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A7-0321/ 001-114

AMENDMENTS 001-114

by the Committee on Agriculture and Rural Development

Report

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A7-0321/2011

Specific measures for agriculture in the outermost regions of the Union

Proposal for a regulation (COM(2010)0498 – C7-0284/2010 – 2010/0256(COD))

Amendment 1

Proposal for a regulation

Citation 1

Text proposed by the Commission

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 42 **and** Article 43(2) thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 42, Article 43(2) **and Article 349** thereof,

Justification

Article 349 is the only article in the Treaty under which the outermost regions receive special treatment. Referring only to the Articles on the CAP does not guarantee special treatment for these regions whose economic and social development is severely restrained by their remoteness, insularity, small size, difficult topography and climate and economic dependence on a few products.

Amendment 2

Proposal for a regulation

Recital 4

Text proposed by the Commission

Amendment

(4) In order to achieve the objectives of the

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scheme promoting the Union's outermost regions more effectively, the POSEI programmes must include measures which ensure the supply of agricultural products and the preservation and development of local agricultural production. The level of programming for the regions concerned needs to be harmonised and the policy of partnership between the Commission and the Member States needs to become more systematic.

scheme promoting the Union's outermost regions more effectively, the POSEI programmes must include measures which ensure the supply of agricultural products and the preservation and development of **high-quality** local agricultural production, **taking imperatives linked to the fight against climate change into account**. The level of programming for the regions concerned needs to be harmonised and the policy of partnership between the Commission and the Member States needs to become more systematic.

Amendment 3

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) In order not to undermine the efforts to achieve the objectives of the POSEI programmes, the Commission should carry out impact assessments or prior evaluations of the possible consequences (using the criteria laid down by the UN) each time an international trade agreement is negotiated which may pose a threat to the sectors supported under the POSEI programmes. Once these impact assessments or prior evaluations have been carried out, the Commission should forward the findings to the European Parliament and the Council.

Amendment 4

Proposal for a regulation Recital 6

Text proposed by the Commission

Amendment

(6) In order to ensure the supply of essential agricultural products to the outermost regions and to compensate for the additional costs caused by their extreme remoteness, it is appropriate to introduce a specific supply arrangement. In fact, the exceptional geographical situation

(6) In order to ensure the supply of essential agricultural products to the outermost regions and to compensate for the additional costs caused by their extreme remoteness, it is appropriate to introduce a specific supply arrangement. In fact, the exceptional geographical situation

of the outermost regions imposes additional transport costs in supplying products which are essential for human consumption, for processing or as agricultural inputs. In addition, other objective factors linked to these regions' extreme remoteness, namely their insularity and small surface areas, lead to further constraints on economic operators and producers in the outermost regions that severely handicap their activities. These handicaps can be alleviated by lowering the price of these essential products.

of the outermost regions imposes additional transport costs in supplying products which are essential for human consumption, for processing or as agricultural inputs. In addition, other objective factors linked to these regions' extreme remoteness, namely their insularity and small surface areas, lead to further constraints on economic operators and producers in the outermost regions that severely handicap their activities. These handicaps can be alleviated by lowering the price of these essential products. ***The specific supply arrangement should not, however, under any circumstances damage local products and their development.***

Amendment 5

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In order to achieve in an effective manner the lowering of prices in the outermost regions ***and*** mitigating the additional costs of their extreme remoteness, ***all the while maintaining the competitiveness of EU products***, aid should be granted for the supply of Community products to the outermost regions. Such aid should take account of the additional cost ***of*** transport to these regions and the cost of exports to third countries and, in the case of agricultural inputs and products intended for processing, the additional costs of their extreme remoteness, specifically insularity and small surface areas.

Amendment

(8) In order to achieve in an effective manner the lowering of prices in the outermost regions, mitigating the additional costs of their extreme remoteness, aid should be granted for the supply of Community products to the outermost regions. Such aid should take account of the additional cost ***relating to*** transport to these regions and the cost of exports to third countries and, in the case of agricultural inputs and products intended for processing, the additional costs of their extreme remoteness, specifically insularity and small surface areas, ***hilly terrain, difficult climate and scattered islands.***

Amendment 6

Proposal for a regulation

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Support for traditional sectors is all the more necessary because it enables them to remain competitive on the EU market in the face of competition from third countries, bearing in mind that trade agreements posing a threat to these sectors have been signed with Latin American countries and within the WTO. The Member States should, however, also ensure, as far as possible, the diversification of agricultural activities in the outermost regions when they draw up their programmes.

Amendment 7

Proposal for a regulation

Recital 13

Text proposed by the Commission

Amendment

(13) With regard to processed products, trade between the outermost regions should be authorised in order to allow commerce between these regions. Account should also be taken of trade flows within the context of regional commerce and traditional exports and dispatching with the rest of the Union or third countries in the outermost regions, and exports of processed products corresponding to traditional trade for all those regions. For the sake of clarity, the reference period for defining traditionally exported or dispatched quantities should be specified.

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Amendment 8

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) Given that rice constitutes a staple of the diet of Réunion, and *since the island* does not produce sufficient quantities to meet local requirements, the import of this product to the island should continue to be exempt from any form of import tax.

Amendment

(17) Given that rice constitutes a staple of the diet of Réunion, ***that rice processing and polishing industries have been established in Réunion for many years*** and ***that Réunion*** does not produce sufficient quantities to meet local requirements, the import of this product to the island should continue to be exempt from any form of import tax.

Amendment 9

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) In order to support the marketing of products from the outermost regions, aid should be established to assist commercialisation of these products outside of the region in which they are produced.

Amendment

(19) In order to support the marketing of products from the outermost regions, aid should be established to assist commercialisation of these products outside of the region in which they are produced, ***taking account of the high additional costs they face as a result of their distance from consumer markets and the need for double storage, which create crucial competitive disadvantages affecting their ability to compete in the internal market. These factors justify the need to increase the financial envelope for the POSEI programmes.***

Amendment 10

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) Farmers in the outermost regions should be encouraged to supply high-quality products and to prioritise their marketing. Use of the logo introduced by

Amendment

(22) Farmers in the outermost regions should be encouraged to ***continue to*** supply high-quality products and to prioritise their marketing. Use of the logo

the Union may be useful to this end.

introduced by the Union may be useful to this end. ***The use of other forms of quality certification, such as designations of origin and geographical indications, should also be encouraged in order to enhance the status and promote the development of local agricultural products.***

Amendment 11

Proposal for a regulation Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) Wherever possible, the supply arrangements and measures to assist local production should be geared to high-quality agricultural production and innovative products with added value capable of satisfying demanding markets and market niches.

Amendment 12

Proposal for a regulation Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) Account should also be taken of the additional costs affecting agricultural production in the outermost regions linked to the small size of farmland plots and their scattered nature, including greater use of agricultural diesel not only by traction machinery but also by other vehicles used to transport various items of farm machinery between farms.

Amendment 13

Proposal for a regulation Recital 25

Text proposed by the Commission

Amendment

(25) Article 39(4) of Regulation (EC) No 1698/2005 and Annex I thereto determine

(25) Article 39(4) of Regulation (EC) No 1698/2005 and Annex I thereto determine

the maximum annual amounts eligible for agri-environmental payments. To take into account the specific environmental situation of certain very sensitive pasture areas in the Azores and the preservation of the landscape and traditional features of agricultural land, in particular the areas of terrace cultivation in Madeira, provision should be made for the possibility, in the case of certain specific measures, of increasing those amounts up to twofold.

the maximum annual amounts eligible for agri-environmental payments. To take into account the specific environmental situation of certain very sensitive pasture areas in the Azores and the preservation of the landscape and traditional features of agricultural land, in particular the areas of terrace cultivation in Madeira **and the Canary Islands**, provision should be made for the possibility, in the case of certain specific measures, of increasing those amounts up to twofold.

Amendment 14

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) A derogation may be granted from the Commission's consistent policy of not authorising State operating aid for the production, processing and marketing of agricultural products covered by Annex I to the Treaty, in order to mitigate the specific constraints on farming in the outermost regions linked to their extreme remoteness, specifically their isolation, insularity, small surface areas, mountainous terrain and climate and their economic dependency on a small number of products.

Amendment

(26) A derogation may be granted from the Commission's consistent policy of not authorising State operating aid for the production, processing and marketing of agricultural products covered by Annex I to the Treaty, in order to mitigate the specific constraints on farming in the outermost regions linked to their extreme remoteness, specifically their isolation, insularity, small surface areas, mountainous terrain and climate and their economic dependency on a small number of products. ***Agricultural production plays a vital role in revitalising rural areas and encouraging people to stay in them, and the outermost rural areas are particularly affected by population ageing, low population density and in some cases depopulation.***

Amendment 15

Proposal for a regulation Recital 27

Text proposed by the Commission

(27) The plant health of agricultural crops in the outermost regions is subject to particular problems associated with the

Amendment

(27) The plant health of agricultural crops in the outermost regions is subject to particular problems associated with ***the***

climate and the inadequacy of the control measures hitherto applied there. Programmes should therefore be implemented to combat harmful organisms, including by organic methods. The Union's financial contribution towards such programmes should be defined.

increase in imports, the climate and the inadequacy of the control measures hitherto applied there. Programmes should therefore be implemented to combat harmful organisms, including by ***sustainable and environmentally sound*** organic methods, ***alongside training programmes***. The Union's financial contribution towards such programmes should be defined.

Amendment 16

Proposal for a regulation Recital 28

Text proposed by the Commission

(28) The maintenance of vineyards, which are the most widespread type of cultivation in the regions of Madeira and the Canary Islands and a very important one for the Azores, is an economic and environmental imperative. To help support production, neither the abandonment premiums nor the market mechanisms provided for in Regulation (EC) No 1234/2007 should be applicable in these regions, but nonetheless, in the Canary Islands, it should be possible to apply crisis distillation measures in the event of exceptional market disturbance arising from quality problems. Similarly, technical and socio-economic difficulties have prevented complete conversion, within the time limits established, of the areas in the regions of Madeira and the Azores under vines of hybrid varieties prohibited by Regulation (EC) No 1234/2007. The wine produced by such vineyards is intended solely for traditional local consumption.

Amendment

(28) The maintenance of vineyards, which are the most widespread type of cultivation in the regions of Madeira and the Canary Islands and a very important one for the Azores, is an economic, ***social*** and environmental imperative. To help support production, neither the abandonment premiums nor the market mechanisms provided for in Regulation (EC) No 1234/2007 should be applicable in these regions, but nonetheless, in the Canary Islands, it should be possible to apply crisis distillation measures in the event of exceptional market disturbance arising from quality problems. Similarly, technical and socio-economic difficulties have prevented complete conversion, within the time limits established, of the areas in the regions of Madeira and the Azores under vines of hybrid varieties prohibited by Regulation (EC) No 1234/2007. The wine produced by such vineyards is intended solely for traditional local consumption.

Amendment 17

Proposal for a regulation Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) Given the irreplaceable nature of milk production in the Azores, where it is the main driving force for the economy, social stability, the quality of the environment and occupation of the land, the POSEI programmes, whose aim is to adapt the common agricultural policy to the outermost regions, are the best instrument with which to lay down any measures which may be necessary to maintain current levels of production, arising from the production rights allocated. The decision to abolish milk quotas would have an extremely negative impact on the milk and milk product sector. It is, however, justified to increase the financial envelope for the POSEI programmes by the amounts sufficient to cover the measures which may become necessary in order to offset the negative impact of the abolition of this scheme.

Amendment 18

Proposal for a regulation Recital 30

Text proposed by the Commission

Amendment

(30) Support for the production of cow's milk in Madeira and Réunion has not been sufficient to maintain the balance between domestic and external supply, chiefly because of the serious structural difficulties affecting the sector and its ***poor capacity to adapt*** to new economic environments. Consequently, authorisation to produce UHT milk reconstituted from milk powder of EU origin should continue, in order to cover local consumption more fully. In order to inform the consumer correctly, it should be made compulsory to indicate the method by which UHT milk is

(30) Support for the production of cow's milk in Madeira and Réunion has not been sufficient to maintain the balance between domestic and external supply, chiefly because of the serious structural difficulties affecting the sector and its ***problems in adapting*** to new economic environments. Consequently, authorisation to produce UHT milk reconstituted from milk powder of EU origin should continue, in order to cover local consumption more fully, ***provided that this does not pose an obstacle to the collection and marketing of all locally produced milk, or hamper***

reconstituted using milk powder on the sales labelling.

efforts to promote the expansion of local production, the medium-term aim being to secure, for Réunion, self-sufficiency in milk production. In order to inform the consumer correctly, it should be made compulsory to indicate the method by which UHT milk is reconstituted using milk powder on the sales labelling. *This provision should also be applicable in Martinique, French Guiana and Guadeloupe, should France make such a request citing the wish of local stakeholders to be covered by it and their ability to develop the milk sector.*

Amendment 19

Proposal for a regulation Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) The trade dynamic among outermost regions should be fostered with a view to meeting local consumption needs. The export of surplus production from each of the outermost regions – for example, the export of milk, beef and young male bovine animals from the Azores – to those regions with shortages should be encouraged with a view to strengthening the trade dynamic, while avoiding harming the growth of local production. The conditions necessary for fair and equitable trade should also be guaranteed, in particular as regards the tax burden on trade.

Amendment 20

Proposal for a regulation Recital 34

Text proposed by the Commission

Amendment

(34) Tobacco growing is of historical importance in the Canary Islands. Economically speaking, tobacco preparation continues to be one of the chief industrial activities in the region. In social

(34) Tobacco growing is of historical importance in the Canary Islands *and the Azores*. Economically speaking, tobacco preparation continues to be one of the chief industrial activities in the region. In social

terms, tobacco cultivation is very labour-intensive and carried out by small farms. Since the crop is not sufficiently profitable, however, it is in danger of dying out. Tobacco is currently cultivated on only a small area on the island of La Palma, for the small-scale manufacture of cigars. Spain should therefore be authorised to continue to grant aid, in addition to EU aid, so that this traditional crop can be maintained with a view to supporting the artisanal activity associated with it. In addition, to maintain the manufacture of tobacco products, imports into the Canary Islands of raw and semi-manufactured tobacco should continue to be exempt from customs duty, up to an annual limit of 20 000 tonnes of stripped raw tobacco equivalent.

terms, tobacco cultivation is very labour-intensive and carried out by small farms, ***which, in the case of the Azores, makes crop rotation possible, thereby preventing monoculture and the excessive use of fertilisers.*** Since the crop is not sufficiently profitable, however, it is in danger of dying out. Tobacco is currently cultivated on only a small area on the island of La Palma ***in the Canary Islands***, for the small-scale manufacture of cigars, ***and on the island of São Miguel in the Azores, for the production of cigars and cigarillos.*** Spain ***and Portugal*** should therefore be authorised to continue to grant aid, in addition to EU aid, so that this traditional crop can be maintained with a view to supporting the artisanal activity associated with it. In addition, to maintain the manufacture of tobacco products, imports into the Canary Islands ***and the Azores*** of raw and semi-manufactured tobacco should continue to be exempt from customs duty, up to an annual limit of 20 000 tonnes of stripped raw tobacco equivalent.

Amendment 21

Proposal for a regulation Recital 34 a (new)

Text proposed by the Commission

Amendment

(34a) The Commission should submit a report to the European Parliament and the Council assessing the impact that any new tariff concessions in respect of imports of bananas into the European Union will have on producers' incomes. That report should be accompanied, where necessary, by a legislative proposal concerning the adjustment of the sums laid down in this Regulation with the aim of offsetting the losses of income suffered by European producers.

Amendment 22

Proposal for a regulation

Recital 35

Text proposed by the Commission

(35) **Implementation** of this Regulation **must not jeopardise** the **level of special support from which** the outermost regions **have benefited up to now. For that reason, so that they can implement** the **appropriate measures, the Member States should have at their disposal** sums equivalent to the support already granted by the **Community** under Regulation (EC) No 247/2006.

Amendment

(35) **In order to ensure that the objectives** of this Regulation, **in particular the safeguarding and development of agricultural activities in** the outermost regions, **are met**, the sums equivalent to the support already granted by the **Union to these regions** under Regulation (EC) No 247/2006 **should be reviewed**.

Justification

The current support does not take into account certain, mainly external, factors that condition the development of agricultural activity in the outermost regions.

Amendment 23

Proposal for a regulation

Recital 35 a (new)

Text proposed by the Commission

Amendment

(35a) **Successive reductions in the single tariff set for banana imports pose periodic threats to the profitability of banana production in the outermost regions. There is therefore an ongoing need to assess the impact of tariff concessions granted by the European Union in order to determine whether the aid granted to EU producers should be reviewed.**

Amendment 24

Proposal for a regulation

Recital 35 b (new)

Text proposed by the Commission

Amendment

(35b) **So that the objectives of this Regulation can be fulfilled, it should be possible for the POSEI programmes to**

offset any negative repercussions of agricultural reforms, and for the changes granted under the new CAP to be applied to the outermost regions selectively and progressively, taking account of their specific characteristics.

Amendment 25

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) Since 2006, requirements in essential products have increased in some outermost regions, particularly in the Azores and in the French overseas departments, as a result of the increasing livestock population and demographic pressure. ***The proportion of the budget which Member States may use for the specific supply arrangements for the regions concerned should therefore be increased.***

Amendment

(36) Since 2006, requirements in essential products have increased in some outermost regions, particularly in the Azores and in the French overseas departments, as a result of the increasing livestock population and demographic pressure. ***There should therefore be an effective increase in the financial envelope for the specific supply arrangements, in order to avoid compromising current support which is indispensable for local production, the main objective of the POSEI programmes.***

Amendment 26

Proposal for a regulation

Recital 36 a (new)

Text proposed by the Commission

Amendment

(36a) To ensure that the specific aid granted by this Regulation to the outermost regions remains unaffected, the Commission should improve coordination between the Union's common policies and the other sector-specific policies. Such policy coordination could take the form of impact assessments, for example.

Justification

The sector-specific policies (regional, development and research policies) should be coordinated with the POSEI measures, trade policy and the agriculture or fisheries policies. Accordingly, where trade agreements are likely to have adverse effects on the outermost regions they must be subjected to specific impact assessments.

Amendment 27

Proposal for a regulation

Recital 36 b (new)

Text proposed by the Commission

Amendment

(36b) Once the territory of Mayotte has acquired outermost region status, the Commission should put forward a new proposal that seeks to increase proportionally the budget earmarked for the overseas departments, that takes account of Mayotte's new status, and that incorporates specific provisions concerning Mayotte.

Amendment 28

Proposal for a regulation

Recital 36 c (new)

Text proposed by the Commission

Amendment

(36c) As the last POSEI support Regulation, namely Regulation (EC) No 247/2006, was adopted in the light of the agreed WTO European market access tariff of EUR 176 per tonne, consequently the tariff laid down in the WTO agreements on trade in bananas and the further reductions granted in trade agreements with the Andean countries and the countries of Central America were not taken into account in the POSEI financial envelope; therefore a new updated, comprehensive and external impact assessment should be completed at an early stage and, if it shows adverse effects on EU banana producers, the financial resources available under the POSEI programmes should be modified in order to introduce appropriate compensation and measures to increase the competitiveness of banana producers in the outermost regions of the Union.

Amendment 29

Proposal for a regulation

Recital 37

Text proposed by the Commission

(37) ***The Commission should therefore be able to adopt delegated acts in accordance with Article 290 of the Treaty, in order to supplement or modify certain non-essential elements of the present Regulation. The areas with regard to which this ability can be exercised, and the conditions to which this delegation should be subject should be set out.***

Amendment

(37) ***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. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.***

Amendment 30

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) In order to ensure that the POSEI programme is implemented in the Member States in a uniform manner and to avoid unfair competition or discrimination between operators, the Commission should ***be able to adopt implementing acts in accordance with Article 291(2) of the Treaty. The Commission should therefore be granted implementing powers under that provision***, specifically vis-à-vis the uniform conditions under which products affected by the special supply arrangements enter, leave and move within the outermost regions, the uniform conditions for implementing programmes and the minimum characteristics for checks which Member States must apply.

Amendment

(38) In order to ensure that the POSEI programme is implemented in the Member States in a uniform manner and to avoid unfair competition or discrimination between operators, the Commission should be granted implementing powers, specifically vis-à-vis the uniform conditions under which products affected by the special supply arrangements enter, leave and move within the outermost regions, the uniform conditions for implementing programmes and the minimum characteristics for checks which Member States must apply. ***Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council of***

16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers¹.

¹ *OJ L 55, 28.2.2011, p. 13.*

Amendment 31

Proposal for a regulation Recital 39

Text proposed by the Commission

(39) [Recital concerning control of implementing measures. To be completed following the adoption of the regulation on control mechanisms, as referred to in Article 291(2) of the TFEU, currently the subject of discussion by the European Parliament and the Council],

Amendment

deleted

Amendment 32

Proposal for a regulation Article 2 – paragraph 1 – point a

Text proposed by the Commission

a) guaranteed supply to the outermost regions of products essential for human consumption or for processing and as agricultural inputs by mitigating the additional costs due to extreme remoteness;

Amendment

(a) guaranteed supply to the outermost regions of products essential for human consumption or for processing and as agricultural inputs by mitigating the additional costs due to extreme remoteness, ***without harming local production and the growth thereof***;

Amendment 33

Proposal for a regulation Article 2 – paragraph 1 – point b

Text proposed by the Commission

b) ***preservation*** and development of ***agricultural activities*** in the outermost regions, including the production,

Amendment

(b) ***securing the long-term future*** and development of ***the so-called livestock and crop diversification sectors*** in the outermost regions, including the

processing and the sale of local products.

production, processing and the sale of local products, *while at the same time significantly improving the local population's degree of self-sufficiency by increasing domestic production and reducing imports, in particular on account of the higher transport-related costs;*

Amendment 34

Proposal for a regulation

Article 2 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) 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, whilst ensuring that the revenue generated by the products and by-products of traditional agricultural sectors is shared fairly between producers, processors and distributors;

Amendment 35

Proposal for a regulation

Article 2 – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) fostering research and innovation, in particular with a view to developing sustainable, high value-added agricultural production.

Amendment 36

Proposal for a regulation

Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The objectives set out in paragraph 1 must be achieved by taking a holistic approach to sustainable development

which seeks both to safeguard the environment and to guarantee producers and farmers a decent income. This must also involve measures to provide farmers and processors with ongoing training in order to foster the development of high-quality, productive and sustainable agricultural sectors.

Amendment 37

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

b) specific measures to assist local agricultural production as ***provided for*** in Chapter IV.

Amendment

(b) specific measures to assist local agricultural production, as ***referred to*** in Chapter IV ***and in accordance with the objectives set out in Article 2.***

Amendment 38

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. Measures taken under POSEI programmes must comply with European Union law and be consistent with other EU policies and with the measures taken under such policies.

Amendment

1. Measures taken under POSEI programmes must comply with European Union law and be consistent with other EU policies and with the measures taken under such policies, ***without prejudice to Article 349 of the Treaty on the Functioning of the European Union, which grants the outermost regions special status with a view to fostering their development and their integration on a fair basis into the Union through the implementation of specific programmes and instruments tailored to their situation.***

Amendment 39

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Consistency of the measures taken under

Amendment

2. Consistency of the measures taken under

POSEI programmes with measures implemented under other instruments of the common agricultural policy, and in particular the common organisations of markets, rural development, product quality, animal welfare and protection of the environment, must be ensured.

POSEI programmes with measures implemented under other instruments of the common agricultural policy, and in particular the common organisations of markets, rural development, product quality, animal welfare and protection of the environment **and of trade policy** must be ensured.

Amendment 40

Proposal for a regulation Article 5 – point d a (new)

Text proposed by the Commission

Amendment

(da) the establishment of regional monitoring committees to assess the effectiveness and level of implementation of each measure, through official, timetabled consultation of stakeholders.

Amendment 41

Proposal for a regulation Article 6 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

1. Member States shall submit a draft POSEI programme to the Commission in the light of the financial allocation referred to in Article 29(2) and (3).

1. The POSEI programmes have been established by Regulation (EC) No 247/2006 and are financed under the financial allocation referred to in Article 29(2) and (3).

Justification

As there is no need to submit new POSEI programmes, the text proposed by the Commission may give rise to confusion. The amendment seeks to clarify that the programmes introduced following the adoption of Regulation 247/2006 will continue to run.

Amendment 42

Proposal for a regulation Article 6 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The draft programme ***shall comprise a draft*** forecast supply balance indicating the

Each programme ***comprises*** a forecast supply balance indicating the products, the

products, the quantities thereof and the amount of aid for supply from the Union together with a **draft** programme of support for local production.

quantities thereof and the amount of aid for supply from the Union together with a programme of support for local production.

Justification

As there is no need to submit new POSEI programmes, the text proposed by the Commission may give rise to confusion. The amendment seeks to clarify that the programmes will continue to run.

Amendment 43

Proposal for a regulation

Article 6 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

The Commission shall evaluate the POSEI programme proposed and decide whether or not to approve it by means of an implementing act.

deleted

Justification

This amendment is consistent with the other amendments to Article 6.

Amendment 44

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. Depending on the annual evaluation of the implementation of measures included in the POSEI programmes, the Member States may submit to the Commission proposals for amendments thereto within the context of the financial allocation referred to in Article 29(2) and (3), to bring them more into line with the requirements of the outermost regions and the strategy proposed. The Commission shall adopt by means of an implementing act the uniform measures for the submission of proposals for amendments to the programme.

2. Depending on the annual evaluation of the implementation of measures included in the POSEI programmes, the Member States may, ***after consulting the socioeconomic operators concerned,*** submit to the Commission proposals for amendments thereto within the context of the financial allocation referred to in Article 29(2) and (3), to bring them more into line with the requirements of the outermost regions and the strategy proposed. ***The Commission shall assess the amendments proposed and decide on whether to approve them.*** The Commission shall adopt by means of an implementing act the uniform measures for

the submission of proposals for amendments to the programme. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Justification

This amendment is consistent with the other amendments to this Article.

Amendment 45

**Proposal for a regulation
Article 6 – paragraph 3**

Text proposed by the Commission

3. In order to take into account the different types of amendments proposed and the time frame within which they must be implemented, the Commission shall determine by delegated act the procedure for approving amendments.

Amendment

3. In order to take into account the different types of amendments proposed and the time frame within which they must be implemented, the Commission shall determine by delegated act the procedure for approving amendments. ***The Commission shall be empowered to adopt those delegated acts in accordance with Article 33.***

Amendment 46

**Proposal for a regulation
Article 7 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

The implementing acts provided for under this Article shall be adopted in accordance with the examination procedure referred to in Article 34(2).

Amendment 47

**Proposal for a regulation
Article 8 – paragraph 1**

Text proposed by the Commission

Amendment

1. Specific supply arrangements are hereby established for the agricultural products listed in Annex I to the Treaty, which are essential in the outermost regions for

1. Specific supply arrangements are hereby established for the agricultural products listed in Annex I to the Treaty, which are essential in the outermost regions for

human consumption, for the manufacture of other products or as agricultural inputs.

human consumption, for the manufacture of other products or as agricultural inputs, ***always taking account of the principle of administrative simplification for the administrations and above all for the final beneficiaries, without ever jeopardising effectiveness and the corresponding financial resources allocated to the POSEI programmes.***

Amendment 48

Proposal for a regulation Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Paragraph 3 shall not apply in the case of products processed in French overseas departments from raw materials which have benefited from specific supply arrangements being dispatched between French overseas departments.

Justification

Given the cost of transport between French overseas departments, provision should be made for the possibility of granting aid in addition to the specific supply agreements for cattle feed produced in the French Antilles and shipped to Guyana.

Until such time as an efficient processing system is set up, such aid would enable Guyana to obtain products at prices comparable to those applied in Guadeloupe or Martinique.

A similar form of aid might be considered in future for products produced in Réunion and dispatched to Mayotte.

Amendment 49

Proposal for a regulation Article 9 – paragraph 4

Text proposed by the Commission

Amendment

4. Only products of sound, fair and marketable quality may benefit from the specific supply arrangements.

4. Only products of sound, fair and marketable quality may benefit from the specific supply arrangements. ***Products from third countries should comply with the European Union's veterinary and phytosanitary standards.***

Justification

There must be a guarantee that imports from third countries that benefit from the specific supply arrangements meet the same veterinary and phytosanitary standards as apply to European producers in order to prevent unfair competition with local products.

Amendment 50

Proposal for a regulation

Article 10 – point d

Text proposed by the Commission

d) *where applicable*, the need not to obstruct *the* potential development *of local products*.

Amendment

(d) the need *not to upset the balance of local products and* not to obstruct *their* potential development.

Amendment 51

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

2. In order to ensure that operators fully exercise their rights to participate in the specific supply arrangements, the Commission shall determine, by delegated act, the conditions for recording operators in the register and, if necessary, shall make it compulsory to establish a security for the issuing of certificates.

Amendment

2. In order to ensure that operators fully exercise their rights to participate in the specific supply arrangements, the Commission shall determine, by delegated act, the conditions for recording operators in the register and, if necessary, shall make it compulsory to establish a security for the issuing of certificates. *The Commission shall be empowered to adopt those delegated acts in accordance with Article 33.*

Amendment 52

Proposal for a regulation

Article 11 – paragraph 3

Text proposed by the Commission

3. The Commission shall adopt by means of an implementing act all measures necessary to ensure the uniform application by the Member States of this Article, specifically relating to the introduction of the system of certificates, not including the establishment of the security certificates,

Amendment

3. The Commission shall adopt by means of an implementing act all measures necessary to ensure the uniform application by the Member States of this Article, specifically relating to the introduction of the system of certificates, not including the establishment of the security certificates,

and the commitment of operators at the time of registration.

and the commitment of operators at the time of registration. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Amendment 53

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

1. 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 who, as appropriate, may be the consumer in the case of products meant for direct consumption, the end processor or packager in the case of products meant for the processing or packaging industries, or farmers in the case of products used for animal feed or as agricultural inputs.

Amendment

1. 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 who, as appropriate, may be the consumer in the case of products meant for direct consumption, the end processor or packager in the case of products meant for the processing or packaging industries, or farmers in the case of products used for animal feed or as agricultural inputs. ***The economic advantage passed on up should be demonstrated at each point of trade of the product.***

Justification

At each point of trade, the SSA advantage should be passed on by the different operators, including those involved in commercial distribution, when the final user is the consumer.

Amendment 54

Proposal for a regulation Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Member States shall endeavour to ensure that the economic advantage of the benefits granted under the specific supply arrangements is in fact passed on to the end user, including the application of a more favourable fiscal policy for imported products or for processed products incorporating products imported under these arrangements.

Amendment 55

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. In order to ensure that paragraph 1 above is applied in a uniform manner, the Commission shall adopt by means of an implementing act detailed rules for its application and more specifically conditions for governing monitoring by Member States that the advantage has in fact been passed on up to the end user.

Amendment

2. In order to ensure that paragraph 1 above is applied in a uniform manner, the Commission shall adopt by means of an implementing act detailed rules for its application and more specifically conditions for governing monitoring by Member States that the advantage has in fact been passed on up to the end user.
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).

Amendment 56

Proposal for a regulation

Article 13 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Products covered by the specific supply arrangements may be exported to third countries or dispatched to the rest of the Union only ***under uniform conditions*** established by the Commission by means of an implementing act, which shall include the payment of import duty or the reimbursement of the aid received, as indicated in Article 9.

Amendment

1. Products covered by the specific supply arrangements may be exported to third countries or dispatched to the rest of the Union only ***if they comply with the technical arrangements*** established by the Commission by means of an implementing act, which shall include the payment of import duty or the reimbursement of the aid received, as indicated in Article 9.
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).

Justification

The Commission is given implementing powers in order to have uniform conditions. The wording is therefore ambiguous and, for the sake of clarity, it should be specified what is covered by the Commission's powers so that it is clear that no additional rights and/or obligations are being created.

Amendment 57

Proposal for a regulation

Article 13 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

a) exported to third countries or dispatched to the rest of the Union within the limits of traditional exports and traditional dispatches. These amounts are established by the Commission by means of an implementing act on the basis of dispatches or export average figures **during 1989, 1990 and 1991**;

Amendment

(a) exported to third countries or dispatched to the rest of the Union within the **established** limits of traditional exports and traditional dispatches. These amounts are established by the Commission by means of an implementing act on the basis of dispatches or export average figures, **taking as a reference the verified average figures for the three best years since 1989**;

Amendment 58

Proposal for a regulation

Article 13 – paragraph 2 – point b

Text proposed by the Commission

b) exported to third countries as part of regional trade **in accordance with the destinations and conditions determined by the Commission by means of an implementing act**;

Amendment

(b) exported to third countries as part of regional trade;

Amendment 59

Proposal for a regulation

Article 13 – paragraph 2 – point c

Text proposed by the Commission

c) dispatched from the Azores to Madeira or vice versa;

Amendment

deleted

Amendment 60

Proposal for a regulation

Article 13 – paragraph 2 – point c a (new)

Text proposed by the Commission

(ca) dispatched between the regions of the Azores, Madeira and the Canary Islands;

Amendment

Amendment 61

Proposal for a regulation

Article 13 – paragraph 2 – point d

Text proposed by the Commission

Amendment

d) dispatched from Madeira to the Canary Islands or vice versa; ***deleted***

Amendment 62

Proposal for a regulation

Article 13 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The implementing acts relating to the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 34(2).

Amendment 63

Proposal for a regulation

Article 13 – paragraph 3

Text proposed by the Commission

Amendment

3. For the purposes of this chapter, ‘regional trade’ shall be understood as trade, for each French overseas department, with the Azores and Madeira and the Canary Islands, with third countries established by the Commission by means of an implementing act.

3. For the purposes of this chapter, ‘regional trade’ shall be understood as trade, for each French overseas department, the Azores and Madeira and the Canary Islands, with third countries ***belonging to the same geographical area as those outermost regions, and with countries with which there are historical trade links.*** ***The list of these countries shall be established by the Commission by means of an implementing act, taking into account objective requests made by the Member States following consultation with the sectors concerned. This list could be revised every two years at the request of the Member States. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Justification

The list of countries involved in regional trade with the outermost regions should be revised in accordance with trends in exports by these areas.

Amendment 64

Proposal for a regulation

Article 13 – paragraph 6

Text proposed by the Commission

6. In order to target the benefit resulting from the application of the specific supply arrangements to regional and traditional trade, the Commission shall establish by means of delegated act, the conditions that processing operations which may give rise to traditional exports or regional trade must comply with.

Amendment

6. In order to target the benefit resulting from the application of the specific supply arrangements to regional and traditional trade, the Commission shall establish by means of delegated act, the conditions that processing operations which may give rise to traditional exports or regional trade must comply with. ***The Commission shall be empowered to adopt those delegated acts in accordance with Article 33.***

Amendment 65

Proposal for a regulation

Article 17 – paragraph 1 – subparagraph 2

Text proposed by the Commission

In order to ensure uniform application of this provision, the Commission shall adopt by means of an implementing act the minimum characteristics of the checks to be carried out by the Member States.

Amendment

In order to ensure uniform application of this provision, the Commission shall adopt by means of an implementing act the minimum characteristics of the checks to be carried out by the Member States. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Amendment 66

Proposal for a regulation

Article 17 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In order to ensure that the operators participating in the scheme comply with their obligations, the Commission shall establish by means of delegated act the conditions necessary for the implementation of the first subparagraph above and the processing of new applications for certificates by the operator.

Amendment

In order to ensure that the operators participating in the scheme comply with their obligations, the Commission shall establish by means of delegated act the conditions necessary for the implementation of the first subparagraph above and the processing of new applications for certificates by the operator. ***The Commission shall be empowered to***

adopt those delegated acts in accordance with Article 33.

Amendment 67

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

1. The POSEI programmes consist of specific measures designed to promote local agricultural production under the scope of Part 3, Title III of the Treaty, necessary in order to ensure the continuity and development of local agricultural production in each outermost region.

Amendment

1. The POSEI programmes consist of specific measures designed to promote local agricultural production under the scope of Part 3, Title III of the Treaty, necessary in order to ensure the continuity and development of local agricultural production in each outermost region, ***always taking account of the principle of administrative simplification for the administrations and above all for the final beneficiaries, without ever jeopardising effectiveness and the corresponding financial resources allocated to the POSEI programme.***

Amendment 68

Proposal for a regulation Article 18 – paragraph 2 – introductory part

Text proposed by the Commission

2. The ***part*** of the programme which ***includes*** measures to assist local agricultural production shall comprise at least the following elements:

Amendment

2. The ***parts*** of the programme which ***include*** measures to assist local agricultural production ***and which correspond to the objectives set out in Article 2*** shall comprise at least the following elements:

Amendment 69

Proposal for a regulation Article 18 – paragraph 2 – point b

Text proposed by the Commission

b) a description of the strategy proposed, the priorities selected, its quantified general and operational objectives, and an appraisal showing the expected economic,

Amendment

(b) a description of the strategy proposed, the priorities selected, its quantified general and operational objectives, and an appraisal showing the expected economic,

environmental and social impact, including employment effects;

environmental and social impact, including employment effects *and the effects on the quality of local products*;

Amendment 70

Proposal for a regulation

Article 18 – paragraph 2 – point e

Text proposed by the Commission

Amendment

e) conditions for the granting of aid, the products and volumes concerned;

deleted

Justification

This provision is superfluous since it deals with matters that are already covered by paragraph 4 of the same article.

Amendment 71

Proposal for a regulation

Article 18 – paragraph 2 – point f

Text proposed by the Commission

Amendment

f) the aid amount established for each measure *or* action in order to achieve one or more objectives for the programme.

(f) the aid amount established for each measure *and the provisional amount for each* action in order to achieve one or more objectives for the programme.

Justification

A high degree of flexibility should continue to be encouraged in the management of POSEI programmes, as has been the case since the adoption of Regulation 247/2006.

Amendment 72

Proposal for a regulation

Article 18 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall adopt by means of an implementing act the *uniform conditions* for the provision of the aid described in paragraph 2.

3. The Commission shall adopt by means of an implementing act the *technical arrangements* for the provision of the aid described in paragraph 2. *Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).*

Amendment 73

Proposal for a regulation

Article 18 – paragraph 4 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

c) *individual* aid;

(c) *the unit amount of* aid;

Amendment 74

Proposal for a regulation

Article 18 – paragraph 4 – subparagraph 2 – point d

Text proposed by the Commission

Amendment

d) *ceiling*.

deleted

Justification

Setting a firm ceiling for each action would constrict the management of programmes.

Amendment 75

Proposal for a regulation

Article 18 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Amendment

In order to support the marketing of products outside a region in which they are produced, the Commission shall adopt by means of a delegated act the conditions for establishing the amount of aid awarded in respect of such marketing and, where appropriate, the maximum amounts which form the subject of this aid.

In order to support the marketing of products outside a region in which they are produced, the Commission shall adopt by means of a delegated act the conditions for establishing the amount of aid awarded in respect of such marketing and, where appropriate, the maximum amounts which form the subject of this aid. ***The Commission shall be empowered to adopt those delegated acts in accordance with Article 33.***

Amendment 76

Proposal for a regulation

Article 18 – paragraph 4 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

The Member States may make advance payments for all POSEI actions in

support of local production.

Justification

This measure is designed to improve the effectiveness of support for measures to assist local producers in the outermost regions.

Amendment 77

Proposal for a regulation
Article 18 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Once the beneficiaries' projects have been approved, the Member States may issue an attestation to make it easier for them to obtain prefinancing from a bank.

Amendment 78

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

Amendment

3. In order to improve awareness of high-quality agricultural products from the outermost regions and to increase the consumption thereof, whether processed or non-processed, the Commission shall establish, by means of a delegated act, the conditions for exercising the right to use the logo and for reproducing and using it.

3. In order to improve awareness of high-quality agricultural products from the outermost regions and to increase the consumption thereof, whether processed or non-processed, the Commission shall establish, by means of a delegated act, the conditions for exercising the right to use the logo and for reproducing and using it.
The Commission shall be empowered to adopt those delegated acts in accordance with Article 33.

Amendment 79

Proposal for a regulation
Article 20 – paragraph 4

Text proposed by the Commission

Amendment

4. In order to ensure that this Article is applied in a uniform way, the Commission shall adopt, by means of a implementing act, the detailed rules concerning the use of the logo and the minimum characteristics

4. In order to ensure that this Article is applied in a uniform way, the Commission shall adopt, by means of a implementing act, the detailed rules concerning the use of the logo and the minimum characteristics

for the checks and monitoring which the Member States shall perform.

for the checks and monitoring which the Member States shall perform. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Amendment 80

Proposal for a regulation Article 21 – paragraph 1

Text proposed by the Commission

1. Notwithstanding Article 39(4) of Regulation (EC) No 1698/2005, the maximum annual amounts eligible for European Union aid, as set out in Annex I to that Regulation, may be increased up to twofold in the case of the measure to protect lakes in the Azores and the measure to preserve the landscape and traditional features of agricultural land and the conservation of stone walls ***supporting terraces*** in ***Madeira***.

Amendment

1. Notwithstanding Article 39(4) of Regulation (EC) No 1698/2005, the maximum annual amounts eligible for European Union aid, as set out in Annex I to that Regulation, may be increased up to twofold in the case of the measure to protect lakes in the Azores and the measure to preserve the landscape, ***biodiversity*** and traditional features of agricultural land and the conservation of stone walls in ***the outermost regions***.

Amendment 81

Proposal for a regulation Article 22 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. To increase the market competitiveness of agricultural products from the outermost regions and improve the ability of agricultural holdings to withstand natural disasters and hazards, steps shall be taken to encourage each subsector as a whole to take out disaster risk insurance, as a consequence of which cooperatives, farmers' associations and all other agricultural bodies shall be exempted from the ban on receiving state aid to promote access to agricultural insurance cover.

Amendment 82

Proposal for a regulation

Article 23 – paragraph 1

Text proposed by the Commission

1. **France and Portugal** shall submit programmes to the Commission for the control of organisms harmful to plants or plant products in the **French overseas departments and the Azores and Madeira respectively**. The programmes shall specify in particular the objectives to be achieved, the measures to be carried out, their duration and their cost. **The programmes submitted pursuant to this Article shall not concern the protection of bananas.**

Amendment

1. **The Member States** shall submit programmes to the Commission for the control of organisms harmful to plants or plant products in the **outermost regions**. The programmes shall specify in particular the objectives to be achieved, the measures to be carried out, their duration and their cost.

Justification

Programmes for the control of organisms harmful to crop production should be extended to all the outermost regions given the growing proliferation of pests, largely as a consequence of climate conditions and the increase in trade. The scarcity of plant protection substances with which to combat these pests means that boosting such measures is now more necessary than ever. No crop production should be excluded.

Amendment 83

Proposal for a regulation

Article 23 – paragraph 3 – subparagraph 1

Text proposed by the Commission

3. In order to implement these programmes, the Commission shall establish, by means of delegated **act**, the Union's financial participation as referred to in paragraph 2, the measures eligible for EU financing and the amount of the aid.

Amendment

3. In order to implement these programmes, the Commission shall establish, by means of delegated **acts**, the Union's financial participation as referred to in paragraph 2, the measures eligible for EU financing and the amount of the aid. **The Commission shall be empowered to adopt those delegated acts in accordance with Article 33.**

Amendment 84

Proposal for a regulation

Article 23 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Such *contribution* may cover up to **60% of eligible expenditure in the French overseas departments and up to 75%** of eligible expenditure *in the Azores and Madeira*. Payment shall be made on the basis of documentation provided by the **French and Portuguese authorities**. If necessary, checks may be organised by the Commission and conducted on its behalf by the experts referred to in Article 21 of Council Directive 2000/29/EC.

Amendment

Such *participation* may cover up to 75 % of **the** eligible expenditure. Payment shall be made on the basis of documentation provided by the **Member States**. If necessary, checks may be organised by the Commission and conducted on its behalf by the experts referred to in Article 21 of Council Directive 2000/29/EC.

Justification

The number of harmful organisms introduced into the outermost regions has increased in recent years. Many of these organisms are hard to eradicate and have a strong economic impact on the profitability of producers. Climate conditions in many regions favour the propagation of pests, which have increased markedly as a result of the growing circulation of goods.

Amendment 85

Proposal for a regulation

Article 24 – paragraph 3

Text proposed by the Commission

3. The measures referred to in Articles 103v, 103w and 103y of Regulation (EC) No 1234/2007 shall not apply to the Canary Islands.

Amendment

3. The measures referred to in Articles **85g, 85h, 85i, 85j, 85k, 85m**, 103v, 103w and 103y of Regulation (EC) No 1234/2007 shall not apply to the Canary Islands.

Justification

Vine-growing is a type of agricultural production that promotes the conservation of rural areas on the Canary Islands. The rapporteur wishes to exempt the Canary Islands from any provision restricting the development of production in this sector in the future, bearing in mind the decline seen in recent years. The impact of a derogation from the provisions on illegal vineyards would be virtually nil for the mainland sector, since only 14.7% of wines consumed in the Canary Islands are locally produced.

Amendment 86

Proposal for a regulation
Article 25 – paragraph 4 – subparagraph 1

Text proposed by the Commission

4. Notwithstanding Article 114(2) of Regulation (EC) No 1234/2007, the production in Madeira and in the French overseas department of Réunion of UHT milk reconstituted from milk powder originating in the Union shall be authorised within the limits of local consumption requirements, in so far as this measure does not hinder that locally produced milk is collected and finds outlets. This product shall be used for local consumption only.

Amendment

4. Notwithstanding Article 114(2) of Regulation (EC) No 1234/2007, the production in Madeira and in the French overseas department of Réunion of UHT milk reconstituted from milk powder originating in the Union shall be authorised within the limits of local consumption requirements, in so far as this measure does not hinder that locally produced milk is collected and finds outlets. ***Should the Member State in question demonstrate the expediency of such a measure for the French overseas departments of Martinique and Guadeloupe, the Commission shall be empowered, in accordance with Article 33, to adopt the necessary delegated acts in order to extend this measure to the aforementioned departments.*** This product shall be used for local consumption only.

Amendment 87

Proposal for a regulation
Article 26 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Until the local numbers of young male bovines reach a level sufficient to ensure the maintenance and development of local beef production in the French overseas departments and Madeira, the possibility shall be introduced of importing bovine animals from third countries for fattening and consumption in the French overseas departments and Madeira, without applying import duties under the Common Customs Tariff. The Commission shall adopt, by means of an implementing act, the measures necessary to implement this subparagraph and more specifically the means for introducing the exemption from import duties in respect of the young male bovines introduced into the French

Amendment

1. Until the local numbers of young male bovines reach a level sufficient to ensure the maintenance and development of local beef production in the French overseas departments and Madeira, the possibility shall be introduced of importing bovine animals from third countries for fattening and consumption in the French overseas departments and Madeira, without applying import duties under the Common Customs Tariff. The Commission shall adopt, by means of an implementing act, the measures necessary to implement this subparagraph and more specifically the means for introducing the exemption from import duties in respect of the young male bovines introduced into the French

overseas departments and Madeira.

overseas departments and Madeira. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Amendment 88

Proposal for a regulation Article 26 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In order to take into account the specific local features of the beef sector and industry, the Commission shall establish by means of a delegated act the conditions to which the exemption from import duties is subject.

Amendment

In order to take into account the specific local features of the beef sector and industry, the Commission shall establish by means of a delegated act the conditions to which the exemption from import duties is subject. ***The Commission shall be empowered to adopt those delegated acts in accordance with Article 33.***

Amendment 89

Proposal for a regulation Article 26 – paragraph 3

Text proposed by the Commission

3. Where Article 52 and Article 53(1) of Regulation (EC) No 73/2009 are applied, Portugal may reduce the national ceiling for sheep and goat payment and suckler cow premium rights. In this case, by means of an implementing act by the Commission, the relevant amount shall be transferred from the ceilings established in accordance with Article 52 and Article 53(1) of Regulation (EC) No 73/2009 to the financial allocation referred to in the second indent of Article 29(2) of this Regulation.

Amendment

3. Where Article 52 and Article 53(1) of Regulation (EC) No 73/2009 are applied, Portugal may reduce the national ceiling for sheep and goat payment and suckler cow premium rights. In this case, by means of an implementing act by the Commission, the relevant amount shall be transferred from the ceilings established in accordance with Article 52 and Article 53(1) of Regulation (EC) No 73/2009 to the financial allocation referred to in the second indent of Article 29(2) of this Regulation. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Amendment 90

Proposal for a regulation

Article 27 – paragraph 1

Text proposed by the Commission

Spain is authorised to award aid concerning the production of tobacco in the Canary Islands. The granting of this aid may not result in discrimination between producers in the islands.

Amendment

Spain is authorised to award aid concerning the production of tobacco in the Canary Islands ***owing to the specific features of this crop and the lack of potential for diversifying local agricultural production.*** The granting of this aid may not result in discrimination between producers in the islands.

Amendment 91

Proposal for a regulation

Article 28 – paragraph 2

Text proposed by the Commission

2. The Commission shall adopt by means of an implementing act the measures necessary to implement paragraph 1 and more specifically the measures for introducing the exemption from import duties in respect of tobacco in the Canary Islands.

Amendment

2. The Commission shall adopt by means of an implementing act the measures necessary to implement paragraph 1 and more specifically the measures for introducing the exemption from import duties in respect of tobacco in the Canary Islands. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).***

Amendment 92

Proposal for a regulation

Article 29 – paragraph 1

Text proposed by the Commission

1. The measures provided for in this Regulation, with the exception of Article 21, shall constitute intervention intended to stabilise the agricultural markets within the meaning of Article 3(1)(b) of Council Regulation (EC) No 1290/2005¹³.

Amendment

1. The measures provided for in this Regulation, with the exception of Article 21, shall constitute intervention intended to stabilise the agricultural markets ***and guarantee direct payments*** within the meaning of Article 3(1)(b) ***and (c)*** of Council Regulation (EC) No 1290/2005¹³.

Amendment 93

Proposal for a regulation

Article 29 – paragraph 2 – introductory part

Text proposed by the Commission

2. In respect of each financial year, the Union shall finance the measures provided for in Chapters III and IV, up to **an** annual sum equivalent to:

Amendment

2. In respect of each financial year, the Union shall finance the measures provided for in Chapters III and IV, up to **a minimum** annual sum equivalent to:

Amendment 94

Proposal for a regulation

Article 29 – paragraph 2 – indent 1

Text proposed by the Commission

– in the Overseas Departments of France:
EUR **278.41** million

Amendment

– in the Overseas Departments of France:
EUR **308.21** million

Amendment 95

Proposal for a regulation

Article 29 – paragraph 2 – indent 2

Text proposed by the Commission

– Azores and Madeira: EUR **106.21** million

Amendment

– Azores and Madeira: EUR **117.61** million

Amendment 96

Proposal for a regulation

Article 29 – paragraph 2 – indent 3

Text proposed by the Commission

– Canary Islands: EUR **268.42** million

Amendment

– Canary Islands: EUR **297.12** million

Amendment 97

Proposal for a regulation

Article 29 – paragraph 3 – indent 1

Text proposed by the Commission

– in the Overseas Departments of France:

Amendment

– in the Overseas Departments of France:

EUR 24.8 million

EUR 26.9 million

Justification

The aim of increasing the SSA ceiling for France is to respond to the forecast growth in the livestock farming sector. The increase proposed by the Commission is insufficient measured against the estimates made by the country concerned.

Amendment 98

Proposal for a regulation

Article 29 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The Commission shall establish by implementing act the uniform conditions under which Member States may amend the allocation of resources allocated each year to the various products benefiting from the specific supply arrangements.

Amendment

The Commission shall establish by implementing act the uniform conditions under which Member States may amend the allocation of resources allocated each year to the various products benefiting from the specific supply arrangements.
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).

Amendment 99

Proposal for a regulation

Article 29 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. The Commission shall ensure that the allocation of aid among the outermost regions of a single Member State does not excessively disadvantage one or more of those regions.

Amendment 100

Proposal for a regulation

Article 29 – paragraph 4

Text proposed by the Commission

Amendment

4. In order to ensure a reasonable and proportional allocation of the finance measures with regard to studies, demonstration projects, training and technical assistance measures, the

4. In order to ensure a reasonable and proportional allocation of the finance measures with regard to studies, demonstration projects, training and technical assistance measures, the

Commission shall establish by delegated act an annual maximum amount which may be allocated to these measures.

Commission shall establish by delegated act an annual maximum amount which may be allocated to these measures. ***The Commission shall be empowered to adopt those delegated acts in accordance with Article 33.***

Amendment 101

Proposal for a regulation Article 29 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. In view of the adverse effects on European banana producers of a gradual lowering of customs duties on bananas under the multilateral Geneva agreement and the free trade agreements with the Andean countries, Central America and Mercosur, appropriate compensation shall be paid to banana producers in the outermost regions of the Union. This compensation shall be of the order of EUR 30 000 000 per year for all the banana-producing countries in the Union.

Amendment 102

Proposal for a regulation Article 29 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. In future, the Commission shall submit a report to the European Parliament and the Council assessing the impact that any new tariff concessions for imports of bananas into the European Union will have on producers' incomes. That report shall be accompanied, where necessary, by a legislative proposal on the adjustment of the sums laid down in paragraph 2 with the aim of offsetting the losses of income suffered by EU producers.

Amendment 103

Proposal for a regulation
Article 30 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The Member States may not make aid for supply subject to any type of tax or fiscal levy, whether direct or indirect, and aid should be passed on in its entirety to the end user in accordance with the principle laid down in Article 12.

Amendment 104

Proposal for a regulation
Article 31 – title

Text proposed by the Commission

Amendment

Communications **and** reports

Communications, reports **and impact assessments**

Amendment 105

Proposal for a regulation
Article 31 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall submit to the Commission, not later than **31 July** each year, a report on the implementation of the measures provided for in this Regulation over the previous year.

2. Member States shall submit to the Commission, not later than **30 September** each year, a report on the implementation of the measures provided for in this Regulation over the previous year.

Justification

Practice has shown that a longer deadline needs to be set for the submission of this report.

Amendment 106

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

Amendment

3. Not later than 30 June 2015, and thereafter every five years, the Commission shall submit a general report to the European Parliament and the

3. Not later than 30 June 2015, and thereafter every five years, the Commission shall submit a general report to the European Parliament and the

Council showing the impact of the action taken under this Regulation, including in the banana *sector*, accompanied if applicable by appropriate proposals.

Council showing the impact of the action taken under this Regulation, including in the banana *and milk sectors*, accompanied if applicable by appropriate proposals.

Amendment 107

Proposal for a regulation Article 31 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall carry out specific prior assessments of the impact on agriculture in the outermost regions of bilateral and multilateral trade negotiations with third countries or trade markets and of significant changes agreed with regard to the common agricultural policy; such assessments shall be repeated on a regular basis. The Commission shall apply the criteria laid down by the United Nations when drawing up its reports. Where necessary, these studies or assessments shall be accompanied by proposals for a revision of the financial statement and of support measures for local production in the light of changes arising from the trade negotiations or significant changes to the common agricultural policy.

Amendment 108

Proposal for a regulation Article 31 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. The Commission shall submit a report to the European Parliament and the Council assessing the impact on local production in the outermost regions affected by the possible EU-Mercosur agreement. This report shall be accompanied by a legislative proposal concerning due compensation for the losses of income suffered by producers in the outermost regions of the Union at any

given time.

Amendment 109

Proposal for a regulation Article 31 – paragraph 3 c (new)

Text proposed by the Commission

Amendment

3c. Given the significant impact the dismantling of the milk-quota system can be expected to have on the milk sector in the outermost regions, the Commission shall submit a report to the European Parliament and the Council assessing the impact of dismantling that system. This report shall be accompanied by a legislative proposal concerning due compensation for the losses of income suffered by producers in the outermost regions of the Union at any given time.

Amendment 110

Proposal for a regulation Article 31 – paragraph 3 d (new)

Text proposed by the Commission

Amendment

3d. The Commission 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.

Amendment 111

Proposal for a regulation Article 31 a (new)

Text proposed by the Commission

Amendment

Article 31a

Extensions to the list of outermost regions
Any extension to the list of outermost regions of the EU shall be coupled with increased funding for the POSEI

programmes.

Amendment 112

Proposal for a regulation Article 33

Text proposed by the Commission

Delegated acts

1. The power to adopt *the* delegated acts *referred to in this Regulation shall be* conferred on the Commission *for an indeterminate period of time.*

As soon as it adopts a delegated act, the Commission shall provide simultaneous notification thereof to the European Parliament and to the Council.

2. The delegation of power referred to in *paragraph 1 may be revoked at any time* by the European Parliament or *by* the Council.

The institution which has commenced an internal procedure for deciding whether to revoke the delegation of power shall inform the other legislator and the Commission at the latest one month before the final decision is taken, stating the delegated powers which could be subject to revocation and the reasons for a revocation.

The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the Official

Amendment

Exercise of the delegation

1. The power to adopt delegated acts *is* conferred on the Commission *subject to the conditions laid down in this Article.*

2. The delegation of power referred to in *Articles 6(3), 11(2), 13(6), 17(2), 18(4), 20(3), 23(3), 26(2) and 29(4) shall be conferred on the Commission for a period of five years from ...*. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Journal of the European Union.

3. The European Parliament and the Council may object to the delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by one month.

If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, or if, before that date, the European Parliament and the Council have both informed the Commission that they have decided not to raise objections, the delegated act shall enter into force at the date stated in its provisions.

If the European Parliament or the Council objects to a delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

3. The delegation of power referred to in Articles 6(3), 11(2), 13(6), 17(2), 18(4), 20(3), 23(3), 26(2) and 29(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision to revoke in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

3a. As soon as it adopts a delegated act, the Commission shall notify it to the European Parliament and to the Council simultaneously.

3b. The delegated acts adopted pursuant to Article 6(3), Article 11(2), Article 13(6), Article 17(2), Article 18(4), Article 20(3), Article 23(3), Article 26(2) and Article 29(4) shall enter into force only if no objection has been expressed by either the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they do not intend to raise any objections. That period shall be extended by two months at the

initiative of the European Parliament or the Council.

** Date of entry into force of this Regulation.*

Amendment 113

Proposal for a regulation Article 34

Text proposed by the Commission

Implementing acts – committee

[To be completed following the adoption of the regulation on control mechanisms, as referred to in Article 291(2) of the TFEU, currently the subject of discussion by the European Parliament and the Council].

Amendment

Committee

1. The Commission shall be assisted by the Management Committee for Direct Payments established by Article 144 of Council Regulation (EC) No 1782/2003 of 29 September 2003¹. That committee is a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011².

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

¹ OJ L 270, 21.10.2003, p. 1.

² OJ L 55, 28.2.2011, p. 13.

Amendment 114

Proposal for a regulation Article 35 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

Should the new Regulation enter into force on 1 January 2012, the Member States shall not be required to submit a new programme by 1 August 2012 for implementation in 2013, as this would complicate the negotiating process with the Commission services. The stability of programmes is beneficial for all stakeholders, since it safeguards the principle of legal certainty and guarantees

*sound planning with a view to future
investment.*