

Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC

TITLE IV

GENERAL AND FINAL PROVISIONS

Article 40

Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Article 7(2) and Article 10(2) shall be conferred on the Commission for a period of seven years from 30 June 2014. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 7(2) and Article 10(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5 A delegated act adopted pursuant to Article 7(2) and Article 10(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Status: Point in time view as at 15/05/2014.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 652/2014 of the European Parliament and of the Council. 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)

Article 41

Committee procedure

1 The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so requests.

Article 42

Evaluation

1 By 30 June 2017 the Commission shall establish and present to the European Parliament and to the Council a mid-term evaluation report on whether, in terms of their results and impacts, the measures referred to in Chapters I and II of Title II and in Articles 30 and 31 of Chapter III achieve the objectives set out in Article 2(1), as regards the efficiency of the use of resources and its added value, at Union level. The evaluation report shall also address the scope for simplification, the continued relevance of all objectives, and the contribution of the measures to the Union priorities of smart, sustainable and inclusive growth. It shall take into account evaluation results on the long-term impact of the predecessor measures. The report shall be accompanied, if appropriate, by a legislative proposal to amend this Regulation.

2 By 30 June 2022 the Commission shall carry out an *ex-post* evaluation of the measures referred to in paragraph 1 of this Article in close cooperation with the Member States. That *ex-post* evaluation shall examine the effectiveness and efficiency of the expenditure referred to in Article 1 and its impact.

3 The evaluations referred to in paragraphs 1 and 2 of this Article shall take account of the progress made by using the indicators referred to in Article 2(2).

4 The Commission shall communicate the conclusions of the evaluations referred to in paragraphs 1 and 2 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

Article 43

Information, communication and publicity

1 Where appropriate, beneficiaries and Member States concerned shall ensure that suitable publicity is given to financial contributions granted under this Regulation in order to inform the public of the role of the Union in the funding of the measures.

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2 The Commission shall implement information and communication actions on the measures funded and results. Moreover, budget allocated to communication under this Regulation shall also cover corporate communication on the political priorities of the Union.

Article 44

Repeals

- 1 Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC are repealed.
- 2 References to Decisions 66/399/EEC and 76/894/EEC shall be construed as references to Article 58(1) of Regulation (EC) No 178/2002.
- 3 References to Decision 2009/470/EC shall be construed as references to this Regulation.

Article 45

Transitional provisions

1 The Member States' national programmes referred to in Article 12(1) of this Regulation, submitted to the Commission in 2012 for implementation in 2013, those submitted in 2013 for implementation in 2014, and those submitted by 30 April 2014 for implementation in 2015, shall, if approved, be eligible for Union funding on the basis of Article 27 of Decision 2009/470/EC.

For national programmes implemented in 2013 and 2014, Article 27(7) and (8) of that Decision shall continue to apply.

For national programmes implemented in 2015, Article 27(2) of that Decision shall continue to apply.

2 The survey programmes of Member States referred to in Article 21(1) of this Regulation, submitted to the Commission by 30 April 2014 for implementation in the year 2015, shall be eligible for Union funding on the basis of Article 23(6) of Directive 2000/29/EC. For those survey programmes, Article 23(6) of that Directive shall continue to apply.

3 For applications of Member States for Union funding for the emergency measures referred to in Article 16 of this Regulation, submitted to the Commission by 30 April 2014, Articles 22 to 24 of Directive 2000/29/EC shall continue to apply.

Article 46

Amendment of Directive 98/56/EC

Directive 98/56/EC is amended as follows:

- (1) In Article 17, paragraph 1 is replaced by the following:
 1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 of the European Parliament and of the Council⁽¹⁾. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁽²⁾.

Status: Point in time view as at 15/05/2014.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 652/2014 of the European Parliament and of the Council. 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)

- (2) In Article 18, paragraph 1 is replaced by the following:
1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011..

Article 47

Amendment of Directive 2000/29/EC

Directive 2000/29/EC is amended as follows:

- (1) In Article 13c, paragraph 5 is deleted.
- (2) The following Article is inserted:

Article 15a

Member States shall provide that anyone who becomes aware of the presence of a pest listed in Annex I or Annex II or a pest covered by a measure pursuant to Article 16(2) or 16(3), or has reason to suspect such a presence, shall notify, in writing, the competent authority within ten calendar days, and, if so requested by that competent authority, shall provide the information concerning that presence which is in its possession..

- (3) Articles 22 to 26 are deleted.

Article 48

Amendment of Regulation (EC) No 178/2002

In Article 58 of Regulation (EC) No 178/2002, paragraph 1 is replaced by the following:

1. The Commission shall be assisted by a Standing Committee on Plants, Animals, Food and Feed, hereinafter referred to as the ‘Committee’. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁽³⁾. The Committee shall be organised in sections to deal with all relevant matters.

All references in Union law to the Standing Committee on the Food Chain and Animal Health shall be construed as references to the Committee referred to in the first subparagraph..

Article 49

Amendment of Regulation (EC) No 882/2004

Article 66 of Regulation (EC) No 882/2004 is deleted.

Article 50

Amendment of Regulation (EC) No 396/2005

Chapter VII of Regulation (EC) No 396/2005 is deleted.

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Article 51

Amendment of Directive 2008/90/EC

In Article 19 of Directive 2008/90/EC, paragraph 1 is replaced by the following:

1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 of the European Parliament and of the Council⁽⁴⁾. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁽⁵⁾..

Article 52

Amendment of Directive 2009/128/EC

Article 22 of Directive 2009/128/EC is deleted.

Article 53

Amendment of Regulation (EC) No 1107/2009

Article 76 of Regulation (EC) No 1107/2009 is deleted.

Article 54

Entry into force and application

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

It shall apply from 30 June 2014.

However, point (d) of Article 18(1) and point (2) of Article 47 shall apply from 1 January 2017.

Status: Point in time view as at 15/05/2014.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 652/2014 of the European Parliament and of the Council. 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)

- (1) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ([OJ L 31, 1.2.2002, p. 1](#)).
- (2) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).[?]
- (3) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).[?]
- (4) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ([OJ L 31, 1.2.2002, p. 1](#)).
- (5) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).[?]

Status:

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