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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	17 January 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2025) 134 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 17.1.2025 amending Delegated Regulation (EU) 2016/1237 as regards certain reporting requirements in hemp notifications

Delegations will find attached document C(2025) 134 final.

Encl.: C(2025) 134 final



EUROPEAN
COMMISSION

Brussels, 17.1.2025
C(2025) 134 final

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

of 17.1.2025

**amending Delegated Regulation (EU) 2016/1237 as regards certain reporting
requirements in hemp notifications**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Article 8(c) of Commission Delegated Regulation (EU) 2016/1237 sets out the obligation of Member States to notify the Commission of the provisions adopted regarding the import licences of hemp products and to inform the Commission of the penalties imposed or steps taken as a result of irregularities discovered. However, in line with the Commission's Communication on '[Long-term competitiveness of the EU: looking beyond 2030](#)', these reporting requirements should be abolished, in order to alleviate an administrative burden from Member States.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

This delegated act was presented and discussed with experts at the GREX (Group of Experts) – Horizontal questions concerning the CAP meetings on 23 September 2024 and 18 December 2024. The act was published for consultation under the feedback mechanism which took place from 25 October 2024 to 22 November 2024. Three feedback was received from stakeholders from three different Member States. The feedback comes from two anonymous citizens and one association.

The association welcomes the initiative. The citizens had a general question on how they could comment on a draft not yet adopted by the European Commission. Nevertheless, according to the procedural rules, the feedback mechanism precedes the adoption of the delegated act.

The Commission took note of the feedback received and concludes that there is no reason to amend the proposed Regulation.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

This delegated act provides for the amendment of point (c) of Article 8 of Delegated Regulation (EU) 2016/1237.

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

of 17.1.2025

amending Delegated Regulation (EU) 2016/1237 as regards certain reporting requirements in hemp notifications

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 223(2) thereof,

Whereas:

- (1) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation. However, it is important to streamline those requirements in order to ensure that they fulfil the purpose for which they were intended and to limit the administrative burden.
- (2) Commission Delegated Regulation (EU) 2016/1237² supplements Regulation (EU) No 1308/2013 with regard to the system of licences for agricultural products including the list of products subject to the presentation of an import or export licence.
- (3) Article 8, point (c), of Delegated Regulation (EU) 2016/1237 provides for the nature and type of information to be notified as regards hemp. In particular, it provides, among others, for the obligation of Member States to notify the Commission of the provisions adopted regarding the import licences of hemp products and to inform the Commission of the penalties imposed or steps taken as a result of irregularities discovered. To alleviate the administrative burden from Member States and considering that it is not necessary to impose an obligation of systematic and annual notification of this information that Member States can make available to the Commission on demand, those reporting requirements should therefore not be required anymore. This is in line with the Commission's Communication on 'Long-term competitiveness of the EU: looking beyond 2030'³.
- (4) Delegated Regulation (EU) 2016/1237 should therefore be amended accordingly,

¹ OJ L 347, 20.12.2013, p. 671, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>.

² Commission Delegated Regulation (EU) 2016/1237 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the rules for applying the system of import and export licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the rules on the release and forfeit of securities lodged for such licences, amending Commission Regulations (EC) No 2535/2001, (EC) No 1342/2003, (EC) No 2336/2003, (EC) No 951/2006, (EC) No 341/2007 and (EC) No 382/2008 and repealing Commission Regulations (EC) No 2390/98, (EC) No 1345/2005, (EC) No 376/2008 and (EC) No 507/2008 (OJ L 206, 30.7.2016, p. 1, ELI: http://data.europa.eu/eli/reg_del/2016/1237/oj).

³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'Long-term competitiveness of the EU: looking beyond 2030', COM(2023) 168 final.

HAS ADOPTED THIS REGULATION:

Article 1

In Article 8 of Delegated Regulation (EU) 2016/1237, point (c) is replaced by the following:

‘(c) as regards hemp, the competent authorities for checks referred to in Article 17(2) of Implementing Regulation (EU) 2016/1239;’.

Article 2

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, 17.1.2025

For the Commission
The President
Ursula VON DER LEYEN