

Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (repealed)

PART VII

IMPLEMENTING, TRANSITIONAL AND FINAL RULES

CHAPTER II

Transitional and final provisions

Article 197

Amendments to Regulation (EC) No 1493/1999

Articles 74 to 76 of Regulation (EC) No 1493/1999 shall be deleted.

Article 198

Amendments to Regulation (EC) No 2200/96

Articles 46 and 47 of Regulation (EC) No 2200/96 shall be deleted.

Article 199

Amendments to Regulation (EC) No 2201/96

Articles 29 and 30 of Regulation (EC) No 2201/96 shall be deleted.

Article 200

Amendments to Regulation (EC) No 1184/2006

Regulation (EC) No 1184/2006 shall be amended as follows:

1. The title shall be replaced by the following:

Council Regulation (EC) No 1184/2006 of 24 July 2006 applying certain rules of competition to the production of and trade in certain agricultural products;

2. Article 1 shall be replaced by the following:

Article 1

This Regulation shall lay down the rules to be applied as regards the applicability of Articles 81 to 86 and certain provisions of Article 88 of the Treaty in relation to production of, or trade in, the products listed in Annex I to the Treaty with the exception of the products referred to in points (a) to (h), point (k) and points (m) to (u) of Article 1(1) and in Article 1(3) of Council Regulation (EC) No 1234/2007⁽¹⁾.

Status: Point in time view as at 01/07/2008.

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 1234/2007 (repealed). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Article 1a

Articles 81 to 86 of the Treaty and provisions made for their implementation shall, subject to Article 2 of this Regulation, apply to all agreements, decisions and practices referred to in Articles 81(1) and 82 of the Treaty which relate to the production of, or trade in, the products referred to in Article 1.;

3. The first subparagraph of Article 2(1) shall be replaced by the following:

1. Article 81(1) of the Treaty shall not apply to those agreements, decisions and practices referred to in Article 1a of this Regulation which form an integral part of a national market organisation or are necessary for attainment of the objectives set out in Article 33 of the Treaty.;

4. Article 3 shall be replaced by the following:

Article 3

Article 88(1) and of the first sentence of Article 88(3) of the Treaty shall apply to aid granted for the production of, or trade in, the products referred to in Article 1..

Article 201

Repeals

1 Subject to paragraph 3, the following Regulations shall be repealed:

- a Regulations (EEC) No 234/68, (EEC) No 827/68, (EEC) No 2517/69, (EEC) No 2728/75, (EEC) No 1055/77, (EEC) No 2931/79, (EEC) No 1358/80, (EEC) No 3730/87, (EEC) No 4088/87, (EEC) No 404/93, (EC) No 670/2003 and (EC) No 797/2004, as from 1 January 2008;
- b Regulations (EEC) No 707/76, (EC) No 1786/2003, (EC) No 1788/2003 and (EC) No 1544/2006 as from 1 April 2008;
- c Regulations (EEC) No 315/68, (EEC) No 316/68, (EEC) No 2729/75, (EEC) No 2759/75, (EEC) No 2763/75, (EEC) No 2771/75, (EEC) No 2777/75, (EEC) No 2782/75, (EEC) No 1898/87, (EEC) No 1906/90, (EEC) No 2204/90, (EEC) No 2075/92, (EEC) No 2077/92, (EEC) No 2991/94, (EC) No 2597/97, (EC) No 1254/1999, (EC) No 1255/1999, (EC) No 2250/1999, (EC) No 1673/2000, (EC) No 2529/2001, (EC) No 1784/2003, (EC) No 865/2004 and (EC) No 1947/2005 (EC) No 1952/2005 and (EC) No 1028/2006, as from 1 July 2008;
- d Regulation (EC) No 1785/2003 as from 1 September 2008;
- e Regulation (EC) No 318/2006 as from 1 October 2008;
- f Regulations (EEC) No 3220/84, (EEC) No 386/90, (EEC) No 1186/90, (EEC) No 2137/92, and (EC) No 1183/2006 as from 1 January 2009.

2 Decision 74/583/EEC shall be repealed as from 1 January 2008.

3 The repeal of the Regulations referred to in paragraph 1 shall be without prejudice to:

- a the maintenance in force of Community acts adopted on the basis of those Regulations; and
- b the continuing validity of amendments made by those Regulations to other acts of Community law that are not repealed by this Regulation.

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Article 202

Construction of references

References to the provisions and Regulations which are amended or repealed by Articles 197 to 201 shall be construed as references to this Regulation and shall be read in accordance with the correlation tables set out in Annex XXII.

Article 203

Transitional rules

The Commission may adopt the measures required to facilitate the transition from the arrangements provided for in the Regulations which are amended or repealed by Articles 197 to 201 to those established by this Regulation.

[^{F1}Article 203a

Transitional rules in the fruit and vegetables and the processed fruit and vegetables sectors

1 The aid schemes set out in Regulations (EC) No 2201/96 and (EC) No 2202/96 of 28 October 1996 introducing a Community aid scheme for producers of certain citrus fruit⁽²⁾ and abolished by Regulation (EC) No 1182/2007 shall remain applicable in respect of each of the products concerned for the marketing year for that product ending in 2008.

2 Producer organisations and associations of producer organisations already recognised under Regulation (EC) No 2200/96 before the date of entry into force of this Regulation shall continue to be recognised under this Regulation. Where necessary, they shall make adaptations to the requirements of this Regulation by 31 December 2010.

Producer organisations and associations of producer organisations already recognised under Regulation (EC) No 1182/2007 shall continue to be recognised under this Regulation.

3 At the request of a producer organisation, an operational programme approved under Regulation (EC) No 2200/96 before the date of application of Regulation (EC) No 1182/2007:

- a may continue to run until its end; or
- b be modified to meet the requirements of this Regulation; or
- c be replaced by a new operational programme approved under this Regulation.

Article 103d(3)(e) and (f) shall apply to operational programmes submitted in 2007 but not yet approved at the date of application of this Regulation which otherwise meet the criteria of those points.

4 Producer groups which were granted preliminary recognition under Regulation (EC) No 2200/96 shall continue to benefit from that preliminary recognition under this Regulation. Recognition plans accepted under Regulation (EC) No 2200/96 shall continue to benefit from that acceptance under this Regulation. However the plans shall be modified, if necessary, so as to permit the producer group to be able to meet the criteria for recognition as a producer organisation laid down in Article 125b of this Regulation. As concerns such producer groups in Member States which acceded to the European Union on 1 May 2004 or thereafter, the aid

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rates set out in Article 103a(3)(a) shall apply to recognition plans from the date of application of this Regulation.

5 The contracts referred to in Article 3(2) of Regulation (EC) No 2202/96 covering more than one marketing year of the aid scheme for processing citrus fruits which relate to the marketing year beginning on 1 October 2008 or to subsequent marketing years may, with the agreement of both parties, be amended or terminated to take into account the repeal of that Regulation by Regulation (EC) No 1182/2007 and the consequential abolition of the aid. No penalties shall be applied under that Regulation or its implementing rules to the parties concerned as a result of such an amendment or termination.

6 Where a Member State makes use of the transitional arrangement under Article 68b or Article 143bc of Regulation (EC) No 1782/2003, the rules adopted pursuant to Article 6 of Regulation (EC) No 2201/96 or Article 6 of Regulation (EC) No 2202/96 on the minimum characteristics of the raw material supplied for processing and minimum quality requirements for finished products shall remain applicable in respect of the raw materials harvested in its territory.

7 Until new marketing standards are adopted in respect of fruit and vegetables and processed fruit and vegetables in accordance with Articles 113 and 113a, the marketing standards drawn up pursuant to Regulations (EC) No 2200/96 and (EC) No 2201/96 shall continue to apply.

8 The Commission may adopt the measures required to facilitate the transition from the arrangements provided for in Regulations (EC) No 2200/96, (EC) No 2201/96, (EC) No 2202/96 and (EC) No 1182/2007 to those laid down in this Regulation including those provided for in paragraphs 1 to 7 of this Article.]

Textual Amendments

- F1** Inserted by [Council Regulation \(EC\) No 361/2008 of 14 April 2008 amending Regulation \(EC\) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products \(Single CMO Regulation\)](#).

Article 204

Entry into force

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

2 It shall apply from 1 January 2008.

However, it shall apply:

- a as regards the cereals, seeds, hops, olive oil and table olives, flax and hemp, raw tobacco, beef and veal, pigmeat, sheepmeat and goatmeat, eggs and poultrymeat sectors, from 1 July 2008;
- b as regards the rice sector, from 1 September 2008;
- c as regards the sugar sector, from 1 October 2008 with the exception of Article 59 which shall apply as from 1 January 2008;
- d as regards the dried fodder and the silkworm sectors, from 1 April 2008;
- e as regards the wine sector as well as Article 197, from 1 August 2008;

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- f as regards the milk and milk products sector, with the exception of the provisions set out in Chapter III of Title I of Part II, from 1 July 2008;
- g as regards the system of milk production limitation established in Chapter III of Title I of Part II, from 1 April 2008;
- h as regards the Community scales for carcass classification referred to in Article 42(1), from 1 January 2009.

Articles 27, 39 and 172 shall apply from 1 January 2008 and Articles 149 to 152 from 1 July 2008 for all the products concerned.

3 As regards the sugar sector, Title I of Part II shall apply until the end of the marketing year 2014/2015 for sugar.

4 The provisions related to the system of milk production limitation established in Chapter III of Title I of Part II shall, in accordance with Article 66, apply until 31 March 2015.

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- (1) OJ L 299, 16.11.2007, p. 1.;
- (2) [^{F1}OJ L 297, 21.11.1996, p. 49. Regulation as last amended by Commission Regulation (EC) No 1933/2001 (OJ L 262, 2.10.2001, p. 6).;]

Textual Amendments

- F1** Inserted by Council Regulation (EC) No 361/2008 of 14 April 2008 amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation).

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