

Council Regulation (EC) No 1184/2006 of 24 July 2006 applying certain rules of competition to the production of and trade in certain agricultural products

<sup>F1</sup><sup>F2</sup>Article 1

This Regulation lays down rules concerning the applicability of Articles 101 to 106 and of Article 108(1) and (3) of the Treaty on the functioning of the European Union (TFEU) in relation to production of, or trade in, the products listed in Annex I to the TFEU with the exception of the products covered by Council Regulation (EC) No 1234/2007<sup>(1)</sup> and Regulation (EU) No 1379/2013 of the European Parliament and of the Council<sup>(2)</sup>.]

**Textual Amendments**

- F1** Substituted by [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 \(Single CMO Regulation\)](#).
- F2** Substituted by [Regulation \(EU\) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations \(EC\) No 1184/2006 and \(EC\) No 1224/2009 and repealing Council Regulation \(EC\) No 104/2000](#).

*Article 1a*

Articles 81 to 86 of the Treaty and provisions made for their implementation shall, subject to Article 2 of this Regulation, apply to all agreements, decisions and practices referred to in Articles 81(1) and 82 of the Treaty which relate to the production of, or trade in, the products referred to in Article 1.]

**Textual Amendments**

- F1** Substituted by [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 \(Single CMO Regulation\)](#).

*Article 2*

<sup>F1</sup> Article 81(1) of the Treaty shall not apply to those agreements, decisions and practices referred to in Article 1a of this Regulation which form an integral part of a national market organisation or are necessary for attainment of the objectives set out in Article 33 of the Treaty.]

In particular, it shall not apply to agreements, decisions and practices of farmers, farmers' associations, or associations of such associations belonging to a single Member State which concern the production or sale of agricultural products or the use of joint facilities for the storage, treatment or processing of agricultural products, and under which there is no obligation to charge identical prices, unless the Commission finds that competition is thereby excluded or that the objectives of Article 33 of the Treaty are jeopardised.

2 After consulting the Member States and hearing the undertakings or associations of undertakings concerned and any other natural or legal person that it considers should be heard, the Commission shall have sole power, subject to review by the Court of Justice, to determine,

*Status: Point in time view as at 31/01/2020.*

**Changes to legislation:** *There are outstanding changes not yet made to Council Regulation (EC) No 1184/2006. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)*

by decision which shall be published, which agreements, decisions and practices fulfil the conditions specified in paragraph 1.

The Commission shall so determine either on its own initiative or at the request of a competent authority of a Member State or of an interested undertaking or association of undertakings.

3 The publication shall state the names of the parties and the main content of the decision. It shall have regard to the legitimate interest of undertakings in the protection of their business secrets.

**Textual Amendments**

- F1** Substituted by [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 \(Single CMO Regulation\)](#).

*[<sup>F1</sup> Article 3*

Article 88(1) and of the first sentence of Article 88(3) of the Treaty shall apply to aid granted for the production of, or trade in, the products referred to in Article 1.]

**Textual Amendments**

- F1** Substituted by [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 \(Single CMO Regulation\)](#).

*Article 4*

Regulation No 26 shall be repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex II.

*Article 5*

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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- (1) <sup>[F1]</sup><sup>[F2]</sup>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).]]
- (2) <sup>[F1]</sup><sup>[F2]</sup>Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 december 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).]]

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- F1** Substituted by 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).
- F2** Substituted by Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000.

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