operational programme ^{F163}... does not necessarily capture all the factors that may intervene and affect the outputs, results and impact of an operational programme ^{F163}... . In this context, the information provided by the indicators should be interpreted in the light of quantitative and qualitative information relating to other key factors contributing to the success or failure of the [^{F164}programme's] implementation.

Textual Amendments

- F160** Words in Annex 2 Section 4 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(16)(a)(i)**
- F161** Words in Annex 2 Section 4 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(16)(a)(ii)**
- F162** Words in Annex 2 Section 4 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(a)(i)(aa)**, 7(a)
- F163** Words in Annex 2 Section 4 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(a)(i)(bb)**, 7(a)
- F164** Word in Annex 2 Section 4 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(a)(i)(cc)**, 7(a)

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Textual Amendments

- F165** Words in Annex 2 Section 4 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(a)(ii)**, 7(a)

Table 4.1.

INDICATORS AS REGARDS POS [^{F166}AND APOS]

Actions/ Measures	Objectives	Indicators	All POs	F168	All APOs	F168
<i>Article 2(f) and (g) of Regulation (EU) 2017/891</i>	<i>Articles 33(1) and (3) and 152(1) (c) of Regulation (EU)</i>		

Changes to legislation: There are currently no known outstanding effects for the
Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

		No 1308/2013					
Investments ^a	Planning of production	Number of holdings					
		Total value					
	Improvement of product quality	Number of holdings					
		Total value					
	Boosting products' commercial value	Number of holdings					
		Total value					
		Total value of marketed production/ Total volume of marketed production (^{F169} pounds sterling)/ kg)					
	Environmental measures	Number of holdings					
		Total value					
	F170 ...	F170					
		...					
	Research	Number of holdings					
Total value							
Research and experimental production	Planning of production	Total value					
		Number of holdings					
	Improvement of product quality	Total value					
		Number of holdings					
	Boosting products' commercial value	Total value					
		Number of holdings					
	Environmental measures	Number of holdings					
		Total value					
Quality schemes ^{F171} ... ^b and measures	Improvement of product quality	Area of PDO/PGI/ TSG ^c (ha)					
		Number of holdings					
		Volume (tonnes)					

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

related to quality improvement							
Promotion and communications ^a	Boosting products' commercial value	Number of holdings					
		Number of promotion campaigns					
	Promotion of the products	Number of holdings					
		Number of promotion campaigns					
	Crisis prevention and management	Number of holdings					
		Number of promotion campaigns					
Training and exchange of best practices	Planning of production	Number of holdings					
		Number of actions					
	Improvement of product quality	Number of holdings					
		Number of actions					
	Boosting products' commercial value	Number of holdings					
		Number of actions					
	Environmental measures	Number of holdings					
		Number of actions					
	Crisis prevention and management	Number of holdings					
		Number of actions					
	Advisory services and technical assistance	Planning of production	Number of holdings				
			Number of actions				
Improvement of product quality		Number of holdings					
		Number of actions					
Boosting products' commercial value		Number of holdings					
		Number of actions					
Environmental measures		Number of holdings					
		Number of actions					

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Organic production	Environmental measures	Area under organic production of fruit and/or vegetables (ha)				
		Number of holdings				
Integrated production		Area under integrated production of fruit and/or vegetables (ha)				
		Number of holdings				
Improved use or management of water, including water saving and drainage		Area under fruit and vegetable production subject to reduction in use of water (ha)				
		Number of holdings				
		Difference of volume (m ³) (n – 1/n)				
Actions to conserve soil		Area under fruit and vegetable production at risk of soil erosion where anti-erosion measures are implemented (ha) ^e				
		Number of holdings				
		Difference of fertiliser use per ha (tonnes/ha) (n – 1/n)				
Actions to create or maintain habitat favourable for biodiversity or to maintain the landscape, including the conservation of historical features		Area concerned by actions contributing to habitat and biodiversity protection (ha)				
		Number of holdings				

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Actions favouring energy saving (excluding transport)	Area under fruit and vegetable production subject to reduction in use of energy (ha)					
	Number of holdings					
	Difference of energy consumption ($n - 1/n$):					
	Solids	(tonnes/ volume of marketed production)				
	Liquids	(L/ volume of marketed production)				
	Gas	(m^3 / volume of marketed production)				
	Electricity	(kwh/ volume of marketed production)				
Action related to reduction of waste production and to improve waste management	Number of holdings					
	Difference of volume of waste (m^3 / volume of marketed production) ($n - 1/n$)					
	Difference of volume of packaging (m^3 / volume of marketed production) ($n - 1/n$)					
Transport	Difference of energy consumption ($n - 1/n$):					
	Liquids	(L/ volume of marketed production)				
	Gas	(m^3 / volume of				

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

			<i>marketed production)</i>				
		Electricity	<i>(kwh/ volume of marketed production)</i>				
Marketing		Number of holdings					
		Number of actions					
Setting-up mutual funds ^f	Crisis prevention and management	Number of holdings					
Replenishment of mutual funds ^g		Number of holdings					
F172		F172					
...		...					
F172		F172					
...		...					
F172		F172					
...		...					
F172		F172					
...		...					
Harvest insurance		Number of holdings					
F173		F173					
...		...					
Others	Planning of production	Number of holdings					
	Improvement of product quality	Number of holdings					
	Boosting products' commercial value	Number of holdings					

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Environmental measures	Number of holdings				
a	Including non-productive investments linked to the achievement of commitments undertaken under the operational programme.				
b	Refers to a set of detailed obligations concerning the production methods (a) the respect of which is subject to independent inspection, and (b) that result in a final product the quality of which (i) goes significantly beyond the normal commercial standards as regards public health, plant health or environmental standards and (ii) responds to current and foreseeable market opportunities. It is proposed that the main types of 'quality schemes' cover the following: (a) certified organic production; (b) protected geographical indications and protected designations of origin, (c) certified integrated production, (d) private certified product quality schemes.				
c	Protected designations of origin/Protected Geographical Indications/Traditional Speciality Guaranteed				
d	Each day of a promotion/communication campaign counts as one action.				
e	'At risk of soil erosion' shall mean any sloping plot with an inclination higher than 10 %, whether or not anti-erosion measures (e.g. soil cover, crop rotation, etc.) have been taken. Where the relevant information is available, [F167 the appropriate authority] may instead use the following definition: 'At risk of soil erosion' shall mean any plot with a predicted loss of soil exceeding the rate of natural soil formation, whether or not anti-erosion measures (e.g. soil cover or crop rotation) have been taken.				
f	Actions relating to the setting up/refilling of different mutual funds count as different actions.				
g	Market withdrawal of the same product in different periods of the year and market withdrawals of different products count as different actions. Each market withdrawal operation for a given product counts as one action.				
h	Green-harvesting and non-harvesting of different products count as different actions. Green harvesting and non-harvesting of the same product count as one action, regardless of the number of days they take, the number of holdings participating and the number of plots or hectares concerned.				

Textual Amendments

- F166** Words in Annex 2 Section 4 Table 4.1 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(16)(b)(i)**
- F167** Words in Annex 2 Section 4 Table 4.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(b)(v)**, 7(a)
- F168** Words in Annex 2 Section 4 Table 4.1 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **6(16)(b)(ii)**
- F169** Word in Annex 2 Section 4 Table 4.1 substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(b)(i)(aa)**, 7(a)
- F170** Words in Annex 2 Section 4 Table 4.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(b)(i)(bb)**, 7(a)
- F171** Words in Annex 2 s. 4 Table 4.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(b)(ii)**, 7(a)
- F172** Words in Annex 2 Section 4 Table 4.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(b)(iii)**, 7(a)
- F173** Words in Annex 2 Section 4 Table 4.1 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **5(33)(b)(iv)**, 7(a)

^{F174}Table 4.2.]

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

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Textual Amendments

F174 Annex 2 Section 4 Table 4.2 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(33)(c)**, 7(a)

ANNEX III

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Textual Amendments

F175 Annexes 3-6 omitted (25.6.2021) by virtue of The Common Organisation of the Markets in [Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **5(34)**, 7(a)

ANNEX IV

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ANNEX V

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ANNEX VI

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ANNEX VII

Products and periods for the application of additional import duties as referred to in Article 39

Without prejudice to the rules on the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. For the purposes of this Annex, the scope of the additional duties is determined by the scope of the CN codes as they stand at the time of adoption of this Regulation.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

Order number	CN code	Description of products	Period of application
78.0015	0702 00 00	Tomatoes	From 1 October to 31 May
78.0020			From 1 June to 30 September
78.0065	0707 00 05	Cucumbers	From 1 May to 31 October
78.0075			From 1 November to 30 April
78.0085	0709 91 00	Artichokes	From 1 November to 30 June
78.0100	0709 93 10	Courgettes	From 1 January to 31 December
78.0110	0805 10 20	Oranges	From 1 December to 31 May
78.0120	0805 20 10	Clementines	From 1 November to end of February
78.0130	0805 20 300805 20 500805 20 700805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	From 1 November to end of February
78.0155	0805 50 10	Lemons	From 1 June to 31 December
78.0160			From 1 January to 31 May
78.0170	0806 10 10	Table grapes	From 16 July to 16 November
78.0175	0808 10 80	Apples	From 1 January to 31 August
78.0180			From 1 September to 31 December
78.0220	0808 30 90	Pears	From 1 January to 30 April
78.0235			From 1 July to 31 December
78.0250	0809 10 00	Apricots	From 1 June to 31 July
78.0265	0809 29 00	Cherries, other than sour	From 16 May to 15 August

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

78.0270	0809 30	Peaches, including nectarines	From 16 June to 30 September
78.0280	0809 40 05	Plums	From 16 June to 30 September

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892. (See end of Document for details)

- (1) [OJ L 347, 20.12.2013, p. 671.](#)
- (2) [OJ L 347, 20.12.2013, p. 549.](#)
- (3) 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) ([OJ L 299, 16.11.2007, p. 1.](#))
- (4) Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ([OJ L 157, 15.6.2011, p. 1.](#))
- (5) Commission Delegated Regulation (EU) 2017/891 of 13 March 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to penalties to be applied in those sectors and amending Commission Implementing Regulation (EU) No 543/2011 (see p. 4 of this Official Journal).
- (6) Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 ([OJ L 347, 20.12.2013, p. 487.](#))
- (7) Regulation (EU) No 1144/2014 of the European Parliament and of the Council of 22 October 2014 on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries and repealing Council Regulation (EC) No 3/2008 ([OJ L 317, 4.11.2014, p. 56.](#))
- (8) Commission Delegated Regulation (EU) No 907/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro ([OJ L 255, 28.8.2014, p. 18.](#))
- (9) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code ([OJ L 343, 29.12.2015, p. 558.](#))
- (10) http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/892.