

2. Article 299 TFEU and Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments, Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments and Council Regulation (EEC) No 4256/88 of 19 December 1988, laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Agricultural Guidance and Guarantee Fund (EAGGF) Guidance Section must be interpreted as meaning that they do not define, in circumstances such as those at issue in the main proceedings, the persons against whom enforcement may be pursued by virtue of an enforceable decision of the Commission ordering the recovery of sums paid.

It is for the national court to define those persons, in compliance with the principles of equivalence and effectiveness.

<sup>(1)</sup> OJ C 222, 20.6.2016.

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**Judgment of the Court (Tenth Chamber) of 9 November 2017 (reference for a preliminary ruling from the Gerechtshof Arnhem-Leeuwarden — Netherlands) — Jan Theodorus Arts v Veevoederbedrijf Alpuro BV**

(Case C-227/16) <sup>(1)</sup>

**(Reference for a preliminary ruling — Agriculture — Common agricultural policy — Regulation (EC) No 73/2009 — Single payment scheme — Veal farmer who concluded an integration contract — Contractual term under which the single payment is payable to the integration undertaking — Whether permissible)**

(2018/C 005/11)

Language of the case: Dutch

**Referring court**

Gerechtshof Arnhem-Leeuwarden

**Parties to the main proceedings**

*Applicant:* Jan Theodorus Arts

*Defendant:* Veevoederbedrijf Alpuro BV

**Operative part of the judgment**

Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003, must be interpreted as not precluding a contractual term under which the amount of aid which a veal farmer is entitled to claim under the single payment scheme is payable to an integration undertaking in the case where the transfer of that aid takes place within the context of reciprocal benefits and obligations negotiated between the parties to the contract.

<sup>(1)</sup> OJ C 279, 01.08.2016.

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