

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

CHAPTER IV

INFORMATION, REPORTS AND CHECKS

SECTION 2

Checks

Article 34

Checks

Without prejudice to specific provisions of this Regulation or other [<sup>F1</sup>retained EU law, the appropriate authority must conduct] checks and [<sup>F2</sup>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 [<sup>F3</sup>in order to ensure proper management of public funds].

In particular, [<sup>F4</sup>the appropriate authority] shall ensure that:

- (a) [<sup>F5</sup>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) [<sup>F6</sup>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 [<sup>F7</sup>schemes funded in whole or in part by European Union or public funds].

[<sup>F8</sup>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**

- F1** 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)
- F2** 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)

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**Changes to legislation:** This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](http://legislation.gov.uk). (See end of Document for details)

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- F3** 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)
- F4** 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)
- F5** 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)
- F6** 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)
- F7** 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)
- F8** 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)**

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