



C/2024/920

29.1.2024

Judgment of the Court (Tenth Chamber) of 7 December 2023 (request for a preliminary ruling from the Varhoven administrativen sad — Bulgaria) — Zamestnik izpalnitelen direktor na Darzhaven fond ‘Zemedelie’ v IW

(Case C-329/22, ⁽¹⁾ Zamestnik izpalnitelen direktor na Darzhaven fond ‘Zemedelie’ (Organic beekeeping))

(Reference for a preliminary ruling — Agriculture — European Agricultural Fund for Rural Development (EAFRD) funding — Regulation (EU) No 1305/2013 — Support for rural development — Article 29 (3) — Organic farming — Financial support for organic in-conversion production — Concepts of ‘initial period’ and ‘conversion period’ — Regulation (EC) No 889/2008 — Organic beekeeping — Minimum conversion period — Article 38(3) — Regulation (EC) No 834/2007 — Article 17 — Conversion)

(C/2024/920)

Language of the case: Bulgarian

Referring court

Varhoven administrativen sad

Parties to the main proceedings

Applicant: Zamestnik izpalnitelen direktor na Darzhaven fond ‘Zemedelie’

Defendant: IW

Operative part of the judgment

The second sentence of Article 29(3) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005

must be interpreted as meaning that:

- it does not preclude a national provision which limits the possibility of receiving financial support for conversion to organic beekeeping to the minimum conversion period referred to in Article 38(3) of Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control;
- in that way, Member States may set a maximum duration for the grant of support for conversion to organic farming, by aligning themselves with the specific conversion period which, in accordance with Article 17(1)(c) of Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91, is defined by EU legislation solely on the basis of the type of crop or animal production;
- Member States may thus decide that conversion to organic farming may give rise to support for a period shorter than that of five to seven years provided for in the first sentence of Article 29(3) of Regulation No 1305/2013.

⁽¹⁾ OJ C 340, 5.9.2022.