

EN

EN

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 7.7.2008
COM(2008) 431 final

2008/0131 (CNS)

Proposal for a

COUNCIL REGULATION

**amending Regulation (EC) No 3/2008 on information provision and promotion measures
for agricultural products on the internal market and in third countries**

(presented by the Commission)

EXPLANATORY MEMORANDUM

Council Regulation (EC) No 3/2008 of 17 December 2007 on information provision and promotion measures for agricultural products on the internal market and in third countries recasts Regulations (EC) No 2702/1999 and (EC) No 2826/2000 into a single regulation.

This change has appreciably reduced and simplified the administrative procedures involved in implementing this policy by providing for a single legal framework which has facilitated access to and participation in the scheme.

However, there is still room for legislative improvement so as to allow the interested Member States to draw up a relevant programme in the case where proposing organisations do not wish to submit programmes to be carried out in third countries. Programmes drawn up by the Member States may cover one or more of the information measures referred to in Article (1)(a), (b) and (c) of Regulation (EC) No 3/2008.

By way of this amendment, the Member States will have the possibility to broaden the scope of the actions to be covered by these programmes and also to allow them to seek the help of international organisations when implementing them, notably in the case of promotion programmes for the olive oil and table olive sector in third countries.

This proposal has no financial implications for the Community budget.

Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 3/2008 on information provision and promotion measures for agricultural products on the internal market and in third countries

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 36 and 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

- (1) For the stakeholders of promotion policy for agricultural products, the single legal framework established by Council Regulation (EC) No 3/2008¹ has facilitated access to and participation in the scheme. The administrative procedures involved in implementing this policy have been significantly reduced and simplified through the application of this single legal framework.
- (2) Article 9 of Regulation (EC) No 3/2008 provides that in the case of absence of programmes to be carried out on the internal market, the interested Member States have the possibility to draw up a programme. In the case where proposing organisations do not wish to submit programmes to be carried out in third countries for one or more of the information measures referred to in Article 2(1) (a), (b) and (c) of that Regulation, the interested Member States should be allowed to draw up a relevant programme.
- (3) In particular, possibility should be offered to the interested Member States to broaden the scope of the actions to be covered by those programmes even by seeking the help of international organisations when implementing them, notably in the case of promotion programmes for the olive oil and table olive sector in third countries.
- (4) Regulation (EC) No 3/2008 should therefore be amended accordingly,

¹ OJ L 3, 5.1.2008, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 of Regulation (EC) No 3/2008 is replaced by the following text:

"Article 9

**Procedure to be followed in case of an absence of information programmes
for the internal market or in third countries**

1. In the absence of programmes to be carried out on the internal market for one or more of the information measures referred to in Article 2(1)(b) submitted in accordance with Article 6(1), each interested Member State shall draw up, on the basis of the guidelines referred to in Article 5(1), a programme and its specification and shall select through a public call for tenders the implementing body for the programme it undertakes to co-finance.
2. In the absence of programmes to be carried out in third countries for one or more of the information measures referred to in Article 2(1)(a), (b) and (c), submitted in accordance with Article 6(1), each interested Member State shall draw up, on the basis of the guidelines referred to in Article 5(2), a programme and its specification and shall select through a public call for tenders the implementing body for the programme it undertakes to co-finance.

The implementing body for the programme eventually selected by the Member State(s) concerned may be an international organisation, in particular when the programme regards the promotion for the olive oil and table olive sector in third countries.
3. The Member State(s) shall submit to the Commission the programme selected in accordance with paragraphs 1 and 2, accompanied by a reasoned opinion including:
 - (a) the desirability of the programme;
 - (b) the conformity of the programme and the proposed body with this Regulation and, where necessary, with the applicable guidelines;
 - (c) an assessment of the programme's value for money;
 - (d) the choice of the implementing body for the programme.
4. For the purposes of the Commission's examination of the programmes, Article 7(2) and Article 8(1) shall apply.
5. In accordance with the procedure referred to in Article 16(2), the Commission may set lower or higher limits to the actual costs of the programmes submitted in line with paragraph 3 of this Article. These limits may be adjusted according to the type of programmes concerned. The criteria applied may be defined in accordance with the procedure referred to in Article 16(2)."

Article 2

This Regulation shall enter into force on the seventh day following that 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,

*For the Council
The President*