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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

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To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Subject: REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 1337/2011 concerning European statistics on permanent crops

Delegations will find attached document COM(2021) 306 final.

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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**on the exercise of the power to adopt delegated acts conferred on the Commission
pursuant to Regulation (EU) No 1337/2011 concerning European statistics on permanent
crops**

REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 1337/2011 concerning European statistics on permanent crops

1. INTRODUCTION

Articles 4(3) and 13 of Regulation (EU) No 1337/2011 of the European Parliament and of the Council¹ of 13 December 2011 confer on the Commission the power to adopt delegated acts.

The Commission is empowered to adopt delegated acts in accordance with Article 4(3) to take into account economic and technical developments. The delegated acts may amend:

- the breakdowns of species by groups, density classes and age classes set out in Annex I to the Regulation; and
- the variables/characteristics, size classes, degree of specialisation and vine varieties set out in Annex II to the Regulation.

However, the delegated acts may not change the optional nature of the information required.

In exercising this power, the Commission must ensure that the delegated acts do not impose a significant additional administrative burden on the Member States and on the respondents.

Moreover, in accordance with Article 13, the Commission is to assess whether it is necessary to produce all the data referred to in Article 4. Where the Commission considers that some of those data are no longer required, it shall be empowered to adopt delegated acts to delete certain data from Annexes I and II to Regulation (EU) No 1337/2011.

2. LEGAL BASIS

Under Article 11(2) of Regulation (EU) No 1337/2011, the power to adopt delegated acts is conferred for a period of five years from 31 December 2011. The period ended on 31 December 2016. This power can be tacitly extended for periods of five years unless the European Parliament or the Council objects.

The Commission adopted the first report on the use of the delegated powers on 22 March 2016². The Commission reported that it had not used the powers delegated to it but concluded that it should continue to have the delegated powers conferred by Regulation (EU) No

¹ Regulation (EU) No 1337/2011 of the European Parliament and of the Council of 13 December 2011 concerning European statistics on permanent crops (OJ L 347, 30.12.2011, p. 7).

² Report from the Commission to the European Parliament and the Council on the exercise of power to adopt delegated acts conferred on the Commission under Regulation (EU) No 1337/2011 concerning European statistics on permanent crops (COM (2016) 158 final).

1337/2011, as in the future it might need to exercise them. The delegation of powers was tacitly extended for another 5-year period ending on 31 December 2021.

The Commission must draw up a report on the delegation of power not later than nine months before the end of the five-year period. This report fulfils that obligation for the second time.

3. EXERCISE OF THE DELEGATION

The Commission has not yet exercised the power to adopt delegated acts conferred on it by Regulation (EU) No 1337/2011.

Regulation covers the five-yearly collection of structural statistics on orchards and vineyards. The latest data on orchards were collected in 2017 and these were delivered to the Commission (Eurostat) at the end of September 2018. The latest data on vineyards were collected in 2020, and are to be delivered to the Commission (Eurostat) by the end of September 2021.

As part of the modernisation of agricultural statistics under the Strategy for European Agricultural Statistics, Regulation (EU) 2018/1091 of the European Parliament and of the Council³ was adopted in 2018. It covers integrated farm statistics. The orchard and vineyard data collections implemented under Regulation (EU) No 1337/2011 are to be integrated into integrated farm statistics as of 2023 for orchard data collection and as of 2026 for vineyard data collection. Regulation (EU) 2018/1091 repeals Regulation (EU) No 1337/2011 as of 1 January 2022.

4. CONCLUSION

The Commission has not yet exercised the power to adopt delegated acts conferred on it by Regulation (EU) No 1337/2011.

In addition, the Commission does not envisage exercising the delegated powers conferred on it, as Regulation (EU) No 1337/2011 will be repealed by Regulation (EU) 2018/1091 as of 1 January 2022.

Furthermore, no more data collection rounds will be initiated while Regulation (EU) No 1337/2011 is still in force.

³ Regulation (EU) 2018/1091 of the European Parliament and of the Council of 18 July 2018 on integrated farm statistics (OJ L 200, 7.8.2018, p. 1).