

Commission Delegated Regulation (EU) 2017/891 of 13 March 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to penalties to be applied in those sectors and amending Commission Implementing Regulation (EU) No 543/2011

## TITLE II

### PRODUCER ORGANISATIONS

#### CHAPTER V

##### *General provisions*

##### *Section 3*

##### *Administrative penalties*

##### *Article 60*

##### **Fraud**

1 [F<sup>1</sup>The appropriate authority] shall suspend payments to and [F<sup>2</sup>the Secretary of State shall suspend] the recognition of a producer organisation or an association of producer organisations, which are under investigation by a [F<sup>3</sup>public authority within the United Kingdom] in connection with a charge of fraud in respect of aid covered by Regulation (EU) No 1308/2013, until the charge has been determined.

2 Where a producer organisation or an association of producer organisations has committed fraud in respect of aid covered by Regulation (EU) No 1308/2013, [F<sup>4</sup>the responsible authority] shall, without prejudice to any other penalties applicable [F<sup>5</sup>in law] :

- a withdraw the recognition of that organisation or association;
- b exclude the actions concerned from support under the operational programme concerned and recover any aid already paid with respect to those actions; and
- c exclude that organisation or association from recognition during the following year.

[F<sup>6</sup>In this paragraph, the ‘responsible authority’ is the appropriate authority for the constituent nation in which the producer organisation has its head office in respect of actions under point (b), and the Secretary of State in respect of actions under points (a) and (c).]

#### **Textual Amendments**

- F1** Words in Art. 60(1) substituted (25.6.2021) by [The Common Organisation of the Markets in Agricultural Products \(Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine\) \(Amendment etc.\) Regulations 2021 \(S.I. 2021/756\)](#), regs. 1(2), **4(37)(a)(i)**, 7(a)

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2017/891, Article 60. (See end of Document for details)

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- F2** Words in Art. 60(1) inserted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products (Producer Organisations and Wine) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1446), regs. 1(3), **5(25)(a)**
- F3** Words in Art. 60(1) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **4(37)(a)(ii)**, 7(a)
- F4** Words in Art. 60(2) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **4(37)(b)(i)(aa)**, 7(a)
- F5** Words in Art. 60(2) substituted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **4(37)(b)(i)(bb)**, 7(a)
- F6** Words in Art. 60(2) inserted (25.6.2021) by The Common Organisation of the Markets in Agricultural Products (Fruit and Vegetable Producer Organisations, Tariff Quotas and Wine) (Amendment etc.) Regulations 2021 (S.I. 2021/756), regs. 1(2), **4(37)(b)(ii)**, 7

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There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2017/891, Article 60.