

Commission Regulation (EU) No 173/2011 of 23 February 2011 amending Regulations (EC) No 2095/2005, (EC) No 1557/2006, (EC) No 1741/2006, (EC) No 1850/2006, (EC) No 1359/2007, (EC) No 382/2008, (EC) No 436/2009, (EC) No 612/2009, (EC) No 1122/2009, (EC) No 1187/2009 and (EU) No 479/2010 as regards the notification obligations within the common organisation of agricultural markets and the direct support schemes for farmers

COMMISSION REGULATION (EU) No 173/2011

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THE EUROPEAN COMMISSION,

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

Having regard to 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)⁽¹⁾, and in particular Article 161(3), Article 170, Article 171(1) and Article 192(2), in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003⁽²⁾, and in particular Article 142(q) thereof,

Whereas:

- (1) Commission Regulation (EC) No 792/2009 of 31 August 2009 laying down detailed rules for the Member States' notification to the Commission of information and documents in implementation of the common organisation of the markets, the direct payments' regime, the promotion of agricultural products and the regimes applicable to the outermost regions and the smaller Aegean islands⁽³⁾ lays down common rules for notifying information and documents by the competent authorities of the Member States to the Commission. Those rules cover in particular the obligation for the Member States to use the information systems made available by the Commission and the validation of the access rights of the authorities or individuals authorised to send notifications. In addition, that Regulation sets common principles applying to the information systems so that they guarantee the authenticity, integrity and legibility over time of the documents and provides for personal data protection.

Status: Point in time view as at 31/12/2020.

Changes to legislation: Commission Regulation (EU) No 173/2011, Introductory Text is up to date with all changes known to be in force on or before 02 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) Pursuant to Regulation (EC) No 792/2009 the obligation to use the information systems in accordance with that Regulation has to be provided for in the Regulations establishing a specific notification obligation.
- (3) The Commission has developed an information system that allows managing documents and procedures electronically in its own internal working procedures and in its relations with the authorities involved in the common agricultural policy.
- (4) It is considered that several notification obligations can be fulfilled via that system in accordance with Regulation (EC) No 792/2009, in particular those provided for in Commission Regulations (EC) No 2095/2005 of 20 December 2005 laying down detailed rules for the application of Council Regulation (EEC) No 2075/92 as regards communication of information on tobacco⁽⁴⁾, (EC) No 1557/2006 of 18 October 2006 laying down detailed rules for implementing Council Regulation (EC) No 1952/2005 as regards registration of contracts and the communication of data concerning hops⁽⁵⁾, (EC) No 1741/2006 of 24 November 2006 laying down the conditions for granting the special export refund on boned meat of adult male bovine animals placed under the customs warehousing procedure prior to export⁽⁶⁾, (EC) No 1850/2006 of 14 December 2006 laying down detailed rules for the certification of hops and hop products⁽⁷⁾, (EC) No 1359/2007 of 21 November 2007 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals⁽⁸⁾, (EC) No 382/2008 of 21 April 2008 on rules of application for import and export licences in the beef and veal sector⁽⁹⁾, (EC) No 436/2009 of 26 May 2009 laying down detailed rules for the application of Council Regulation (EC) No 479/2008 as regards the vineyard register, compulsory declarations and the gathering of information to monitor the wine market, the documents accompanying consignments of wine products and the wine sector registers to be kept⁽¹⁰⁾, (EC) No 612/2009 of 7 July 2009 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹¹⁾, (EC) No 1122/2009 of 30 November 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 73/2009 as regards cross-compliance, modulation and the integrated administration and control system, under the direct support schemes for farmers provided for in that Regulation, as well as for the implementation of Council Regulation (EC) No 1234/2007 as regards cross-compliance under the support scheme provided for the wine sector⁽¹²⁾, (EC) No 1187/2009 of 27 November 2009 laying down special detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards export licences and export refunds for milk and milk products⁽¹³⁾ and (EU) No 479/2010 of 1 June 2010 laying down rules for the implementation of Council Regulation (EC) No 1234/2007 as regards Member States' notifications to the Commission in the milk and milk products sector⁽¹⁴⁾.
- (5) In the interest of efficient administration and taking account of the experience, the notifications should be simplified. In particular, it should be established that only Member States producing tobacco and hop respectively should be obliged to send the data required under Regulations (EC) No 2095/2005, (EC) No 1557/2006 and (EC) No 1850/2006. Furthermore, for reasons of clarity, the content of some notifications should be specified in those Regulations.

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- (6) The information that Member States have to submit to the Commission pursuant to Article 19(1)(b)(ii) and (iii) of Regulation (EC) No 436/2009, are to be sent to Eurostat. For reasons of coherence and good administration, the notifications concerned should be made by electronic means to the single entry point for data at Eurostat, in conformity with the technical specifications provided by the Commission (Eurostat).
- (7) The exchange rate to be used should be in coherence with the principle established in Article 11 of Commission Regulation (EC) No 1913/2006 of 20 December 2006 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture and amending certain regulations⁽¹⁵⁾.
- (8) Regulations (EC) No 2095/2005, (EC) No 1557/2006, (EC) No 1741/2006, (EC) No 1850/2006, (EC) No 1359/2007, (EC) No 382/2008, (EC) No 436/2009, (EC) No 612/2009, (EC) No 1122/2009, (EC) No 1187/2009 and (EU) No 479/2010 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments and the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

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- (1) OJ L 299, 16.11.2007, p. 1.
- (2) OJ L 30, 31.1.2009, p. 16.
- (3) OJ L 228, 1.9.2009, p. 3.
- (4) OJ L 335, 21.12.2005, p. 6.
- (5) OJ L 288, 19.10.2006, p. 18.
- (6) OJ L 329, 25.11.2006, p. 7.
- (7) OJ L 355, 15.12.2006, p. 72.
- (8) OJ L 304, 22.11.2007, p. 21.
- (9) OJ L 115, 29.4.2008, p. 10.
- (10) OJ L 128, 27.5.2009, p. 15.
- (11) OJ L 186, 17.7.2009, p. 1.
- (12) OJ L 316, 2.12.2009, p. 65.
- (13) OJ L 318, 4.12.2009, p. 1.
- (14) OJ L 135, 2.6.2010, p. 26.
- (15) OJ L 365, 21.12.2006, p. 52.

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