

**Request for a preliminary ruling from the Tartu Halduskohus (Estonia) lodged on 18 July 2017 —
Argo Kalda Mardi talu v Põllumajanduse Registrite ja Informatsiooni Amet (PRIA)**

(Case C-435/17)

(2017/C 338/09)

Language of the case: Estonian

Referring court

Tartu Halduskohus

Parties to the main proceedings

Applicant: Argo Kalda Mardi talu

Defendant: Põllumajanduse Registrite ja Informatsiooni Amet (PRIA)

Questions referred

1. Is a requirement to preserve cairns, established by a Member State for an applicant for a single area payment and a payment for agricultural practices beneficial for the climate and the environment, for the breach of which a reduction of the payment by 3 % is imposed as an administrative penalty laid down by Article 39 of Commission Delegated Regulation No 640/2014,⁽¹⁾ compatible with Article 93(1) and Article 94 of Regulation No 1306/2013⁽²⁾ of the European Parliament and of the Council and the minimum standards laid down in Annex II to that regulation?
2. If the answer to Question 1 is No, must, in accordance with Article 72(1)(a), Article 91(1) and (2), Article 93(1) and Article 94 of Regulation No 1306/2013 of the European Parliament and of the Council and Article 4(1)(b), (c) and (e) of Regulation No 1307/2013⁽³⁾ of the European Parliament and of the Council, an applicant for a single area payment and a payment for agricultural practices beneficial for the climate and the environment comply with the requirements of good agricultural and environmental condition on the whole of his holding or solely on the agricultural area in respect of which the payment is specifically applied for, in order to exclude the imposition of an administrative penalty?

⁽¹⁾ Commission Delegated Regulation (EU) No 640/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross compliance (OJ 2014 L 181, p. 48).

⁽²⁾ Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ 2013 L 347, p. 549).

⁽³⁾ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ 2013 L 347, p. 608).

Action brought on 20 July 2017 — European Commission v Republic of Poland

(Case C-441/17)

(2017/C 338/10)

Language of the case: Polish

Parties

Applicant: European Commission (represented by: C. Hermes and K. Herrmann, acting as Agents)

Defendant: Republic of Poland