

**ABSTRACT OF THE 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**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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 proposal from the European Commission, (...)

Whereas: (...)

- (132) Interbranch organisations can play an important part in allowing dialogue between actors in the supply chain, and in promoting best practices and market transparency.
- (133) Existing rules on the definition and recognition of producer organisations, their associations, and interbranch organisations should therefore be harmonised, streamlined and extended to provide for possible recognition on request under statutes set out in accordance with this Regulation for certain sectors. In particular, the recognition criteria and statutes of producer organisations should ensure that such bodies are formed on the initiative of producers, and are controlled in accordance with rules enabling the producer members to scrutinise democratically their organisation and its decisions. (...)
- (136) In order to encourage action by (...) interbranch organisations to facilitate the adjustment of supply to market requirements, with the exception of actions relating to withdrawal from the market, the power to adopt certain acts should be delegated to the Commission in respect of: measures improving quality; promoting better organisation of production, processing and marketing; facilitating the recording of market price trends; and permitting the establishment of short and long-term forecasts on the basis of the means of production used. (...)
- (142) In order to ensure that the objectives and responsibilities of (...) interbranch organisations are clearly defined and to contribute to the effectiveness of their actions without imposing an undue administrative burden and without undermining the principle of freedom of association in particular with regard to non-members of such organisations, the power to adopt certain acts should be delegated to the Commission in respect of:
rules on the specific aims which may, must or must not be pursued by such organisations (...)
transnational organisations (...) and the rules relating to administrative assistance in the case of transnational cooperation; (...)

HAVE ADOPTED THIS REGULATION:

PART I

INTRODUCTORY PROVISIONS

Article 1

Scope

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1. This Regulation establishes a common organisation of the markets for agricultural products, which means all the products listed in Annex I to the Treaties with the exception of the fishery and aquaculture products as defined in Union legislative acts on the common organisation of the markets in fishery and aquaculture products.
2. Agricultural products as defined in paragraph 1 shall be divided into the following sectors as listed in the respective parts of Annex I: (...)
 - (n) tobacco, Part XIV; (...)

TITLE II

RULES CONCERNING MARKETING AND PRODUCER ORGANISATIONS

(...)

CHAPTER III

Producer organisations and associations and interbranch organisations

Section 1

Definition and recognition

(...)

Article 157

Interbranch organisations

1. Member States may, on request, recognise interbranch organisations in a specific sector listed in Article 1(2) which:
 - (a) are constituted of representatives of economic activities linked to the production and to at least one of the following stages of the supply chain: the processing of or trade in, including distribution of, products in one or more sectors;
 - (b) are formed on the initiative of all or some of the organisations or associations which constitute them;
 - (c) pursue a specific aim taking account of the interests of their members and of consumers, which may include, in particular, one of the following objectives:
 - (i) improving knowledge and the transparency of production and the market, including by publication of aggregated statistical data on production costs, prices, including, where appropriate, price indices, volumes and duration of contracts which have been previously concluded, and by providing analyses of potential future market developments at regional, national or international level;
 - (ii) forecasting of production potential, and recording public market prices;
 - (iii) helping to coordinate better the way the products are placed on the market, in particular by means of research and market studies;
 - (iv) exploring potential export markets;
 - (v) without prejudice to Articles 148 and 168, drawing up standard forms of contract, compatible with Union rules, for the sale of agricultural products to purchasers and/or the supply of processed products to distributors and retailers, taking into account the need to achieve fair competitive conditions and to avoid market distortions;

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- (vi) exploiting to a fuller extent the potential of the products, including at the level of market outlets, and developing initiatives to strengthen economic competitiveness and innovation;
- (vii) providing the information and carrying out the research necessary to innovate, rationalise, improve and adjust production and, where applicable, the processing and marketing, towards products more suited to market requirements and consumer tastes and expectations, in particular with regard to product quality, including the specific characteristics of products with a protected designation of origin or a protected geographical indication, and protection of the environment;
- (viii) seeking ways of restricting the use of animal-health or plant protection products, better managing other inputs, ensuring product quality and soil and water conservation, promoting food safety, in particular through traceability of products, and improving animal health and welfare;
- (ix) developing methods and instruments for improving product quality at all stages of production and, where applicable, of processing and marketing;
- (x) taking all possible actions to uphold, protect and promote organic farming and designations of origin, quality labels and geographical indications;
- (xi) promoting and carrying out research into integrated, sustainable production or other environmentally sound production methods;
- (xii) encouraging healthy and responsible consumption of the products on the internal market and/or informing about the harm linked to hazardous consumption patterns;
- (xiii) promoting consumption of, and/or furnishing information concerning, products on the internal market and external markets;
- (xiv) contributing to the management of by-products and the reduction and management of waste.

Article 158

Recognition of interbranch organisations

1. Member States may recognise interbranch organisations applying for such recognition, provided that they:
 - (a) fulfil the requirements laid down in Article 157;
 - (b) carry out their activities in one or more regions in the territory concerned;
 - (c) account for a significant share of the economic activities referred to in point (a) of Article 157(1);
 - (d) with the exception of the cases laid down in Article 162, do not, themselves, engage in production, processing or trade. (...)
5. Where Member States recognise an interbranch organisation in accordance with paragraph 1 or 2, they shall:
 - (a) decide whether to grant recognition within four months of the lodging of an application with all relevant supporting documents; this application shall be lodged with the Member

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State where the organisation has its headquarters;

- (b) carry out, at intervals to be determined by them, checks to verify that recognised interbranch organisations are complying with the conditions governing their recognition;
- (c) in the event of non-compliance or irregularities in the implementation of the measures provided for in this Regulation, impose on those organisations the applicable penalties they have laid down and, if necessary, decide whether recognition should be withdrawn;
- (d) withdraw recognition if the requirements and conditions for recognition laid down in this Article are no longer met;
- (e) inform the Commission by 31 March of each year of every decision to grant, refuse or withdraw recognition taken during the previous calendar year.

Section 2

Additional rules for specific sectors

Article 159

Obligatory recognition

By way of derogation from Articles 152 to 158, Member States shall, on request, recognise: (...)

- (b) interbranch organisations in the olive oil and table olives sector and the tobacco sector. (...)

Article 162

Interbranch organisations in the olive oil and table olives and tobacco sectors

For interbranch organisations in the (...) tobacco sectors, the specific aim referred to in point (c) of Article 157(1) may also include at least one of the following objectives:

- (a) concentrating and co-ordinating supply and marketing of the produce of the members;
- (b) adapting production and processing jointly to the requirements of the market and improving the product;
- (c) promoting the rationalisation and improvement of production and processing. (...)

Article 232

Entry into force and application

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

It shall apply from 1 January 2014. (...)

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

Done at Brussels, 17 December 2013.

For the European Parliament

The President M. SCHULZ

For the Council

The President V. JUKNA

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ANNEX I

LIST OF PRODUCTS REFERRED TO IN ARTICLE 1(2)

(...)

PART XIV

Tobacco

The tobacco sector shall cover raw or non-manufactured tobacco and tobacco refuse falling within CN code 2401. (...)