COMMISSION IMPLEMENTING REGULATION (EU) 2022/791

of 19 May 2022

amending Implementing Regulation (EU) 2017/1185 as regards the notification of levels of stocks of cereals, oilseeds and rice

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ([1]), and in particular Article 223(3) thereof,

Whereas:

(1) Commission Implementing Regulation (EU) 2017/1185 ([2]) lays down the rules for the application of Regulation (EU) No 1308/2013 as regards the obligations on Member States to notify relevant information and documents to the Commission.

(2) Ensuring the quality of the collected and disseminated data is essential to monitor and ensure adequate market transparency. Member States are therefore obliged to notify the Commission of the data needed to pursue these aims.

(3) While it remains the responsibility of the Member States to take the necessary steps to ensure that information notified is relevant to the market concerned, accurate and complete, the Commission is to make use of its sectoral expertise to determine which data are to be published in the cases where Member States have not notified the required information.

(4) Russia's invasion of Ukraine on 24 February 2022 and the resulting disruptions in world market shed light on a series of information gaps. Up-to-date information on levels of stocks of cereals, oilseeds and rice, including production and levels of stocks of certified seeds, held by producers, wholesalers and relevant operators revealed itself to be essential to decide on relevant measures to prevent and mitigate market disruptions. Reporting obligations should thus be extended to this information.

(5) Implementing Regulation (EU) 2017/1185 should therefore be amended accordingly.

(6) In view of the fact that the Russian invasion of Ukraine already has impact on trade and prices of cereals, oilseeds and rice, this Regulation should enter into force on the day of its publication in *the Official Journal of the European Union*. Member States should however be given sufficient time to develop the methodologies and operational systems to collect the required information, therefore the new provisions concerning notifications set out in Annex III to Implementing Regulation (EU) 2017/1185 should apply from July 2022.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

([1]) OJ L 347, 20.12.2013, p. 671.

([2]) Commission Implementing Regulation (EU) 2017/1185 of 20 April 2017 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations (OJ L 171, 4.7.2017, p. 113).

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) 2017/1185

Implementing Regulation (EU) 2017/1185 is amended as follows:

(1) Article 5 is replaced by the following:

‘*Article 5*

Default notification

Save as otherwise provided for in the acts referred to in Article 1, where Member States and where relevant, third countries or operators, have not notified the required information or documents to the Commission by the deadline (‘nil return’), they shall be deemed to have notified the following:

(a) in the case of prices, an absence of information;

(b) in the case of other quantitative data, a zero value;

(c) in the case of qualitative information, a ‘nothing to report’ situation.

In all cases, the Commission shall decide whether the default value shall be published, and/or replaced by a Commission estimate or by the mention of a failure to notice.’;

(2) Annex III is amended in accordance with the Annex to this Regulation.

Article 2

Entry into force and application

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

Article 1, point (2), shall apply from 1 July 2022.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 May 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Annex III to Implementing Regulation (EU) 2017/1185, point '1. Rice' is replaced by the following:

'1a. **Rice**

Content of the notification: for each of the types of rice referred to in Part I, points 2 and 3, of Annex II to Regulation (EU) No 1308/2013:

(a) area planted, agronomic yield, production of paddy rice in the harvest year and milling yield;

(b) domestic use (including by the processing industry) of rice expressed in milled equivalent;

(c) monthly levels of stocks of rice (expressed in milled equivalent) held by producers and by rice mills, broken down by rice produced in the Union and rice imported.

Period of notification: by 15 January each year in respect of the previous year as regards area planted and domestic use; by the end of each month in respect of the preceding month as regards monthly stocks.

Member States concerned:

(a) for paddy rice production, all rice producing Member States;

(b) for domestic use, all Member States;

(c) for rice stocks, all rice producing Member States and Member States with rice mills.

1b. **Cereals**

Content of the notification: monthly level of stocks of cereals relevant for the Union market based on stocks held by relevant producers, wholesalers and operators.

Period of notification: by the end of each month in respect of the preceding month.

Member States concerned: all Member States.

1c. **Oilseeds**

Content of the notification: monthly level of stocks of rapeseed, sunflower seed, soya bean, rapeseed meal, sunflower seed meal, soya meal, crude rape oil, crude sunflower oil and crude soya bean oil based on stocks held by relevant producers, wholesalers and operators.

Period of notification: by the end of each month in respect of the preceding month.

Member States concerned: all Member States.

1d. **Certified seed**

Content of the notification: for the cereals, rice, oilseeds and protein crops for which Member States notify prices based on points 1, 2 and 3 of Annex I or point 2 of Annex II:

(a) area accepted for certification;

(b) quantities of harvested seed for certification;

(c) level of stocks of certified seed held by relevant operators.

Period of notification: by 15 November each year in respect of area harvested in that year as regards area accepted for certification; by 15 January each year in respect of the previous year as regards harvested seed; by the end of February and the end of July in respect of the preceding month as regards stocks.

Member States concerned: Member States concerned by points 1, 2 and 3 of Annex I or point 2 of Annex II.'.