

COMMISSION DELEGATED REGULATION (EU) No 1371/2014**of 19 December 2014****amending Delegated Regulation (EU) No 1031/2014 laying down further temporary exceptional support measures for producers of certain fruit and vegetables**

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 219(1) in conjunction with Article 228 thereof,

Whereas:

- (1) On 7 August 2014 the Russian government introduced a ban on imports of certain products from the Union to Russia, including fruit and vegetables.
- (2) In order to prevent the resulting disturbance of the market for fruit and vegetables, where large quantities of perishable products are involved, from turning into a more severe or prolonged market disturbance, Commission Delegated Regulation (EU) No 932/2014 ⁽²⁾ was adopted. It provided for maximum amounts of support for withdrawal, non-harvesting and green harvesting operations. The mechanism introduced by that Regulation was subsequently supplemented by measures under Commission Delegated Regulation (EU) No 1031/2014 ⁽³⁾ in the form of additional, targeted support for certain quantities of products, calculated on the basis of traditional exports to Russia.
- (3) The Russian import ban continues to create a serious threat of market disturbances caused by significant price falls due to the fact that an important export market has suddenly become unavailable. For such a market situation, the normal measures available under Regulation (EU) No 1308/2013 still appear to be insufficient. The mechanism based on support for certain quantities of products under Delegated Regulation (EU) No 1031/2014 needs therefore to be prolonged.
- (4) Taking the estimated quantities affected by the ban into account, the Union financial assistance should be prolonged in accordance with the quantities of products concerned. The calculation of those quantities should be made for each Member State in accordance with the level of its average exports to Russia of the products concerned for the previous three years in the following months: April and May for fruit and January to May for vegetables. Furthermore, due to their seasonal exports, lemons of CN code 0805 50 10 should be added to the list of products eligible for support under Delegated Regulation (EU) No 1031/2014.
- (5) Delegated Regulation (EU) No 1031/2014 should therefore be amended accordingly.
- (6) In order to have an immediate impact on the market and to contribute to stabilise prices, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment of Delegated Regulation (EU) No 1031/2014**

Delegated Regulation (EU) No 1031/2014 is amended as follows:

- (1) Article 1 is amended as follows:
 - (a) in paragraph 2, the following point (r) is added:
'(r) lemons of CN code 0805 50 10.;

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Delegated Regulation (EU) No 932/2014 of 29 August 2014 laying down temporary exceptional support measures for producers of certain fruit and vegetables and amending Delegated Regulation (EU) No 913/2014 (OJ L 259, 30.8.2014, p. 2).

⁽³⁾ Commission Delegated Regulation (EU) No 1031/2014 of 29 September 2014 laying down further temporary exceptional support measures for producers of certain fruit and vegetables (OJ L 284, 30.9.2014, p. 22).

(b) paragraph 3 is replaced by the following:

‘3. The support referred to in paragraph 1 shall cover activities carried out in a period which shall be subdivided as follows:

- (a) a period from 30 September 2014 until the date on which the quantities referred to in Article 2(1) have been exhausted in each Member State concerned or 31 December 2014, whichever is earlier;
- (b) a period from 1 January 2015 until the date on which the quantities referred to in Article 2(1) have been exhausted in each Member State concerned or 30 June 2015, whichever is earlier.’

(2) In Article 2, paragraph 1 is replaced by the following:

‘1. The support referred to in Article 1(1) shall be made available to Member States for the following quantities of products:

- (a) for the period referred to in Article 1(3)(a), the quantities set out in Annex I;
- (b) for the period referred to in Article 1(3)(b), the quantities set out in Annex Ia.

For the period referred to in Article 1(3)(a), that support shall also be available in all Member States for withdrawal, green harvesting or non-harvesting operations, with respect to one or more of the products referred to in Article 1(2) as determined by the Member State, provided that the additional quantity involved does not exceed 3 000 tonnes per Member State.’

(3) Article 9 is amended as follows:

(a) paragraphs 1 and 2 are replaced by the following:

‘1. Producer organisations shall apply for the payment of the Union financial assistance referred to in Articles 4, 5 and 6 by 31 January 2015 in respect of operations carried out during the period referred to in Article 1(3)(a) and by 31 July 2015 in respect of operations carried out during the period referred to in Article 1(3)(b).

2. Producer organisations shall apply for the payment of the total Union financial assistance referred to in Article 4 and 6 of this Regulation in accordance with the procedure referred to in Article 72 of Implementing Regulation (EU) No 543/2011 by 31 January 2015 in respect of operations carried out during the period referred to in Article 1(3)(a) of this Regulation and by 31 July 2015 in respect of operations carried out during the period referred to in Article 1(3)(b) of this Regulation.’;

(b) in paragraph 3, the words ‘by the date referred to in paragraph 1’ are replaced by ‘by the dates referred to in paragraph 1’.

(4) In Article 10(1), the introductory part of the first subparagraph is replaced by the following:

‘By 30 September 2014, 15 October 2014, 31 October 2014, 15 November 2014, 30 November 2014, 15 December 2014, 31 December 2014, 15 January 2015, 31 January 2015 and 15 February 2015 in respect of the period referred to in Article 1(3)(a) and, until 30 September 2015, by the 15th and the last day of each month in respect of the period referred to in Article 1(3)(b), Member States shall notify the Commission of the following information for each product.’.

(5) Article 11 is replaced by the following:

‘Article 11

Payment of Union financial assistance

Member States’ expenditure in relation to the payments under this Regulation shall only be eligible for Union financial assistance if it has been paid by the following dates:

- (a) 30 June 2015 in respect of operations carried out during the period referred to in Article 1(3)(a);
- (b) 30 September 2015 in respect of operations carried out during the period referred to in Article 1(3)(b).’.

(6) The title of Annex I is replaced by the following:

‘Maximum quantities of products allocated per Member State as referred to in Article 2(1)(a)’.

(7) Annex Ia is inserted, the text of which is set out in Annex I to this Regulation.

(8) Annexes III and IV are replaced by the text set out in Annex II to this Regulation.

Article 2

Entry into force

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

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

Done at Brussels, 19 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

ANNEX Ia

Maximum quantities of products allocated per Member State as referred to in Article 2(1)(b)

(tonnes)	Apples and pears	Plums, table grapes and kiwifruit	Tomatoes, carrots, sweet peppers, cucumbers and gherkins	Oranges, clementines, mandarins and lemons
Belgium	21 200	0	13 200	0
Germany	3 450	0	0	0
Greece	200	3 100	2 000	0
Spain	300	0	26 650	15 775
France	3 800	0	1 450	0
Italy	8 400	3 800	0	0
Cyprus	0	0	0	1 750
Lithuania	0	0	6 000	0
Netherlands	9 700	0	24 650	0
Austria	500	0	0	0
Poland	155 700	0	18 650	0
Portugal	350	0	0	0

Templates for notifications as referred to in Article 10

NOTIFICATION ON WITHDRAWALS — FREE DISTRIBUTION

Member State:

Period covered:

Date:

Product	Producer organisations					Producer non-members					Total quantities (t)	Total Union financial assistance (EUR)
	Quantities (t)	Union financial assistance (EUR)				Quantities (t)	Union financial assistance (EUR)					
		withdrawal	transport	sorting and packing	TOTAL		withdrawal	transport	sorting and packing	TOTAL		
(a)	(b)	(c)	(d)	(e) = (b) + (c) + (d)	(f)	(g)	(h)	(i)	(j) = (g) + (h) + (i)	(k) = (a) + (f)	(l) = (e) + (j)	
Apples												
Pears												
Total Apples and Pears												
Tomatoes												
Carrots												
Sweet peppers												
Cucumbers and gherkins												
Total Vegetables												
Plums												
Fresh table grapes												
Kiwi fruit												
Total Other Fruit												

Product	Producer organisations					Producer non-members					Total quantities (t)	Total Union financial assistance (EUR)
	Quantities (t)	Union financial assistance (EUR)				Quantities (t)	Union financial assistance (EUR)					
		withdrawal	transport	sorting and packing	TOTAL		withdrawal	transport	sorting and packing	TOTAL		
(a)	(b)	(c)	(d)	(e) = (b) + (c) + (d)	(f)	(g)	(h)	(i)	(j) = (g) + (h) + (i)	(k) = (a) + (f)	(l) = (e) + (j)	
Oranges												
Clementines												
Mandarins												
Lemons												
Total Citrus												
Cabbages												
Cauliflowers and headed broccoli												
Mushrooms												
Soft fruit												
Total Others												
TOTAL												

* One different Excel sheet shall be completed for every notification.

NOTIFICATION ON WITHDRAWALS — OTHER DESTINATIONS

Member State:

Period covered:

Date:

Product	Producer organisations		Producer non-members		Total quantities (t)	Total Union financial assistance (EUR)
	Quantities (t)	Union financial assistance (EUR)	Quantities (t)	Union financial assistance (EUR)		
	(a)	(b)	(c)	(d)		
				(e) = (a) + (c)	(f) = (b) + (d)	
Apples						
Pears						
Total Apples and Pears						
Tomatoes						
Carrots						
Sweet peppers						
Cucumbers and gherkins						
Total Vegetables						
Plums						
Fresh table grapes						
Kiwi fruit						
Total Other Fruit						
Oranges						
Clementines						
Mandarins						
Lemons						
Total Citrus						
Cabbages						
Cauliflowers and headed broccoli						

Product	Producer organisations		Producer non-members		Total quantities (t)	Total Union financial assistance (EUR)
	Quantities (t)	Union financial assistance (EUR)	Quantities (t)	Union financial assistance (EUR)		
	(a)	(b)	(c)	(d)		
Mushrooms					(e) = (a) + (c)	(f) = (b) + (d)
Soft fruit						
Total Others						
TOTAL						

* One different Excel sheet shall be completed for every notification.

NOTIFICATION ON NON-HARVESTING AND GREEN HARVESTING

Member State:

Period covered:

Date:

Product	Producer organisations			Producer non-members			Total quantities (t)	Total Union financial assistance (EUR)
	Area (ha)	Quantities (t)	Union financial assistance (EUR)	Area (ha)	Quantities (t)	Union financial assistance (EUR)		
	(a)	(b)	(c)	(d)	(e)	(f)		
Apples							(g) = (b) + (e)	(h) = (c) + (f)
Pears								
Total Apples and Pears								
Tomatoes								
Carrots								
Sweet peppers								
Cucumbers and gherkins								
Total Vegetables								
Plums								
Fresh table grapes								
Kiwi fruit								
Total Other Fruit								
Oranges								
Clementines								
Mandarins								
Lemons								
Total Citrus								
Cabbages								
Cauliflowers and headed broccoli								

Product	Producer organisations			Producer non-members			Total quantities (t)	Total Union financial assistance (EUR)
	Area (ha)	Quantities (t)	Union financial assistance (EUR)	Area (ha)	Quantities (t)	Union financial assistance (EUR)		
	(a)	(b)	(c)	(d)	(e)	(f)		
Mushrooms							(g) = (b) + (e)	(h) = (c) + (f)
Soft fruit								
Total Others								
TOTAL								

* One different Excel sheet shall be completed for every notification.

ANNEX IV

TABLES TO BE SENT WITH THE FIRST NOTIFICATION AS REFERRED TO IN ARTICLE 10(1)

WITHDRAWALS — OTHER DESTINATIONS

Maximum amounts of support fixed by the Member State in accordance with Article 79(1) of Implementing Regulation (EU) No 543/2011 and Articles 4 and 5 of this Regulation

Member State:		Date:
Product	Producer organisation's contribution (EUR/100 kg)	Union financial assistance (EUR/100 kg)
Apples		
Pears		
Tomatoes		
Carrots		
Cabbages		
Sweet peppers		
Cauliflowers and headed broccoli		
Cucumbers and gherkins		
Mushrooms		
Plums		
Soft fruit		
Fresh table grapes		
Kiwi fruit		
Oranges		
Clementines		
Mandarins		
Lemons		

NON-HARVESTING AND GREEN HARVESTING

Maximum amounts of support fixed by the Member State in accordance with Article 85(4) of Implementing Regulation (EU) No 543/2011 and Article 6 of this Regulation

Member State:

Date:

Product	Open air		Greenhouse	
	Producer organisation's contribution (EUR/ha)	Union financial assistance (EUR/ha)	Producer organisation's contribution (EUR/ha)	Union financial assistance (EUR/ha)
Apples				
Pears				
Tomatoes				
Carrots				
Cabbages				
Sweet peppers				
Cauliflowers and headed broccoli				
Cucumbers and gherkins				
Mushrooms				
Plums				
Soft fruit				
Fresh table grapes				
Kiwi fruit				
Oranges				
Clementines				
Mandarins				
Lemons'				