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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

On the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 1144/2014 of the European Parliament and of the Council of 22 October 2014 on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries and repealing Council Regulation (EC) No 3/2008

REGULATION (EU) NO 1144/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON INFORMATION PROVISION AND PROMOTION MEASURES CONCERNING AGRICULTURAL PRODUCTS IMPLEMENTED IN THE INTERNAL MARKET AND IN THIRD COUNTRIES AND REPEALING COUNCIL REGULATION (EC) NO 3/2008

1.1. Introduction

Regulation (EU) No 1144/2014 of the European Parliament and of the Council[1] lays down the conditions under which information provision and promotion measures concerning agricultural products and certain food products based on agricultural products implemented in the internal market or in third countries may be fully or partially financed from the Union budget.

Article 5(2) empowers the Commission to adopt delegated acts supplementing the list of products in Annex I by adding food products in order to take account of market developments.

Article 7(2) empowers the Commission to adopt delegated acts setting out the specific conditions under which each of the proposing organisations, groups and bodies may submit a programme. Those conditions shall, in particular, guarantee that those organisations, groups and bodies are representative and that the programme is on a significant scale.

Article 11(1) empowers the Commission to adopt delegated acts laying down the specific conditions for eligibility with regard to simple programmes.

Article 13(1) empowers the Commission to adopt delegated acts setting out the conditions governing the competitive procedure for the selection of the implementing bodies.

Article 15(8) empowers the Commission to adopt delegated acts concerning the specific conditions under which costs of information provision and promotion measures, and, where necessary, administrative and staff costs, are eligible for Union funding.

Article 29(2) empowers the Commission to adopt delegated acts in order to ensure a smooth transition between the application of Regulation (EC) No 3/2008 and Regulation (EU) No 1144/2014.

1.2. Legal Basis

The report is required under Article 22(2). The power to adopt delegated acts referred to in Articles 5(2), 7(2), 11(1), 13(1), 15(8), and 29(2) shall be conferred on the Commission for a period of five years from 24 November 2014. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power is tacitly extended for periods of an identical duration, unless the European

[1] Regulation (EU) No 1144/2014 of the European Parliament and of the Council of 22 October 2014 on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries and repealing Council Regulation (EC) No 3/2008, OJ L 317, 4.11.2014, p. 56

Parliament or the Council opposes such extension not later than three months before the end of each period.

1.3. Exercise of Delegation

The Commission has adopted one delegated act on the basis of Articles 7(2), 11(1), 13(1) and 15(8): **Commission Delegated Regulation (EU) 2015/1829**[2]**.** This delegated act lays out the conditions for the proposal of simple and multi programmes by proposing organisations, including the requirement that said organisations are representative of the sector or product concerned. Significant scale of the simple programmes is required for the eligibility of a simple programme and further specified. It also specifies the criteria for the selection of bodies to implement simple programmes and defines the eligible costs.

In line with the common understanding on delegated acts[3], Member States' experts were consulted in the Expert Group for horizontal questions concerning the CAP – subgroup simplification. The Commission adopted Delegated Regulation (EU) 2015/1829 on 13 April 2015 and the Regulation was notified to the European Parliament and the Council. Neither the European Parliament nor the Council issued any objection to the Delegated Regulation. After the expiry of the two-month period, the Commission Delegated Regulation (EU) 2015/1829 was published in the Official Journal of the European Union L 266 of 13 October 2015 and entered into force on 20 October 2015.

The empowerments of Articles 5(2) and 29(2) have not been used, because the Commission did not identify any need for adding food products to the list of products of Annex I, neither to provide for transitional rules between the old and the new Regulation.

The Commission does not intend to use the empowerments in the near future, but it cannot be excluded that it will become necessary.

1.4. Conclusions

The Commission has exercised its delegated powers correctly. It cannot be excluded that the empowerments will be needed in future.

The Commission invites the European Parliament and the Council to take note of this Report.

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[2] Commission Delegated Regulation (EU) 2015/1829 of 23 April 2015 supplementing Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries, OJ L 266, 13.10.2015, p. 3

[3] Common Understanding on delegated acts from 2011 (not published).