
**ABSTRACT OF THE COMMISSION DELEGATED REGULATION (EU) 2016/232
of 15 December 2015**

**supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council
with regard to certain aspects of producer cooperation**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, and in particular Articles 173(1) and 223(2) thereof,

Whereas:

- (4) Rules on the recognition of (...) transnational interbranch organisations should be laid down as well as rules clarifying the responsibility of the Member States involved. (...) For transnational interbranch organisations it should be for the Member State where their headquarters are established to decide on their recognition.
- (5) Rules should be laid down relating to the establishment of administrative assistance to be given in the case of transnational cooperation. Such assistance should in particular include the transfer of information that would allow the competent Member State to assess whether a transnational (...) interbranch organisation complies with the terms of recognition. Such information is also necessary to allow the competent Member State to take action in case of non-compliance. At the same time, such assistance will permit the competent Member States to transfer information upon request to the Member States where members of such organisations (...) are located.
- (6) In order to ensure the proper functioning of measures under the common agricultural policy and for the purpose of monitoring, analysing and managing the market in agricultural products and ensuring a harmonised and simplified approach, the information required when notifying the decisions (...) to grant, refuse or withdraw the recognition of a (...) interbranch organisation should be specified.
- (7) Commission Regulations (...) (EC) No 709/2008¹ provide for rules on (...) interbranch organisations. Certain provisions of those Regulations are obsolete or have never been applied. Therefore, in order to guarantee the consistency with the new legislation on the common organisation of agricultural markets, those Regulations should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1 - Scope

This Regulation lays down rules supplementing Regulation (EU) No 1308/2013 with regard to certain aspects of producer cooperation. (...)

Article 2 - Definitions

For the purposes of this Regulation, the following definitions shall apply: (...)

- (c) ‘transnational interbranch organisation’ means any interbranch organisation of which the members are engaged in production, processing or trade in the products covered by the organisation's activities in more than one Member State.

ABSTRACT

(...)

Article 4 - Recognition of transnational organisations and associations

1. (...) it is for the (...) the Member State in which the headquarters of a transnational interbranch organisation is established, to decide on the recognition of such organisation or association.
2. The Member State referred to in paragraph 1 shall establish the necessary administrative cooperation with the other Member States in which the members of such organisation (...) are located with respect to verifying compliance with the terms of recognition referred to in Articles (...) 157 of Regulation (EU) No 1308/2013.
3. The other Member States in which the members of a (...) transnational interbranch organisation are located shall give all necessary administrative assistance to the Member State referred to in paragraph 1.
4. The Member State referred to in paragraph 1 shall make available all relevant information upon request of another Member State in which members of such organisation (...) are located.

Article 5 - Notifications

Member States shall notify the Commission by 31 March each year of the following information for the previous calendar year:

- (a) decisions to grant, refuse or withdraw recognition of (...) interbranch organisations, including the date of the decision and the names and the sectors concerned and a summary of the reasons for refusals and withdrawals of recognition;

(...)

Article 6 - Repeals

Regulations (...) (EC) No 709/2008 are repealed.

Article 7

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, 15 December 2015.

For the Commission

The President

Jean-Claude JUNCKER

ⁱ Commission Regulation (EC) No 709/2008 of 24 July 2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007, as regards interbranch organisations and agreements in the tobacco sector ([OJ L 197, 25.7.2008, p. 23](#)).