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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	23 August 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2021) 5584 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 2.8.2021 amending Implementing Regulation (EU) No 543/2011 as regards marketing standards in the fruit and vegetables sector

Delegations will find attached document C(2021) 5584 final.

Encl.: C(2021) 5584 final



EUROPEAN
COMMISSION

Brussels, 2.8.2021
C(2021) 5584 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 2.8.2021

**amending Implementing Regulation (EU) No 543/2011 as regards marketing standards
in the fruit and vegetables sector**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The purpose of this delegated act is to lay down rules amending the existing marketing standards in line with amendments adopted in the quality standards of the United Nations Economic Commission for Europe (UNECE). In order to avoid unnecessary barriers to trade, the specific standards for apples, pears, sweet peppers and table grapes should be aligned with the UNECE standards.

The adoption of this delegated act does not entail financial implications.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Consultations, involving experts from all the 27 Member States, have been carried within the Experts Group for Agricultural Markets established under Regulation (EU) No 1308/2013, in particular concerning aspects falling under the single CMO regulation – Horticultural products held on 23 March 2021 where a draft text was presented and agreed. The draft version of the present act was transmitted to the European Parliament and to the Council when convening the Experts Group meetings.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The delegated act amends Annex I of Commission Regulation (EC) No 543/2011 as regards specific marketing standards for apples, pears, sweet peppers and table grapes.

COMMISSION DELEGATED REGULATION (EU) .../...

of 2.8.2021

amending Implementing Regulation (EU) No 543/2011 as regards marketing standards in the fruit and vegetables sector

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 1234/2007¹, and in particular Article 75(2) thereof,

Whereas:

- (1) Annex I of Commission Implementing Regulation (EU) No 543/2011² lays down detailed rules on marketing standards for fruit and vegetables.
- (2) From 2018 to 2020 the Working Party on Agricultural Quality Standards of the United Nations Economic Commission for Europe (UNECE) revised the UNECE standards for sweet peppers (2018 & 2020), table grapes (2019 & 2020), apples and pears (2020). In order to avoid unnecessary barriers to trade, the general and specific marketing standards for those fruits and vegetables provided for in Implementing Regulation (EU) No 543/2011 should be aligned with the new UNECE standards.
- (3) Considering that those revised UNECE standards were successfully submitted to the approval of the Member States according to the procedure laid down in the Council Decision (EU) 2017/2104 of 6 November 2017 on the position to be taken on behalf of the European Union within the UNECE — Working Party on Agricultural Quality Standards (UNECE-WP.7)³.
- (4) Regulation (EU) No 543/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment of Implementing Regulation (EU) No 543/2011

Implementing Regulation (EU) No 543/2011 is amended as follows:

- (1) Annex I is replaced by the text set out in the Annex to this Regulation.

¹ OJ L 347, 20.12.2013, p. 671.

² Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors (OJ L 157, 15.6.2011, p. 1).

³ Council Decision (EU) 2017/2104 of 6 November 2017 on the position to be taken on behalf of the European Union within the United Nations Economic Commission for Europe — Working Party on Agricultural Quality Standards (UNECE-WP.7) concerning proposals on quality standards for fruit and vegetables (OJ L 303, 18.11.2017, p. 1).

Article 2

Entry into force

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, 2.8.2021

For the Commission
The President
Ursula VON DER LEYEN