

Outermost regions: specific measures for agriculture

2010/0256(COD) - 05/02/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 579 to 82, with 35 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council laying down specific measures for agriculture in the outermost regions of the Union.

Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise reached between the European Parliament and the Council. They amend the Commission's proposal as follows:

Legal basis: in accordance with the request by Members, the proposal is also based on Article 349 of the Treaty on the Functioning of the European Union (TFEU).

Specific objectives: the specific measures help to meet the following objectives: (a) securing the long-term future and development of the 'livestock' and 'crop- diversification' sectors in the outermost regions, including the production, processing and sale of local products ; (b) maintaining the development and strengthening the competitiveness of traditional agricultural activities in the outermost regions, including the production, processing and marketing of local crops and products. In addition, the specific supply arrangements **must not harm local production or its growth**.

Modification of the POSEI programmes: the Member States may, after consulting the socio-economic partners concerned, submit to the Commission duly substantiated proposals for amendments to measures to bring them more into line with the requirements of the outermost regions and the strategy proposed.

Operation of the arrangements: as requested by the Parliament, the amended text provides that products from third countries shall provide an equivalent level of guarantees to those produced under the Union's veterinary and plant health standards.

Impact of economic advantage: benefiting from the specific supply arrangements resulting from the exemption of import duty or the awarding of aid shall be subject to the condition that the impact of the economic advantage is passed on up to the end user. An amendment states that the **advantage shall be equal to the amount of the exemption from import duties or to the amount of the aid**. No security shall be required when applying for import licences, exemption certificates or aid certificates. However, to the extent necessary to ensure the proper application of this Regulation, the competent authority may require a security to be lodged equal to the amount of the advantage.

Export to third countries and dispatch to the rest of the Union: the text states that the term 'regional trade' shall be understood as trade, for each outermost region, with third countries belonging to the same geographical area as those outermost regions, and with countries with which there are historical trade links. The Commission shall adopt implementing acts establishing a **list of those countries**, taking into account objective requests made by the Member States following consultation with the sectors concerned

Processing operations which may give rise to traditional or regional trade exports or traditional dispatches shall fulfil, mutatis mutandis, the processing conditions applicable under inward processing arrangements and the procedure for processing under customs control provided for in the relevant Union legislation, with the exception of all usual forms of handling .

Controls and penalties: except in cases of force majeure or exceptional climatic conditions, if an operator fails to comply with the commitments made as regards certificates, the competent authority shall: (a) recover the advantage granted to operator; (b) temporarily suspend or revoke the operator's registration, depending on the seriousness of the non-compliance. Moreover, where operators do not carry out the planned import or entry, their entitlement to apply for licences or certificates shall be suspended by the competent authority for a period of 60 days following expiry of that licence or certificate.

Plant health: Members called for programmes on the control of organisms harmful to plants or plant products to be extended to the outermost regions. The Union's contribution may cover up to 75% of eligible expenditure.

Wine: by way of derogation from Article 85f of Regulation (EC) No 1234/2007, the transitional planting rights regime shall apply to the Canary Islands until 31 December 2012.

Financial resources: a new measure states that for the financial year 2013, the Union shall grant an **additional financing for the banana sector** of the outermost regions up to the maximum amounts as follows:

- Overseas Departments of France: EUR 18.52 million.
- Azores and Madeira: EUR 1.24 million;
- Canary Islands: EUR 20.24 million.

Reports: the Commission shall submit, every five years, a general report showing the impact of the action taken under this Regulation, including in the **banana and milk sectors**, accompanied, if applicable, by appropriate proposals. The report shall include a specific chapter in the analyses, studies and assessments it carries out in the context of trade agreements and the common agricultural policy for any topic in which the outermost regions have a particular interest.

Delegated acts: in order to ensure the proper functioning of the regime established by this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to enable it to supplement or modify certain non-essential elements of the present Regulation. The power shall be conferred on the Commission for a period of five years from the entry into force of the Regulation.

Committee procedure: the Commission shall be assisted by the Management Committee for Direct Payments established by Regulation (EC) No 73/2009 and by the Standing Committee on Plant Health established by Council Decision 76/894/EEC. Those Committees are committees within the meaning of Regulation (EU) No 182/2011.

Review: the Commission shall review these arrangements before the end of 2013 and if necessary come forward with appropriate proposals for a revised POSEI scheme.