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Contents

I Acts whose publication is obligatory

- ★ **Commission Regulation (EC) No 1935/2006 of 20 December 2006 amending Regulation (EC) No 794/2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty** 1
- ★ **Commission Regulation (EC) No 1936/2006 of 20 December 2006 amending Regulation (EC) No 701/2003 laying down detailed rules for the application of Council Regulation (EC) No 2286/2002 as regards the arrangements applicable to imports of certain poultrymeat and egg products originating in the African, Caribbean and Pacific States (ACP States)** 135
- ★ **Commission Regulation (EC) No 1937/2006 of 20 December 2006 amending Regulation (EC) No 2497/96 laying down procedures for applying in the poultrymeat sector the arrangements provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel** 141
- ★ **Commission Regulation (EC) No 1938/2006 of 20 December 2006 amending Regulation (EC) No 1431/94 laying down detailed rules for the application of Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products** 148
- ★ **Commission Regulation (EC) No 1939/2006 of 21 December 2006 amending Regulation (EC) No 462/2003 laying down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the ACP States** 158
- ★ **Commission Regulation (EC) No 1940/2006 of 21 December 2006 amending Commission Regulation (EC) No 1556/2006 laying down detailed rules for the application of Council Regulation (EC) No 774/94 concerning the import arrangements for pigmeat** 165

I

(Acts whose publication is obligatory)

Commission Regulation (EC) No 1935/2006**of 20 December 2006****amending Regulation (EC) No 794/2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the Treaty ¹, and in particular Article 27 thereof,

After consulting the Advisory Committee on State Aid,

Whereas:

- (1) Commission Regulation (EC) No 794/2004 ² has established a compulsory comprehensive State aid notification form. It has also laid down that the supplementary information needed for the assessment of a State aid measure has to be provided on the supplementary information sheets set out in the Annex to that Regulation.
- (2) Following the adoption by the Commission of the Community guidelines for State aid in the agricultural and forestry sector 2007 to 2013 ³, the rules applied by the Commission in assessing the compatibility of State aid measures with the common market have changed. Since the notification form is a detailed questionnaire based on the applicable rules, it is necessary to amend parts of it.
- (3) It is therefore necessary to amend Regulation (EC) No 794/2004 accordingly.

¹ OJ L 83, 27. 3. 1999, p. 1.

² OJ L 140, 30. 4. 2004, p. 1. Regulation as amended by Regulation (EC) No 1627/2006 (OJ L 302, 1.11.2006, p. 10).

³ OJ C 314, 27.12.2006, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 794/2004 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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, 20 December 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

In the Annex I to Regulation (EC) No 794/2004, Parts III.12.A to III.12.Q, are replaced by the following:

PART III 12

INFORMATION SHEET FOR AGRICULTURE

Please note that this state aid notification form only applies to activities related to the production, processing and marketing of agricultural products as defined in point 6 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁴. Please note that the specific state aid rules for agriculture do not apply to measures related to the processing of Annex I products into non-Annex I products. For such measures you should complete the relevant notification form.

1. PRODUCTS COVERED

Does the measure apply to any of the following products which are not yet subject to a common market organisation:

- ☐ potatoes other than starch potatoes
- ☐ horsemeat
- ☐ coffee
- ☐ cork
- ☐ vinegars derived from alcohol
- ☐ The measure does not apply to any of these products

⁴ OJ C 314, 27.12.2006, p. 1.

2. INCENTIVE EFFECT

A. Aid schemes

- 2.1. Will aid under an aid scheme only be granted in respect of activities undertaken or services received after the aid scheme has been set up and declared compatible with the EC Treaty by the Commission?

☐ yes ☐ no

If no, please refer to point 16 of the Guidelines.

- 2.2. If the aid scheme creates an automatic right to receive the aid, requiring no further administrative action at administrative level, may the aid itself only be granted for activities undertaken or services received after the aid scheme has been set up and declared compatible with the EC Treaty by the Commission?

☐ yes ☐ no

If no, please refer to point 16 of the Guidelines.

- 2.3. If the aid scheme requires an application to be submitted to the competent authority concerned, may the aid itself only be granted for activities undertaken or services received after the following conditions have been fulfilled:

- a) the aid scheme must have been set up and declared compatible with the EC Treaty by the Commission;
- b) an application for the aid must have been properly submitted to the competent authority concerned;
- c) the application must have been accepted by the competent authority concerned in a manner which obliges that authority to grant the aid, clearly indicating the amount of aid to be granted or how this amount will be calculated; such acceptance by the competent authority may only be made if the budget available for the aid or aid scheme is not exhausted?

☐

yes

☐

no

If no, please refer to point 16 of the Guidelines.

B. Individual aids:

2.4. Will individual aid outside any scheme only be granted in respect to activities undertaken or services received after the criteria in point 2.3 (b) and (c) above have been satisfied?

☐

yes

☐

no

If no, please refer to point 16 of the Guidelines.

C. Compensatory aids:

2.5. Is the aid scheme compensatory in nature?

☐

yes

☐

no

If yes, points A and B above do not apply.

3. TYPE OF AID

What type(s) of aid does the planned measure include:

RURAL DEVELOPMENT MEASURES

A. Aids for investments in agricultural holdings

- B. Aids for investments in connection with the processing and marketing of agricultural products
- C. Agri-environmental and animal welfare aid
- Cbis. Nature 2000 payments and payments linked to Directive 2000/60/EC⁵
- D. Aid to compensate for handicaps in certain areas
- E. Aid for meeting standards
- F. Aid for the setting up of young farmers
- G. Aid for early retirement or for the cessation of farming activities
- H. Aid for producer groups
- I. Aid for land reparation
- J. Aid to encourage the production and marketing of quality agricultural products
- K. Provision of technical support in the agricultural sector
- L. Aid for the livestock sector
- M. Aid for the outermost regions and the Aegean Islands

RISK AND CRISIS MANAGEMENT

- N. Aid to compensate for damage to agricultural production or the means of agricultural production
- O. Aid for combating animal and plant diseases
- P. Aid towards the payment of insurance premia
- Q. Aid for closing production, processing and marketing capacity

OTHER AIDS

- R. Aid for advertising of agricultural products
- S. Aid linked to tax exemptions under directive 2003/96/EC⁶,

⁵ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

T. Aids for the forest sector

⁶ Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity; OJ L 283, 31.10.2003, pp. 51 to 70.

PART III.12.A**SUPPLEMENTARY INFORMATION SHEET ON SUPPORT FOR
INVESTMENTS IN AGRICULTURAL HOLDINGS**

This information sheet relates to investments in agricultural holdings discussed in point IV.A of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁷.

1. OBJECTIVE OF THE AID

1.1. Which of the following objectives does the investment pursue?

- ☐ Reduce production costs;
- ☐ Improve and redeploy production;
- ☐ Increase quality;
- ☐ Preserve and improve the natural environment, comply with animal hygiene and standards;
- ☐ Promote the diversification of farm activities;

⁷ OJ C 314, 27.12.2006, p. 1.

☐ Other (please specify):

If the investment pursues other aims, please note that only investments pursuing one or more of the objectives listed above are eligible for support for investments in agricultural holdings.

1.2. Does the aid concern simple replacement investments?

☐ yes ☐ no

If yes, please note that simple replacement investments are not eligible for support for investments in agricultural holdings.

1.3. Is the aid linked to investments in products which are subject to restrictions on production or limitations of Community support at the level of individual farmers, holdings or processing plants under a common organisation of the market (including direct support schemes) financed by the EAGF, which would increase production capacity beyond these restrictions or limitations?

☐ yes ☐ no

If yes, please note that, under point 37 of the Guidelines, no aid may be granted for such investments.

2. BENEFICIARIES

Who are the beneficiaries of the aid?

☐ farmers;

- ☐ producer groups;
- ☐ other (please specify):

.....

3. AID INTENSITY

3.1 Please state the maximum rate of public support, expressed as a percentage of eligible investment:

(a)in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 ⁸ (max. 50%);

(b)..... in other regions (max. 40%);

(c) for young farmers in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, carrying out the investment within five years of setting up (max. 60%);

d) for young farmers in other areas, carrying out the investment within five years of setting up (max. 50%);

(e)..... in the outermost regions and on the smaller Aegean islands within the meaning of Regulation (EEC) No 2019/93 ⁹ (max. 75%);

(f)..... for investments entailing extra costs linked to the preservation and improvement of the natural environment or improvements in the hygiene of livestock farms or the well-being of livestock carried out within the time-

⁸ Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1).

⁹ Council Regulation (EEC) No 2019/93 of 19 July 1993 introducing specific measures for the smaller Aegean islands concerning certain agricultural products (OJ L 184, 27.7.1993, p. 1).

limits for transposition of the newly introduced minimum standards (max. 75% in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 60% in other areas);

(g)..... for investments entailing extra costs linked to the preservation and improvement of the natural environment or improvements in the hygiene of livestock farms or the well-being of livestock carried out within three years following the date on which the investment must be authorised under Community legislation (max. 50% in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 40% in other areas);

(h)..... for investments entailing extra costs linked to the preservation and improvement of the natural environment or improvements in the hygiene of livestock farms or the well-being of livestock carried out in the fourth year following the date on which the investment must be authorised under Community legislation (max. 25% in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 20% in other areas);

(i)..... for investments entailing extra costs linked to the preservation and improvement of the natural environment or improvements in the hygiene of livestock farms or the well-being of livestock carried out in the fifth year following the date on which the investment must be authorised under Community legislation (max. 12.5% in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 10% in other areas, *no aid can be granted for expenses incurred beyond the fifth year*);

(j)..... for additional investment expenditure made by those Member States who joined the Union on 1 May 2004 and 1 January 2007 respectively, for the purposes of implementing Directive 91/676/EEC¹⁰ (max. 75%);

(k)..... for additional investment expenditure made for the purposes of implementing Directive 91/676/EEC and which is the subject of support under Regulation (EC) No 1698/2005 (max. 50% in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 40% in other areas);

(l)..... for investments made by young farmers in order to comply with Community or national standards in force (max. 60% in less favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, and max. 50% in other areas).

¹⁰

Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

- 3.2. In the case of investments entailing extra costs linked to the preservation and improvement of the natural environment, improvements in the hygiene of livestock farms or the well-being of livestock, are the extra costs limited to investments either exceeding the minimum requirements currently prescribed by the Community or complying with newly introduced minimum standards? Are they strictly limited to eligible extra costs in connection with these objectives without resulting in an increased production capacity?

☐ yes

☐ no

- 3.3 In the case of investments made for the purposes of implementing Directive 91/676/EEC, is the envisaged aid intensity limited to necessary and eligible extra costs, and does it exclude investments leading to increased production capacity?

☐ yes

☐ no

- 3.4. In the case of investments made by young farmers in order to comply with Community or national standards in force, is the aid limited to extra costs as a result of implementing these standards and have these costs been incurred within 36 months after installation?

☐ yes

☐ no

4. ELIGIBILITY CRITERIA

- 4.1. Is the aid limited to agricultural holdings not in difficulty?

☐ yes

☐ no

4.2. Is the aid intended for the manufacture and marketing of products which imitate or substitute for milk and milk products?

☐ yes

☐ no

5. ELIGIBLE EXPENDITURE

5.1. Do eligible expenses include:

☐ construction, acquisition or improvement of immovable property;

☐ the purchase or lease purchase of machinery and equipment, including computer software up to the market value of the asset, exclusive of costs connected with a leasing contract (tax, lessor's margin, interest refinancing costs, overheads, insurance charges etc);

☐ overheads connected with the two previous types of expenses (for instance architect's fees, engineer's fees, expert's fees, feasibility studies, acquisition of patents and licences)?

5.2. Does the aid cover the purchase of second-hand machinery?

☐ yes

☐ no

5.3. If yes, is eligibility limited to small and medium enterprises with a low technical level and limited capital?

☐ yes

☐ no

5.4 Are any of the following excluded from the aid scheme: the purchase of production rights, animals and annual plants, or the planting of annual plants?

☐ yes☐ no

If no, please note that according to point 29 of the Guidelines no aid may be granted for such types of expenditure.

- 5.5. Is the share of purchases of land other than land for construction purposes in the eligible expenses for the planned investment limited to 10%?

☐ yes☐ no

If no, please note that this 10% ceiling is one of the eligibility criteria to be met under point 29 of the Guidelines.

6. AID FOR THE CONSERVATION OF TRADITIONAL LANDSCAPES AND BUILDINGS

- 6.1. Does the aid concern investments or capital works intended for the conservation of non-productive heritage features located on agricultural holdings?

☐ yes☐ no

- 6.1.1. If yes, what is the envisaged rate of aid (max.: 100%):

.....

- 6.1.2 Do the eligible expenses include remuneration for the work of the farmer or his workers?

☐ yes☐ no

...

6.1.3 If yes, will this remuneration be limited to a maximum of EUR 10 000 per year?

☐ yes

☐ no

6.1.4 If no, please give reasons for exceeding the above limit.

...

6.2. Does the aid concern investments or capital works intended to conserve the heritage features of productive assets on farms?

☐ yes

☐ no

6.2.1. If yes, does the investment entail any increase in the production capacity of the farm?

☐ yes

☐ no

6.2.2. What are the envisaged maximum aid rates for this type of investment?

☐

Investments without increase in capacity:

Maximum rate envisaged for less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (max. 75%):

Maximum rate envisaged for other areas (max. 60%):

☐

Investments with increase in capacity:

Maximum rate envisaged in cases where contemporary materials are used (max.: see point 3.1):

Maximum rate envisaged in cases where traditional materials are used, expressed as a percentage of the extra cost (max. 100%):

7. RELOCATION OF FARM BUILDINGS IN THE PUBLIC INTEREST

7.1. Does the relocation result from expropriation?

☐ yes

☐ no

7.2. Is the relocation justified on grounds of public interest specified in the legal basis?

☐ yes

☐ no

Please note that the legal basis must explain the public interest served by the relocation.

7.3. Does relocation simply consist of the dismantling, removal and re-erection of existing facilities?

☐ yes

☐ no

7.3.1. If yes, what is the intensity of the aid? (max. 100%)

.....

7.4. Does relocation result in the farmer benefiting from more modern equipment and facilities?

☐ yes

☐ no

7.4.1. If yes, what is the farmer's own contribution, as a percentage of the added value of the facilities after relocation?

☐ In less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (min. 50%)

.....

☐ In other areas (min. 60%)

.....

☐ Young farmers in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (min. 45%)

.....

☐ Young farmers in other areas (min. 55%)

7.5. Does relocation result in an increase in production capacity?

☐ yes

☐ no

7.5.1. If yes, what is the farmer's own contribution, as a percentage of the expenditure linked to the increase?

☐ In less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (min. 50%)

.....

☐ In other areas (min 60%)

.....

☐ Young farmers in less-favoured areas or the areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005 (min. 45%)

.....

☐ Young farmers in other areas (min 55%)

8. OTHER INFORMATION

8.1. Is the notification accompanied by documentation demonstrating how the state aid measure is consistent with the relevant rural development programme(s) concerned?

☐ yes

☐ no

If yes, please provide this documentation below or in an annex to this supplementary information sheet

.....

If no, please note that this documentation must be provided under point 26 of the Guidelines

- 8.2. Is the notification accompanied by documentation showing that support is targeted on clearly defined objectives reflecting identified structural and territorial needs and structural disadvantages?

☐ yes

☐ no

If yes, please provide this documentation below or in an annex to this supplementary information sheet

.....

If no, please note that this documentation must be provided under point 36 of the Guidelines

Part III.12.B.**SUPPLEMENTARY INFORMATION SHEET FOR AID FOR
INVESTMENTS IN CONNECTION WITH THE PROCESSING AND
MARKETING OF AGRICULTURAL PRODUCTS**

This notification form applies to aid investments in the processing¹¹ and marketing¹² of agricultural products, as dealt with in point IV.B. of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013¹³.

1. SCOPE & BENEFICIARIES OF THE AID

1.1. Please specify under which provision of the *Agricultural Guidelines* this notification is meant to fall:

- 1.1.1. ☐ point IV.B.2. (a) [Commission Regulation (EC) No 70/2001¹⁴ or any provision replacing it]
1.1.2. ☐ point IV.B.2. (b) [Commission Regulation (EC) No 1628/2006¹⁵]
1.1.3. ☐ point IV.B.2. (c) [Commission guidelines on national regional aid for 2007–2013¹⁶]
1.1.4. ☐ point IV.B.2. (d) [aid for intermediate companies in regions **not** eligible for regional aid]

¹¹ ‘processing of agricultural products’ means any operation on an agricultural product resulting in a product which is also an agricultural product, except on farm activities necessary for preparing an animal or plant product for the first sale.

¹² ‘marketing of agricultural products’ means holding or display with a view to sale, offering for sale, delivery or any other manner of placing on the market, except the first sale of a primary producer to resellers or processors and any activity preparing a product for such first sale; a sale by a primary producer to final consumers shall be considered as marketing if it takes place in separate premises reserved for that purpose.

¹³ OJ C 319, 27.12.2006, p. 1.

¹⁴ Commission Regulation (EC) No 70/2001, 12 January 2001; (OJ L 10, 13.1.2001, p. 33).

¹⁵ OJ L 302, 1.11.2006, p. 29.

¹⁶ OJ C 54, 4.3.2006, p. 13.

1.2. Commission Regulation (EC) No 70/2001 (State aid to small and medium-sized enterprises)

Is the beneficiary a SME in the processing or marketing of agricultural products?

☐

yes

☐

no

If no, the aid does not fulfill the necessary conditions under this Regulation and cannot be declared compatible with the Common Market under point IV.B.2.(a) of the Guidelines.

If yes, the aid is exempted from the obligation to notify. Please state the reasons why your authorities still would like to submit a notification. In this case, please refer to the relevant part of the general notification form (Annex I part I and III.1 of Regulation (EC) No 794/2004 ¹⁷ or any provision replacing it).

1.3. Commission Regulation for regional investment aid

Does the aid fulfill the conditions set out in this Regulation?

☐

yes

☐

no

If no, the aid does not fulfill the necessary conditions under this Regulation and cannot be declared compatible with the Common Market under point IV.B.2.(b) of the Guidelines.

If yes, the aid is exempted from the obligation to notify. Please state the reasons why your authorities still would like to submit a notification. In this case, please refer to the specific notification form.

1.4. Commission guidelines on national regional aid for 2007 to 2013

Does the aid fulfill the conditions set out in these Guidelines?

☐

yes

☐

no

¹⁷ Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty; OJ L 140, 30.4.2004, pp. 1 to 134.

If no, the aid does not fulfill the necessary conditions under these Guidelines and cannot be declared compatible with the Common Market under point IV.B.2.(c) of the Agricultural Guidelines.

If yes, note that the assessment of such aid is to be carried out on the basis of the Guidelines on National Regional aid. Please refer to the relevant part of the general notification form (Annex of Commission Regulation (EC) No 1627/2006 ¹⁸).

1.5. Aid in regions NOT eligible for regional aid

1.5.1. Are there beneficiaries, which are SMEs?

☐ yes ☐ no

If yes, please refer to point 1.2. above [point IV.B.2 (a) of the Agricultural guidelines].

1.5.2. Are there beneficiaries, which are large companies (i.e. 750 employees or more and EUR 200 million turnover or more)?

☐ yes ☐ no

If yes, please note that the aid cannot be declared compatible with the Common Market under point IV.B.2(d) of the Agricultural guidelines.

1.5.3. Are there beneficiaries, which are intermediate companies (i.e. less than 750 employees and/or less than EUR 200 million turnover)?

☐ yes ☐ no

If yes, please refer to the relevant part of the general notification form (Annex of Commission Regulation (EC) No 1627/2006) regarding the eligible expenses.

¹⁸ OJ L 302, 1.11.2006, p. 10.

2. AID INTENSITY

- 2.1. If the beneficiaries are **SMEs** (Commission Regulation (EC) No 70/2001 or any provision replacing it):

Please state the maximum aid intensity for eligible investments in:

- 2.1.1. outermost regions:.....(max. 75%)
- 2.1.2. smaller Aegean Islands¹⁹:.....(max. 65%)
- 2.1.3. regions eligible under Art. 87(3)(a):.....(max. 50%)
- 2.1.4. other regions:.....(max. 40%)

If the rate is higher than the above ceiling, please note that the measure would not be in line with Art. 4 of Commission Regulation (EC) No 70/2001.

- 2.2. For aid falling under the Commission Regulation for regional investment aid **or** the Commission guidelines on national regional aid for 2007–2013 please specify the maximum aid intensity for:

2.2.1. *SMEs*:

- 2.2.1.1. regarding eligible investments in regions under Article 87(3)(a) of the Treaty:..... (max.: 50% or maximum amount determined in the regional map approved for the Member State concerned for the period 2007-2013)
- 2.2.1.2. regarding eligible investments in *other* regions eligible for regional aid:.....(max.: 40% or maximum amount determined in the regional map approved for the Member State concerned for the period 2007-2013)

2.2.2. *intermediate enterprises in the meaning of Article 28 (3) of Council Regulation No 1698/2005²⁰ (not SME but with less than 750 employees or less than EUR 200 million turnover):*

- 2.2.2.1. regarding eligible investments in regions eligible under Article 87(3)(a) of the Treaty: (max.: 25% or maximum amount determined in the regional map approved for the Member State concerned for the period 2007-2013)

¹⁹ Council Regulation (EEC) N. 2019/93 (OJ L 184, 27.7.93, p. 1).

²⁰ Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), OJ L 277, 21.10.2005, p. 1

2.2.2.2. regarding eligible investments in *other* regions eligible for regional aid:
..... (max.: 20% or maximum amount determined in the regional map
approved for the Member State concerned for the period 2007 to 2013)

*If aid rates are higher than the above ceilings, please note that the measure would not
be in line with point IV.B.2.(c)(ii) of the Agricultural Guidelines.*

2.2.2.3. Do the beneficiaries fulfill all other conditions of Commission
Recommendation 2003/361/EC²¹?

☐ yes ☐ no

*If no, the measure would not be in line with point IV.B.2.(c)(ii) of the
Agricultural Guidelines.*

2.2.3. Are there beneficiaries that are larger than the intermediate enterprises
mentioned under point 2.2.2. (i.e. large enterprises)?

☐ yes ☐ no

If yes, is the maximum aid intensity equal to or below the maximum amount
determined in the regional aid map approved for the Member State concerned for
the period 2007 to 2013?

☐ yes ☐ no

*If no, the aid cannot be declared compatible under point IV.B.2.(c) of the
Agricultural Guidelines. If yes, please mention the maximum aid intensity in
the aforementioned regional aid map. The relevant maximum aid intensity in
the corresponding regional aid map is%*

²¹ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and
medium-sized enterprises; OJ L 124, 20.5.2003, p. 36 to 41.

2.3. For investment aid in favour of intermediate companies in regions **not** eligible for regional aid:

2.3.1. please specify the maximum aid intensity: (max.: 20%)

If aid rates are higher than the above ceilings, please note that the measure would not be in line with point IV.B.2.(d) of the Agricultural Guidelines.

2.3.2. Do the beneficiaries fulfil all other conditions of Commission Recommendation 2003/361/EC?

☐ yes ☐ no

If no, the measure would not be in line with point IV.B.2.(d) of the Agricultural Guidelines.

3. ELIGIBILITY CRITERIA & EXPENSES

3.1. Does the aid concern the manufacture and marketing of products which imitate or substitute milk and milk products?

☐ yes ☐ no

If you have answered yes, please note that the measure would not be in line with point IV.B. of the Agricultural Guidelines.

3.2. Regarding *intermediate or large* companies, does the aid concern the purchase of second-hand equipment?

☐ yes ☐ no

If you have answered yes, please note that the measure would not be in line with point IV.B. of the Agricultural Guidelines.

3.3. For aid for investments in regions **not** eligible for regional aid:

Can you confirm that the eligibles expenses for investments correspond fully to the eligible expenses listed in the Commission guidelines on national regional aid for 2007–2013?

☐ yes ☐ no

If no:

- if the beneficiaries are not SME the measure would not be in line with point IV.B.2.(d) of the Agricultural Guidelines.

- if the beneficiaries are SME, are the eligible expenses in conformity with Articles 2 and 4 of Commission Regulation (EC) No 70/2001?

☐ yes ☐ no

If not, the measure would not be in line with point IV.B.2.(d) of the Agricultural Guidelines

3.4 Could the aid support investments for which a common market organisation, including direct support schemes, financed by the EAGF places restrictions on production or limitations on Community support at the level of individual farmers,

holdings or processing plants which would increase production beyond those restrictions or limitations?

☐ yes ☐ no

If yes, please note that point 47 of the agricultural guidelines does not allow aid for these investments.

4. Other information

4.1. Is the notification accompanied by documentation showing that that support is targeted on clearly defined objectives reflecting identified structural and territorial needs and structural disadvantages?

☐ yes ☐ no

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If not, please note that this documentation is requested in conformity with point 46 of the agricultural guidelines.

4.2. Is the notification accompanied by documentation demonstrating that the State aid measure fits into and is coherent with the relevant rural development programme(s) concerned?

☐ yes ☐ no

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation must be provided under point 26 of the Guidelines.

5. Individual notifications

Could the eligible investments exceed EUR 25million or the aid amount EUR 12 million?

☐ yes ☐ no

If yes, will an individual notification be done?

☐ yes ☐ no

If you have answered no, please note that the measure would not be in line with point IV.B of the Agricultural Guidelines.

PART III.12.C**SUPPLEMENTARY INFORMATION SHEET ON AGRI-ENVIRONMENTAL
AND ANIMAL WELFARE AID**

This form must be used for the notification of any state aid measure to support agricultural production methods designed to protect the environment and to maintain the countryside (agri-environment) or to improve animal welfare covered by point IV.C. of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013²² (hereinafter called "the guidelines") and articles 39 and 40 of Council Regulation (EC) No 1698/2005²³.

- Does the measure concern compensation to farmers who **voluntarily** give agri-environmental commitments (articles 39(2) of Council Regulation (EC) No 1698/2005?

☐

yes

☐

no

If yes, please refer to the part of this Supplementary Information Sheet (SIS) relating to 'aid for agri-environmental commitments'.

- Does the measure concern compensation to farmers who **voluntarily** enter into animal welfare commitments (article 40(1) of Council Regulation (EC) No 1698/2005?

☐

yes

☐

no

If yes, please refer to the part of this SIS relating to 'aid for animal welfare commitments'

- Does the aid only concern environmental **investments** (point 62 of the guidelines)?

☐

yes

☐

no

If yes, please refer to SIS relating to 'Investment aids in the agricultural sector'

- Does the environmental aid pursue other objectives such as **training** and **advisory services** to help agricultural producers (point IV.K of the guidelines)?

☐

yes

☐

no

If yes, please refer to SIS relating to point IV.K of the guidelines.

²² OJ C 319, 27.12.2006, p. 1.

²³ Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1).

- Others?

Please provide a complete description of the measure(s)....

- Is documentation demonstrating that the State aid fits into and is coherent with the relevant Rural Development plan attached to the notification?

☐

yes

☐

no

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation is requested in conformity with point 26 of the agricultural guidelines.

AID FOR AGRI-ENVIRONMENTAL COMMITMENTS (POINT IV.C.2 OF THE GUIDELINES)

1. OBJECTIVE OF THE MEASURE

Which one of the following specific objectives does the support measure promote?

- ☐ ways of using agricultural land which are compatible with the protection and improvement of the environment, the landscape and its features, natural resources, the soil and genetic diversity, reduce production costs;
- ☐ an environmentally-favourable extensification of farming and management of low-intensity pasture systems, improve and re-deploy production ;
- ☐ the conservation of high nature-value farmed environments, which are under threat increase quality;
- ☐ the upkeep of the landscape and historical features on agricultural land;
- ☐ the use of environmental planning in farming practice
- If the measure does not pursue any of the above objectives, please indicate which are the objectives aimed at in terms of environmental protection? (Please submit a detailed description)

.....

If the measure in question has already been applied in the past, what have been the results in terms of environmental protection?

.....

.....

2. ELIGIBILITY CRITERIA

- 2.1. Will the aid be granted to farmers and/or other land managers (Article 39(2) of Regulation (EC) No 1698/2005) who give agri-environmental commitments for a period between five and seven years?

☐ yes ☐ no

- 2.2. Will a shorter or a longer period be necessary for all or particular types of commitments?

☐ yes ☐ no

In the affirmative please provide the reasons justifying that period

.....

- 2.3. Please confirm that no aid will be granted to compensate for agri-environmental commitments that do not go beyond the relevant mandatory standards established

pursuant to Articles 4 and 5 of, and Annexes III and IV to Regulation (EC) No 1782/2003²⁴ as well as minimum requirements for fertiliser and plant protection product use and other relevant mandatory requirements established by national legislation and identified in the rural development programme.

☐ yes ☐ no

If no, please note that Article 39(3) of Regulation (EC) No 1698/2005 does not allow for aid for agri-environmental commitments that do not involve more than the application of these standards and requirements.

- 2.4. Please describe what the above mentioned standards and requirements are and explain how the agri-environmental commitments involve more than their application.

.....

3. AID AMOUNT

3.1. Please specify the maximum amount of aid to be granted based on the area of the holding to which agri-environmental commitments apply:

- ☐ for specialised perennial crops (maximum payment of 900 EUR/ha)
- ☐ for annual crops (maximum payment of 600 EUR/ha)
- ☐ for other land uses (maximum payment of 450 EUR/ha)?
- ☐ local breeds in danger of being lost to farming ... (maximum payment of 200 EUR/live stock unit)?
- ☐ other?.....

If the maximum amounts mentioned are exceeded please justify the compatibility of the aid with the provisions of Article 39(4) of Regulation (EC) No 1698/2005.

3.2. Is the support measure granted annually?

☐ yes ☐ no

²⁴ Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, OJ L 270, 21.10.2003, p. 1

If no, please provide the reasons justifying other period

.....
.....

3.3. Is the amount of annual support calculated on the basis of:

- income foregone,
- additional costs resulting from the commitment given, and
- the need to provide compensation for transaction costs

☐ yes ☐ no

Explain the calculation method used in fixing the amount of support and specify the income foregone, additional costs and possible transaction costs

.....

3.4. Is the reference level for calculating income foregone and additional cost resulting from the commitments given, the standards and requirements as mentioned above under point 2.3?

☐ yes ☐ no

If no please explain the reference level taken into consideration

.....
.....

3.5. Are the payments made per unit of production?

☐ yes ☐ no

If yes please explain the reasons justifying that method and the initiatives undertaken to ensure that the maximum amounts per year eligible for Community support as set out in the Annex to Regulation (EC) No 1698/2005 are complied with.

.....
.....

3.6. Do you intend to give aid for transaction costs for the continuation of agri-environmental commitments already undertaken in the past?

☐ yes ☐ no

3.7. If yes, please demonstrate that such costs still continue to be incurred

.....

3.8. Do you intend to give aid for the costs of non-productive investments linked to the achievements of agri-environmental commitments (non-productive investments being investments which should not lead to a net increase in farm value or profitability)?

☐

yes

☐

no

3.9. If yes, which aid rate will be applied (max. 100 %)?

...

AID FOR ANIMAL WELFARE COMMITMENTS (POINT IV.C.2 OF THE GUIDELINES)

1. OBJECTIVE OF THE MEASURE

For which of the following areas do the animal welfare commitments provide upgraded standards?

- ☐ water and feed closer to their natural needs;
- ☐ housing conditions such as space allowances, bedding, natural lights;
- ☐ outdoor access;
- ☐ absence of systematic mutilations, isolation or permanent tethering,
- ☐ prevention of pathologies mainly determined by farming practices or/and keeping conditions.

(Please submit a detailed description)

.....
.....

If the measure in question has already been applied in the past, what have been the results in terms of animal welfare?

.....

2. ELIGIBILITY CRITERIA

- 2.1. Will the aid be exclusively granted to farmers who give animal welfare commitments for a period between five and seven years?

☐ yes ☐ no

- 2.2 Will a shorter or a longer period be necessary for all or particular types of commitments?

☐ yes ☐ no

In the affirmative please provide the reasons justifying that period

.....
.....

- 2.3 Please confirm that no aid will be granted to compensate for animal welfare commitments that do not go beyond the relevant mandatory standards established pursuant to Articles 4 and 5 of, and Annexes III and IV to Regulation (EC) No 1782/2003²⁵ and other relevant mandatory requirements established by national legislation and identified in the rural development programme.

☐ yes ☐ no

If no, please note that Article 40(2) of Regulation 1698/2005 does not allow for aid for animal welfare commitments that do not involve more than the application of these standards and requirements

- 2.4. Please describe what the above mentioned standards and requirements are and explain how the animal welfare commitments involve more than their application.

.....
.....

3. AID AMOUNT

- 3.1 Please specify the maximum amount of animal welfare aid to be granted:

..... (maximum payment of EUR 500 /live stock unit)

²⁵ OJ L 270, 21.10.2003, p. 1.

If the amount exceeds EUR 500/live stock unit, please justify its compatibility with the provisions of Article 40(3) of Regulation (EC) No 1698/2005

3.2 Is the support measure granted annually?

☐ yes ☐ no

If no, please provide the reasons justifying other period

.....
.....

3.3 Is the amount of annual support calculated on the basis of:

- income foregone,
- additional costs resulting from the commitment given, and
- the need to provide compensation for transaction costs ?

☐ yes ☐ no

Explain the calculation method used in fixing the amount of support and specify the income foregone , additional costs, possible transaction costs and possible costs of any non remunerative capital works

.....
.....

3.4 Is the reference level for calculating income foregone and additional cost resulting from the commitments given, the standards and requirements as mentioned above under point 2.3?

☐ yes ☐ no

If no please explain the reference level taken into consideration

.....
.....

3.5 Are the payments made per livestock unit?

☐ yes ☐ no

If no, please explain the reasons justifying the method chosen as well as the initiatives undertaken to ensure that the maximum amounts per year eligible for Community support as set out in the Annex to Regulation (EC) No 1698/2005 are complied with.

3.6. Do you intend to give aid for transaction costs for the continuation of animal welfare commitments already undertaken in the past?

☐ yes ☐ no

3.7. If yes, please demonstrate that such costs still continue to be incurred

.....

3.8. Do you intend to give aid for the costs of non-productive investments linked to the achievements of agri-environmental commitments (non-productive investments being investments which should not lead to a net increase in farm value or profitability)?

☐

yes

☐

no

3.9. If yes, which aid rate will be applied (max. 100 %)?

...

PART III 12 C BIS.**SUPPLEMENTARY INFORMATION SHEET ON AID
CONCERNING NATURA 2000 PAYMENTS AND PAYMENTS
LINKED TO DIRECTIVE 2000/60/EC**

This form must be used by Member State to notify aids under Natura 2000 payments and payments linked to Directive 2000/60/EC ²⁶, as dealt with in Part IV.C.3 of the Community Guidelines for State aid in the agriculture and forestry sector 2007-2013 ²⁷.

1. OBJECTIVE OF THE MEASURE

- 1.1. Is the measure aimed to compensate farmers for costs incurred and income foregone resulting from disadvantages in the areas concerned related to the implementation of Directives 79/409/EEC ²⁸, 92/43/EEC ²⁹ and 2000/60/EC?

☐ Yes

☐ No

1.1.1. If no, please note that Part IV.C.3 of the Agricultural Guidelines does not allow for aid to compensate for other costs than those related to the disadvantages related to the implementation of Directives 79/409/EEC, 92/43/EEC and 2000/60/EC.

2. ELIGIBILITY CRITERIA

²⁶ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

²⁷ OJ C 319, 27.12.2006, p. 1.

²⁸ Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (OJ L 103, 25.4.1979, p. 1).

²⁹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

- 2.1. Are costs incurred and income foregone resulting from disadvantages in the areas concerned related to the implementation of Directives 79/409/EEC, 92/43/EEC and 2000/60/EC?

☐ Yes

☐ No

2.1.1. If yes please provide all the details concerning the relevant provisions of the Directive(s) in question

.....
.....

2.1.2. If no, please note that Part IV.C.3 of the Agricultural Guidelines does not allow for aid to compensate for other costs than those resulting from disadvantages related to the implementation of Directives 79/409/EEC, 92/43/EEC and 2000/60/EC.

- 2.2. Are the planned compensation payments necessary to solve specific problems arising from the Directive(s)?

☐ Yes

☐ No

2.2.1. If yes please explain why this measure is necessary

.....
.....

2.2.2. If no, please note that according to Part IV.C.3 of the Agricultural Guidelines only payments that are necessary to solve specific problems arising from these Directives can be authorised?

- 2.3. Is the support granted only for obligations going beyond cross compliance obligations?

☐ Yes

☐ No

2.3.1. If no, please justify its compatibility with the provisions of Part IV.C.3 of the Agricultural Guidelines

.....
.....

2.4. Is the support granted for obligations going beyond conditions set out by Article 5 of Council Regulation (EC) No 1782/2003³⁰?

☐ Yes

☐ No

2.4.1. If no, please justify its compatibility with the provisions of Part IV.C.3 of the Agricultural Guidelines

.....
.....

2.5. Is the aid granted in breach of the polluter pays principle?

☐ Yes

☐ No

2.5.1. If yes, please provide all elements justifying its compatibility with the provisions of Part IV.C.3 of the Agricultural Guidelines and that it is exceptional, temporary and degressive

.....
.....

³⁰ Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 (OJ L 270 of 21.10.2003 (OJ L 270, 21.10.2003, p. 1).

3. AID AMOUNT

3.1. Please specify the maximum amount of aid, based on the utilised agricultural area (UAA):

☐ (Initial maximum Natura 2000 payment for a period not exceeding five years of 500 EUR/hectare of UAA)

☐ (Normal maximum Natura 2000 payment of 200 EUR/hectare of UAA)

☐ (Maximum amount of support linked to Directive 2000/60/EC is fixed in accordance with the procedure referred to in Article 90(2) of Regulation (EC) No 1698/2005)

3.1.1 With regard to payments linked to Directive 2000/60/EC please provide additional information.

.....
.....

3.1.2. If you intend to grant a higher amount of aid, please justify its compatibility with the provisions of Part IV.C.3 of the Agricultural Guidelines and Article 38 of Regulation (EC) No 1698/2005³¹.

.....
.....

3.2. Please explain the measures taken to ensure that payments are fixed at a level which avoids overcompensation

.....
.....

³¹ Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD); OJ L 277, 21.10.2005, pp. 1 to 40.

4. OTHER INFORMATION

Is documentation demonstrating that the State aid fits into and is coherent with the relevant Rural Development plan attached to the notification?

☐

yes

☐

no

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation is requested in conformity with point 26 of the agricultural guidelines.

PART III.12. D
SUPPLEMENTARY INFORMATION SHEET ON AID TO
COMPENSATE FOR HANDICAPS IN CERTAIN AREAS

This form must be used for the notification of aid aiming to compensate for natural handicaps in certain areas, which is dealt with in point IV.D. of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013³².

**1. QUESTIONS RELEVANT FOR ALL NOTIFICATIONS OF AID TO COMPENSATE FOR
HANDICAPS IN CERTAIN AREAS**

1. Describe the handicap in question:

.....
.....
.....
.....
.....
.....
.....
.....

2. Provide proof that the amount of compensation to be paid avoids any overcompensation to farmers of the effect of the handicaps:

³² OJ C 319, 27.12.2006, p. 1.

.....
.....
.....
.....
.....
.....
.....
.....

3. If there are areas of handicaps where the average impact of handicaps per hectare of comparable farms differs, demonstrate that the level of compensatory payments is proportionate to the economic impact of the handicaps in the different areas:

.....
.....
.....
.....
.....
.....
.....
.....

4. Is it within human control to reverse the economic impact of the permanent handicap?

☐

yes

☐

no

If yes, please note that only the economic impact of permanent handicaps that lie outside of human control may be taken into account for calculating the amount of compensatory payments. Structural disadvantages open to improvement through modernisation of farms or factors like taxes, subsidies or the implementation of the CAP reform may not be taken into account.

If no, explain why it is outside human control to reverse the economic impact of the permanent handicap:

.....
.....
.....

Could you specify the size of the farms that will benefit from these payments?.....

5. Is the amount of compensation established by comparing the average income per hectare of farms in areas with handicaps with the income of same-sized farms producing the same products in areas without handicaps situated in the same Member state, or when a whole Member State is considered as consisting of areas with handicaps, with the income of same-sized farms in similar areas in other Member States in which the production conditions can be meaningfully compared to those in the first Member state? The income to be taken into account in this respect shall be direct income from farming and notably leave aside taxes paid or subsidies received.

☐

yes

☐

no

Describe how the comparison was made.....

.....
.....
.....
.....
.....
.....
.....

6. Is the aid measure combined with support under Articles 13, 14 and 15 of the Council Regulation (EC) No 1257/1999³³?

³³ Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations; OJ L 160, 26.6.1999, p. 80.

☐ yes☐ no

7. Can you confirm that the total support granted to the farmer will not exceed the amount determined in accordance with Article 15 of Regulation (EC) No 1257/1999?

☐ yes☐ no

Specify the amount

If no, please note that, according to point 72 of the Agricultural Guidelines, the maximum aid that can be granted in the form of compensatory allowance cannot exceed the above amount.

8. Does the measure provide that the following eligibility criteria must be fulfilled?

☐ Farmers are required to farm a minimum area of land (please specify the minimum area)

.....

☐ Farmers must undertake to pursue their farming activity in a less-favoured area for at least five years from the first payment of a compensatory allowance;

☐ Farmers must apply the relevant mandatory standards established pursuant to Articles 4 and 5 of, and Annexes III and IV to, Regulation (EC) No 1782/2003³⁴ as well as minimum requirements for fertiliser and plant protection product use and other mandatory requirements established by national legislation and identified in the rural development programme

³⁴ Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support scheme for farmers (OJ L 270, 21.10.2003, p. 1).

☐ yes☐ no☐ yes☐ no

9. Does the measure provide that, in the event of obstruction on the part of the owner or holder of the animals when inspections are being carried out and the necessary samples are being taken in application of national residue-monitoring plans, or when the investigations and checks provided for under Directive 96/23/EC are being carried out, the penalties provided for under question 4 shall apply?

☐ yes☐ no

10. In case of aid schemes still in force at the date of the entry into force of Articles 37 and 88(3) of Council Regulation (EC) No 1698/2005³⁵, will the aid scheme be amended to comply with the provisions of those articles as from that date?

☐ yes☐ no

If no, please note that from the entry into force of Articles 37 and 88 (3) of the above mentioned regulation new rules will be applied to measures aiming to compensate for natural handicaps in certain areas and that aid measures that do not fulfil all the criteria of

³⁵ Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD); (OJ L 277, 21.10.2005, p. 1).

these Articles and any implementing rules adopted by the Council or the Commission will have to be put to an end.

.....

2 OTHER INFORMATION

Is documentation demonstrating that the State aid fits into and is coherent with the relevant Rural Development plan attached to the notification?

☐

yes

☐

no

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation is requested in conformity with point 26 of the agricultural guidelines

PART III.12.E**SUPPLEMENTARY INFORMATION SHEET ON AID FOR MEETING
STANDARDS**

This information sheet relates to investments in agricultural holdings discussed in point IV.E of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013³⁶.

1. Does the planned aid apply only to primary producers (farmers)?

☐ yes

☐ no

2. Are the new standards based on Community standards?

☐ yes

☐ no

3. If no, will the aid be limited to expenses resulting from standards likely to create a genuine competition handicap for the farmers involved?

☐ yes

☐ no

4. Please demonstrate this handicap on the basis of mean net profit margins for average agricultural holdings in the (sub-)sector involved:

.....

³⁶ OJ ...

5. Is the aid farmers are entitled to over a period of five years for costs or loss of income incurred as a result of applying one or more standards to be provided on a diminishing scale and limited to a total of EUR 10 000?

☐ yes

☐ no

6. Please describe the diminishing scale of the aid:

....

7. If the total of EUR 10 000 is exceeded: is the aid limited to 80% of costs and loss of income incurred by farmers, and to EUR 12 000 per agricultural holding, and is account taken of any Community aid provided?

☐ yes

☐ no

8. Does the aid pertain to standards which can be shown to be the direct cause of:

- an increase in the operating costs of at least 5% for the product or products affected by the standard?

☐ yes

☐ no

- a loss of income equal to at least 10% of net profits derived from the product or products affected by the standard?

☐ yes

☐ no

9. Please demonstrate the above-mentioned parameters (*please note that they must be calculated for an average agricultural holding in the sector and in the Member State affected by the standard*):

.....

10. Does the aid apply only to standards resulting in an increase in operating costs or loss of income equal to at least 25% of all agricultural holdings of the (sub-) sector in the Member State concerned?

☐

yes

☐

no

11. Is the notification accompanied by documentation demonstrating how the state aid measure is consistent with the relevant rural development programme(s) concerned?

☐

yes

☐

no

If yes, please provide this documentation below or in an annex to this supplementary information sheet

.....

If no, please note that this documentation must be provided under point 26 of the Guidelines

PART III.12. F
SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE
SETTING UP OF YOUNG FARMERS

This notification form applies to aid granted for the setting up of young farmers, as dealt with in chapter IV.F of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013³⁷.

1. ELIGIBILITY CRITERIA

Please note that State aid for the setting up of young farmers may only be granted if it fulfils the same conditions set out in the Rural Development Regulation³⁸ for co-financed aid, and in particular the eligibility criteria of Article 22 thereof.

1.1. Is the support measure granted only to primary production ?

☐

yes

☐

no

If no, please note that according to point 82 of the Guidelines, the support may not be granted for other activities than primary production.

1.2. Are the following conditions fulfilled?

- the farmer is under 40 years of age ;
- the farmer possesses adequate occupational skills and competence ;

³⁷ OJ C 319, 27.12.2006, p. 1.

³⁸ Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD); (OJ L 277, 21.10.2005, p. 1).

- the farmer is setting up on an agricultural holding as a head of the holding for the first time ;
- the farmer submitted a business plan for the development of his/her farming activity;

☐

yes

☐

no

If you answered no to any of these questions, please note that the measure would not be in line with the requirements of Article 22 of the Rural Development Regulation and could not be authorised under the Guidelines.

1.3. Does the measure provide that the above eligibility requirements must be met at the time the individual decision to grant support is taken?

☐

yes

☐

no

1.4. Does the measure comply with existing Community or national standards?

☐

yes

☐

no

1.4.1. If not, is the aim to comply with existing Community or national standards identified in the submitted business plan?

☐

yes

☐

no

1.4.2. Does the period of grace within which the standard needs to be met exceed 36 months from the date of setting up?

☐

yes

☐

no

2. MAXIMUM ALLOWABLE AID

2.1. Is the setting up support granted in the form of

☐ a single premium? (max. EUR 40 000)

(please specify the amount)

and/or

☐ an interest rate subsidy? (max. capitalised value of 40.000 €)

If yes, please describe the conditions of the loan – interest rate, duration, period of grace, etc.)

2.2. Can you confirm that the aid combined with the support granted under the Rural Development Regulation will not exceed EUR 55 000 and the maximum amounts laid down for either form of aid (EUR 40.000 for single premium; EUR 40.000 for subsidised loan) will be respected?

☐

yes

☐

no

3. OTHER INFORMATION

Is documentation demonstrating that the State aid fits into and is coherent with the relevant Rural Development plan attached to the notification?

☐

yes

☐

no

If yes, please provide that documentation hereunder or in an annex to this supplementary information sheet

.....

If no, please note that this documentation is requested in conformity with point 26 of the agricultural guidelines.

PART III.12. G
SUPPLEMENTARY INFORMATION SHEET FOR AID FOR
EARLY RETIREMENT OR FOR THE CESSATION OF FARMING
ACTIVITIES

This form must be used for the notification of any state aid schemes which are designed to encourage older farmers to take early retirement as described by chapter IV.G of the Community Guidelines for State aid in the agricultural and forestry sector 2007 to 2013³⁹.

1. TYPES OF AID

1.1. Is the support measure granted only to primary production?

☐ yes ☐ no

If no, please note that according to point 85 of the Guidelines, the support may not be granted for other activities than primary production.

1.2. Is the early retirement support granted:

☐ to farmers who decide to stop their agricultural activity for the purpose of transferring the holdings to other farmers?

☐ to farm workers who decide to stop all farming work definitively upon the transfer of the holding?

Please describe the envisaged measures:
.....

³⁹

OJ C 319, 27.12.2006, p. 1.

2. ELIGIBILITY CRITERIA

2.1. Will the aid be exclusively granted when the transferor of the farm,

- stops all commercial farming activity definitively,
- is not less than 55 years old but not yet of normal retirement age at the time of transfer or not more than 10 years younger than the normal retirement age in the Member State concerned at the time of transfer and
- has practised farming for the 10 years preceding transfer?

☐

yes

☐

no

If no please note that according to point 87 of the Guidelines combined with article 23 of Council Regulation N° 1698/2005⁴⁰, no aid can be authorised if the transferor does not fulfil all those conditions

2.2. Will the aid be exclusively granted when the transferee of the farm:

- succeeds the transferor by setting up as a young farmer as provided for in article 22 of Council Regulation N° 1698/2005, is less than 40 years of age and is setting up for the first time on an agricultural holding as head of the holding, possesses adequate occupational skills and competence and submits a business plan for the development of his farming activities, or
- is a farmer of less than 50 years old or a private law body and takes over the agricultural hold released by the transferor to increase the size of the agricultural holding?

⁴⁰ Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1).

☐

yes

☐

no

If no, please note that according to point 87 of the Guidelines combined with Article 23 of Council Regulation (EC) No 1698/2005 no aid can be authorised if the transferee does not fulfil all those conditions.

2.3. When the aid planned for early retirement support includes measures to provide an income for farm workers, please confirm that no aid will be granted if the worker does not fulfil all the following conditions:

- stop all farm work definitively upon the transfer of the holding,
- be not less than 55 years old but not yet of normal retirement age or more than 10 years younger than the normal retirement age in the Member State concerned,
- have devoted at least half of his working time as a family helper or farm worker to farm work during the preceding five years,
- have worked on the transferor's agricultural holding for at least the equivalent of two years full-time during the four-year period preceding the early retirement of the transferor, and
- belong to a social security scheme.

☐

yes

☐

no

Please note that according to point 87 of the Guidelines and Article 23 of Council Regulation (EC) No 1698/2005, no aid can be authorised to provide an income for farm workers if they do not fulfil all those conditions.

3. AID AMOUNT

3.1. Is the aid measure combined with support under the Rural Development Regulation?

☐ yes ☐ no

3.1.1. If yes, please provide a brief description of the modalities and amount of such co-financed support

.....
.....

3.2. Please specify what is the maximum amount of aid to be granted per transferor:

☐per transferor and year (maximum annual amount of EUR 18 000/transferor and maximum total amount of EUR 180 000/transferor)

If the maximum amounts are not respected please justify its compatibility with the provisions of point 87 of the Guidelines. Please note that the Guidelines allow for support going above the maximum amounts set out in the Regulation provided that the Member State demonstrates that such payment is not passed on to active farmers.

3.3. Please specify what is the maximum amount of aid to be granted per worker:

☐ per worker and year (maximum annual amount of 4000€/worker and maximum total amount of EUR 40 000/worker)

If the maximum amounts are not respected please justify its compatibility with the provisions of point 87 of the Guidelines. Please note that the Guidelines allow for support going above the maximum amounts set out in the Regulation provided that the Member State demonstrates that such payment is not passed on to active farmers.

3.4. Does the transferor receive a normal retirement pension paid by the Member State?

☐

yes

☐

no

- 3.4.1. If yes, is the planned early retirement support granted as a supplement taking into account the amount of the national retirement pension?

☐

yes

☐

no

If no, please note that point 87 of the Guidelines combined with Article 23 of Council Regulation (EC) No 1698/2005 requires that the amount paid as a normal retirement pension is taken into account in the calculation of the maximum amounts to be granted under the early retirement schemes.

4. DURATION

- 4.1. Can it be assured that duration of planned early retirement support shall not exceed a total period of 15 years for the transferor and for the farm worker and that, at the same time, it shall not go beyond the 70th birthday of a transferor and not go beyond the normal retirement age of a worker?

☐

yes

☐

no

If no, please note that point 87 of the Guidelines combined with Article 23 of Council Regulation (EC) No 1698/2005 does not allow for aid if all those requirements are not assured in the planned scheme.

PART III 12.III.H
SUPPLEMENTARY INFORMATION SHEET ON AID TO
PRODUCER GROUPS

This form must be used for the notification of any state aid measures meant to provide aid to producer groups as described by chapter IV.H. of the Community Guidelines for State aid in the agricultural and forestry sector 2007 to 2013 ⁴¹

1. TYPE OF AID

1.1. Does the aid concern start-up aid to newly established producer groups?

☐

yes

☐

no

1.2. Does the aid concern start-up aid to newly established producer associations (i.e. a producer association consists of recognised producer groups and pursues the same objectives on a larger scale)?

☐

yes

☐

no

1.3. Is the aid granted towards eligible expenses limited to and resulting from a year-on-year increase in turnover of the beneficiary by at least 30% due to the accession of new members and/or the coverage of new products?

☐

yes

☐

no

⁴¹ OJ C 319, 27.12.2006, p. 1.

1.3.1. If yes, how much is the increase in turnover of the beneficiary?

1.3.2. Is the increase in turnover of the beneficiary due to

☐ the accession of new members

☐ the coverage of new products

☐ both

1.4. Is aid granted to cover the start-up costs of associations of producers, which are responsible for the supervision of the use of geographical indications and designations of origin or quality marks in conformity with Community law?

☐ yes

☐ no

1.5. Is the aid granted to other producer groups or associations, which undertake tasks at the level of agricultural production, such as mutual support and farm relief and farm management services, in the members' holdings without being involved in the joint adaptation of supply to the market?

☐ yes

☐ no

If yes, please note that aid to these groups or associations is not covered by chapter IV.H. of the Guidelines . Please refer to the relevant legal basis.

1.6. Is aid granted to producer groups or associations to cover expenses, which are not linked to setting-up costs, such as investments or promotion activities?

☐ yes

☐ no

If yes, the aid will be assessed in accordance with the specific rules governing such aids. Please refer to the relevant sections of the notification form.

- 1.7. In case of an aid scheme, can you confirm that it will be adjusted to take account any change in the regulations governing the common organisations of the market?

☐

yes

☐

no

- 1.8. Is aid granted directly to producers to offset their contributions to the cost of running the groups or associations during the first five years following the formation of the group or association?

☐

yes

☐

no

- 1.8.1. If yes, will the overall amount granted directly to producers respect the limit for maximum support (EUR 400 000)?

☐

yes

☐

no

2. BENEFICIARY

2.1. Is the start-up aid granted exclusively to small and medium-sized enterprises?

☐

yes

☐

no

2.2. Is start-up aid granted to producer groups or producer associations which are entitled to assistance under the legislation of the Member State concerned?

☐

yes

☐

no

If the answer is no, please refer to Article 9(2) of Commission Regulation (EC) No 1857/2006⁴².

2.3. Is the aid granted only if all the following rules are respected:

- The obligation on members to market production in accordance with the rules on supply and placing on the market, drawn up by the group or association (the rules may permit a proportion of the production to be marketed directly by the producer);

☐

yes

☐

no

- the obligation for producers joining the group or the association to remain members for at least three years and give at least 12 months notice of withdrawal;

⁴² Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) 70/2001 (OJ L 358, 16.12.2006, p. 3).

☐

yes

☐

no

- common rules on production, in particular relating to product quality, or use of organic practices, common rules for placing goods on the market and rules on product information, with particular regard to harvesting and availability?

☐

yes

☐

no

If any of the answers to Section 2.3 above is no, please refer to Article 9(2) of Commission Regulation (EC) No 1857/2006 for the list of eligibility criteria for support to producer groups or associations.

2.4. Does the producer group or association comply fully with all relevant provisions of competition law, in particular Articles 81 and 82 of the Treaty?

☐

yes

☐

no

2.5. Does the aid measure/scheme clearly exclude production organisations such as companies or co-operatives the objective of which is the management of one or more agricultural holdings and which are therefore in effect single producers?

☐

yes

☐

no

If no, please note that, according to Article 9(5) of Commission Regulation (EC) No 1857/2006, producers should remain responsible for managing their holdings.

2.6. Does the aid measure/scheme, clearly exclude any aid to producer groups or associations the objectives of which are incompatible with a Council Regulation setting up a common market organisation?

☐

yes

☐

no

If no, please note that, under Article 9(8) of Commission Regulation (EC) No 1857/2006, under no circumstances can the Commission approve an aid which is incompatible with the provisions governing a common organisation of the market or which would interfere with the proper functioning of the common organisation

3. AID INTENSITY AND ELIGIBLE COSTS

3.1. Can you confirm that the total amount of aid granted to a producer group or association will not exceed EUR 400 000?

☐

yes

☐

no

3.2. Does the aid measure/scheme clearly exclude that aid is paid in respect of costs incurred after the fifth year?

☐

yes

☐

no

3.3. Does the aid measure/scheme clearly exclude that aid is paid following the seventh year after recognition of the producer organisation?

☐

yes

☐

no

If the answer to any of the questions of point 3.2 and 3.3 above is no, please note that Article 9 (4) of Commission Regulation (EC) No 1857/2006 clearly excludes aid for costs incurred after the fifth year and aid paid after the seventh year after recognition of the producer organisation.

3.4. Do the eligible expenses, both in case of aid granted to producers groups or associations and in case of aid granted directly to producers, include only:

- the rental of suitable premises, or
- the purchase of suitable premises (the eligible expenses are limited to rental costs at market rates),
- the acquisition of office equipment, including computer hardware and software, administrative staff costs, overheads and legal and administrative fees?

☐

yes

☐

no

If the answer is no, please refer to the list of eligible expenses set in Article 9(3) of Commission Regulation (EC) No 1857/2006.

PART III.12.I**SUPPLEMENTARY INFORMATION SHEET ON AID FOR LAND
REPARCELLING**

This form must be used for the notification of any state aid schemes designed to cover the legal and administrative costs, including survey costs, of reparable as described by Chapter IV.1 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁴³.

1. Is the aid measure part of a general programme of land reparable operations undertaken in accordance with the procedures laid down by the legislation of the Member State concerned?

☐

yes

☐

no

2. Do the eligible expenses include exclusively the legal and administrative costs, including survey costs, of reparable ?

☐

yes

☐

no

If the eligible expenses also cover other items, please note that Article 13 of Regulation (EC) No 1857/2006 authorises only the eligible expenses indicated.

3. What is the planned rate of aid (max. 100%)?: ...

⁴³ OJ C 319, 27.12.2006, p. 1.

Part III.12.J**SUPPLEMENTARY INFORMATION SHEET ON AID TO
ENCOURAGE THE PRODUCTION AND MARKETING OF
QUALITY AGRICULTURAL PRODUCTS**

This form must be used for the notification of any state aid measures which are designed to encourage the production and marketing of quality agricultural products as described by chapter IV.J of the Community Guidelines for State aid in the agricultural and forestry sector 2007 to 2013 ⁴⁴

(A) Primary producers (farmers)**1. TYPE OF PRODUCTS**

1.1. Does the aid only refer to quality products fulfilling the criteria to be defined pursuant to Article 32 of Regulation (EC) No 1698/2005 ⁴⁵?

☐

yes

☐

no

If the aid does not concern quality products please note that, under Chapter IV.J of the Agricultural Guidelines, aid is limited to quality agricultural products.

⁴⁴ OJ C 319, 27.12.2006, p. 1.

⁴⁵ Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1).

2. TYPE OF AIDS

2.1. Which of the following types of aid can be financed by the aid scheme/individual measure?

- ☐ market research activities, product conception and design;
- ☐ aids granted for the preparation of applications for recognition of denominations of origin or certificates of specific character in accordance with the relevant Community regulations;
- ☐ consultancy and similar support for the introduction of quality assurance schemes such as the ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems, systems to assure respect of authenticity and marketing norms or environmental audit systems;
- ☐ the costs of training personnel for the introduction of quality assurance schemes such as ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems, systems to assure respect of authenticity and marketing norms or environmental audit systems;
- ☐ the costs of the charges levied by recognised certifying bodies for the initial certification of quality assurance and similar systems;
- ☐ the costs of compulsory control measures undertaken pursuant to Community or national legislation by or on behalf of the competent authorities, unless Community legislation requires enterprises to bear such costs;

☐ the costs for participation in measures referred to in article 14(2)(f) of Regulation No .../2006⁴⁶, provided that:

- (a) only agricultural products for human consumption are covered;
- (b) it concerns a Community food quality scheme or a food quality scheme recognised by a Member State complying with the precise criteria established according to Article 32(1)(b) of Regulation 1698/2005;
- (c) The annual incentive payment whose level is determined according to the level of the fixed costs arising from the participation in such schemes for a maximum duration of five years.
- (d) The support is limited to EUR 3000 per year and holding.

Note: Schemes which sole purpose is to provide a higher level of control of respect of obligatory standards under Community or national law shall not be eligible for support.

2.2. Does the aid measure include investments, which are necessary to upgrade production facilities?

☐ yes

☐ no

If yes, please refer to chapter IV.A of the Agricultural Guidelines.

2.3. Are the controls undertaken by or on behalf of third parties, such as:

- ☐ the competent regulatory authorities or bodies acting on their behalf;
- ☐ independent organisms responsible for the control and supervision of the use of denominations of origin, organic labels, or quality labels;

⁴⁶ OJ L 358, 16.12.2006, p. 3.

☐ others (please specify, indicating how the independence of the control body is assured)

.....
.....

2.4. Does Community legislation provide that the cost of control is to be met by producers, without specifying the actual level of charges?

☐ yes

☐ no

3. BENEFICIARIES

3.1. Who are the beneficiaries of the aid?

☐ farmers;

☐ producer groups

☐ other (please specify)

.....

3.2. Are large companies excluded as beneficiaries?

☐ yes

☐ no

3.3. With the exception of support for the participation in measures referred to in Article 14(2)(f) of Regulation No 1857/2006, are direct payments of money to producers excluded?

☐ yes

☐ no

3.3.1. Is the aid available to all the farmers eligible in the area concerned based on objectively defined conditions?

☐ yes

☐ no

3.3.2. Does the aid measure exclude compulsory membership of the producers group/organisation or intermediate entity managing the aid in order to benefit from aid?

☐ yes

☐ no

3.3.3. Is the contribution towards the administrative costs of the group or organisation concerned limited to the costs of providing the service?

☐ yes

☐ no

4. AID INTENSITY

4.1. Please state the maximum rate of public support of the following measures:

- (a); market research activities, product conception and design (max 100%)
- (b); aids granted for the preparation of applications for recognition of denominations of origin or certificates of specific character in accordance with the relevant Community regulations (max 100%);
- (c); consultancy and similar support for the introduction of quality assurance schemes such as the ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems; systems to assure respect of authenticity and marketing norms or environmental audit systems (max 100%);
- (d); the costs of training personnel for the introduction of quality assurance schemes such as ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems, systems to assure respect of authenticity and marketing norms or environmental audit systems (max 100%);
- (e); the cost of the charges levied by recognised certifying bodies for the initial certification of quality assurance and similar systems (max 100%).
- (f); the costs of compulsory control measures undertaken pursuant to Community or national legislation by or on behalf of the competent authorities, unless Community legislation requires enterprises to bear such costs;
- (g); the costs for participation in measures referred to in Article 14(2)(f) of Regulation No 1857/2006.

--

(B) Companies active in the processing and marketing of agricultural products

1. TYPE OF PRODUCTS

1.1. Does the aid only refer to quality products fulfilling the criteria to be defined pursuant to Article 32 of Regulation (EC) No 1698/2005?

☐ yes

☐ no

If the aid does not concern quality products please note that, under Chapter IV.J of the Agricultural Guidelines, aid is limited to quality agricultural products.

2. TYPE OF AIDS AND ELIGIBLE COSTS

2.1. Are eligible costs limited to:

☐ costs for services provided by outside consultants and other services providers; in particular:

☐ market research activities

☐ product conception and design

- ☐ applications for recognition of certificates of specific character in accordance with the relevant Community regulations
- ☐ the introduction of quality assurance schemes such as the ISO 9000 or 14000 series, systems based on hazard analysis and critical control points (HACCP), traceability systems, systems to assure respect of authenticity and marketing norms or environmental audit systems
- ☐ Other (please specify)

.....
.....

Please note that such services should not be a continuous or periodic activity nor relate to the enterprise's usual operating expenditure, such as routine tax consultancy services, regular legal service or advertising.

2.2. Please indicate the maximum aid intensity expressed in gross terms:

If the aid intensity exceeds 50 % gross please indicate in detail why this aid intensity should be necessary:

2.3. Please indicate the maximum ceiling for cumulated aid:

.....
.....

3. BENEFICIARIES

3.1. Who are the beneficiaries of the aid?

- ☐ Companies active in the processing and marketing of agricultural products
- ☐ producer groups active in the processing and marketing of agricultural products
- ☐ other (please specify)

.....

3.2. Are large companies excluded as beneficiaries?

☐ yes☐ no**4. Necessity of the aid**

4.1 Does the aid foresee that any application for aid must be submitted before work on the project is started?

☐ yes☐ no

4.2. If not has the Member State adopted legal provisions establishing a legal right to aid according to objective criteria, and without further exercise of discretion by the Member States?

☐ yes☐ no

Part III.12. K**SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE
PROVISION OF TECHNICAL SUPPORT IN THE AGRICULTURE
SECTOR**

*This form must be used for the notification of any state aid measure whose aim is the provision of technical support in the agricultural sector as described by chapter IV.K of the Community Guidelines for State aid in the agricultural and forestry sector 2007 to 2013*⁴⁷

1. TYPE OF AIDS**A. Aid to primary producers**

1.1. Which of the following types of aid can be financed by the aid scheme/individual measure:

- ☐ education and training of farmers and farm workers;
- ☐ provision of farm replacement services;
- ☐ consultancy services provided by third parties;
- ☐ organisation and participation in forums to share knowledge between businesses, in competitions, exhibitions and fairs;
- ☐ vulgarisation of scientific knowledge,

⁴⁷ OJ C

- For this aid, can you confirm that individual companies, brands or – except for products covered by Council Regulation (EC) No 510/2006 ⁴⁸ and by Articles 54 to 58 of Council Regulation (EC) No 1493/99 of 17 May 1999 on the common market in wine ⁴⁹, provided that the references correspond exactly to those references which have been registered by the Community – origin are not named?

☐

yes

☐

no

☐ factual information on quality systems open to products from other countries, on generic products and on the nutritional benefits of generic products and suggested uses for them;

- For this aid, can you confirm that individual companies, brands or – except for products covered by Council Regulation (EC) No 510/2006 ⁵⁰ and by Articles 54 to 58 of Council Regulation (EC) No 1493/99 of 17 May 1999 on the common market in wine, provided that the references correspond exactly to those references which have been registered by the Community – origin are not named?

☐

yes

☐

no

⁴⁸ Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 93, 31.3.2006 p. 12).

⁴⁹ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 2165/2005.

⁵⁰ Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 93, 31.3.2006 p. 12)

☐ publications such as catalogues or websites presenting factual information about producers from a given region or producers of a given product.

- For this aid, can you confirm that the information and presentation is neutral and that all producers concerned have equal opportunities to be represented in the publication?

☐

yes

☐

no

1.2. Please describe the envisaged measures:

.....
.....

1.3. Will the aid for the above mentioned measures be granted in favour of large companies?

☐

yes

☐

no

If yes, please note that according to point 106 of the Guidelines, the Commission will not authorise state aid for above mentioned measures in favour of large companies.

B. Aid to companies active in the processing and marketing of agricultural products.

1.4. Which of the following types of aid can be financed by the aid scheme/individual measure:

☐ services provided by outside consultants not being continuous or periodic activity and not related to the enterprise's usual operating expenditure;

☐ first participation in fairs and exhibitions.

Please describe the envisaged measures:

.....
.....

1.5. Will the aid for the above mentioned measures be granted in favour of large companies?

☐

yes

☐

no

If yes, please note that according to point 106 of the Guidelines, the Commission will not authorise state aid for above mentioned measures in favour of large companies.

C. Aid to primary producers and companies active in the processing and marketing of agricultural products for the vulgarisation of new techniques

1.6. Will the aid be granted in favour of other activities for the vulgarisation of new techniques, such as reasonable small scale pilot projects or demonstration projects?

☐

yes

☐

no

1.7. If yes please give a clear description of the project including an explanation of the novelty character of the project and of the public interest in granting support for it:

.....
.....

1.8. Does the project respect the following conditions:

Are the number of participating companies and the duration of the pilot scheme limited to what is necessary for proper testing?

☐

yes

☐

no

Will the results of the pilot scheme be made publicly available?

☐

yes

☐

no

2. ELIGIBLE COSTS AND AID INTENSITY

A. Aid to primary producers

- 2.1. Concerning education and training , do the eligible costs include only the actual cost of organising the training programme, travel and subsistence expenses and the cost of the provision of replacement services during the absence of the farmer or the farm worker?

☐

yes

☐

no

If no, please note that according to point 104 of the Guidelines combined with article 15.2 of Commission Regulation (EC) No 1857/2006⁵¹, aid to cover other costs cannot be authorised.

- 2.2. Concerning the farm replacement services, do the eligible costs include only the actual costs of the replacement of the farmer, the farmer's partner, or a farm worker during illness and holidays?

☐

yes

☐

no

If no, please note that according to point 103 of the Guidelines combined with article 15.2 of Commission Regulation (EC) No 1857/2006 aid to cover other costs cannot be authorised.

⁵¹ Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises (OJ L 10, 13.1.2001, p. 3).

- 2.3. Concerning consultancy services provided by third parties, do the eligible costs include only the fees for services which do not constitute a continuous or periodic activity nor relate to the enterprise's usual operating expenditure (such as routine tax consultancy services, regular legal services or advertising) ?

☐

yes

☐

no

If no, please note that according to point 103 of the Guidelines combined with Article 15.2 of Commission Regulation (EC) No 1857/2006 aid to cover costs of continuous or periodic activities or relating to the enterprise's usual expenditure cannot be authorised.

- 2.4. In the case of organisation of/and participation in forums to share knowledge between businesses, competitions, exhibitions and fairs, do the eligible costs only include: participation fees, travel costs, costs of publications, rent of exhibition premises and symbolic prizes awarded in the framework of competitions, up to a value of EUR 250 per prize and winner?

☐

yes

☐

no

If no, please note that according to point 103 of the Guidelines combined with article 15.2 of Commission Regulation (EC) No 1857/2006, aid to cover other costs cannot be authorised.

- 2.5. Please state the aid intensity

- 2.6. Will the aid involve direct payments to producers?

☐

yes

☐

no

Please note that according to point 103 of the Guidelines combined with Article 15.3 of Commission Regulation (EC) No 1857 /2006 aid must not involve direct payments to producers.

B. Aid to companies active in the processing and marketing of agricultural products

- 2.7. Concerning the services provided by outside consultants, are the eligible expenses limited only to costs of activities of non-continuous or non-periodic character, not relating to the enterprise's usual operating expenditure?

☐

yes

☐

no

If no, please note that according to point 105 of the Guidelines combined with Article 5 of Commission Regulation (EC) No 70/2001 (or any provision replacing it) aid towards financing services being a continuous or periodic activity or related to the enterprise's usual operating expenditure, such as routine tax consultancy services, regular legal services or advertising can not be authorised.

- 2.8. Concerning the participation in fairs and exhibitions, are the eligible costs limited only to the additional costs incurred for renting, setting up and running the stand and apply only to the first participation of an enterprise in a particular fair or exhibition?

☐

yes

☐

no

If no, please note that aid for costs other than specified in point 105 of the Guidelines combined with Article 5 of Regulation (EC) No 70/2001 (or any provision replacing it) cannot be authorised.

- 2.9. Please state the aid intensity:..... (max. 50 %)

Please note that according to point 105 of the Guidelines combined with Article 5 of Regulation (EC) No 70/2001 (or any provision replacing it) aid rates higher than the above-mentioned ceiling cannot be authorised.

C. Aid to primary producers and companies active in the processing and marketing of agricultural products for the vulgarisation of new techniques

- 2.10. Concerning the activities for the vulgarisation of new techniques, such as reasonable small scale pilot projects or demonstration projects, can you confirm that the total amount of aid for such projects granted to a company will not exceed EUR 100 000 over three fiscal years?

☐

yes

☐

no

- 2.11. Please state the aid intensity

3. BENEFICIARIES

- 3.1. Who are the beneficiaries of the aid?

☐

farmers;

☐

producer groups

☐

other (please specify)

.....

3.2. If farmers are not the direct beneficiaries of the aid:

3.2.1. Is the aid available to all the farmers eligible in the area concerned based on objectively defined conditions?

☐

yes

☐

no

3.2.2. Where the provision of technical support is undertaken by producer groups or other organisations is membership of such groups or organisations a condition for access to the service?

☐

yes

☐

no

3.2.3. Is the contribution of non-members towards the administrative costs of the group or organisation concerned limited to the costs of providing the service?

☐

yes

☐

no

PART III.12.L**SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE
LIVESTOCK SECTOR**

This form must be used for the notification of any state aid measures designed to support the livestock sector as described by point IV.L of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁵².

1. ELIGIBLE EXPENSES

1.1. Which of the following eligible expenses does the support measure cover:

- ☐ the administrative costs of the establishment and maintenance of herd books?
- ☐ tests to determine the genetic quality or yield of livestock (tests undertaken by or on behalf of third parties)?
- ☐ eligible costs for investments in the introduction at farm level of innovatory animal breeding techniques or practices?

If the planned measure includes other eligible expenses, please note that Article 16(1) of Regulation (EC) No 1857/2006⁵³ only allows this aid to cover the eligible expenses listed above. Checks carried out by the owner of the herd and routine checks on the quality of the milk are excluded.

2. AMOUNT OF AID

2.1. Please specify the maximum rate of public support expressed as a volume of eligible expenses:

- to cover the administrative costs of the establishment and maintenance of herd books (max. 100%);

⁵²

OJ.....

⁵³

Commission Regulation (EC) No 1857/2006 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) 70/2001 (OJ L 358, 16.12.2006, p. 3).

- for costs of tests to determine the genetic quality or yield of livestock (max. 70%);
- eligible costs for investments centring on the introduction at farm level of innovatory animal breeding techniques or practices (max. 40%, and up to 31 December 2011).

2.2. What measures have been taken to avoid overcompensation and to verify compliance with the above aid intensities?

.....
.....

3. BENEFICIARIES

3.1. Is the aid limited to firms which meet the Community definition of small and medium-sized undertakings?

☐

yes

☐

no

If no, please note that, under point 109 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013, large companies are excluded from receiving aid.

PART III.12 M
SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE
OUTERMOST REGIONS AND THE AEGEAN ISLANDS

This form must be used by Member State to notify aids for the outermost regions and the Aegean islands, as dealt with in point IV.M of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁵⁴.

1. Does the proposed aid for the outermost regions and the Aegean Islands depart from the other provisions set out in the Guidelines?

☐ yes

☐ no

- If no, please complete the notification form relevant to the type of aid (investment aid, technical support, etc).
- If yes, please continue to complete this form.

2. Does the measure involve the granting of operating aid?

☐ yes

☐ no

3. Is the aid intended to mitigate the specific constraints on farming in the outermost regions as a result of their remoteness, insularity and distant location?

☐ yes

☐ no

⁵⁴ OJ C 319, 27.12.2006, p. 1.

- 3.1. If yes, please determine the amount of the additional costs resulting from these specific constraints and the method of calculation:

.....
.....
.....

- 3.2. How can the authorities establish the link between the additional costs and the factors entailing them (like remoteness or distant location)?

.....
.....

4. Is this aid intended to offset in part additional transport costs?

☐ yes

☐ no

- 4.1. If yes, please provide proof of the existence of these additional costs and the method of calculation used to determine their amount ⁵⁵:

.....
.....

- 4.2. If yes, indicate what will be the maximum amount of aid (on the basis of an aid-per-kilometre ratio or on the basis of an aid-per-kilometre and aid-per-unit-weight ratio) and the percentage of the additional costs covered by the aid :

.....
..

⁵⁵

The description should reflect how the authorities intend to ensure that the aid is given only in respect of the extra cost of transport of goods inside national borders, is calculated on the basis of the most economical form of transport and the shortest route between the place of production or processing and commercial outlets, and cannot be given towards the transport of the products of businesses without an alternative location.

5. In the case of Spain, is the aid intended for the production of tobacco in the Canary Islands ⁵⁶?

☐ yes

☐ no

5.1. If yes, is the aid limited to EUR 2,980.62 per tonne and to a maximum of 10 tonnes each year?

☐ yes

☐ no

5.2. How can the Spanish authorities guarantee that the aid will not result in discrimination between producers in the islands?

.....
.....

⁵⁶ Foreseen in Article 21 of Regulation (EC) No 247/2006 (OJ L 42, 14.2.2006, p. 1).

PART III.12.N**SUPPLEMENTARY INFORMATION SHEET ON AID TO COMPENSATE
FOR DAMAGE TO AGRICULTURAL PRODUCTION OR THE MEANS OF
AGRICULTURAL PRODUCTION**

This form must be used by Member States for the notification of any state aid measures which are designed to compensate for damage to agricultural production or the means of agricultural production as described by points V.B.2 and V.B.3 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013 ⁵⁷.

**1. AID TO MAKE GOOD THE DAMAGE CAUSED BY NATURAL DISASTERS OR
EXCEPTIONAL OCCURRENCES (POINT V.B.2. OF THE GUIDELINES)**

1.1. Which disaster or exceptional occurrence caused the damage for which the compensation is envisaged?

.....

1.2. What kind of physical damage was caused?

.....

1.3. What rate of compensation for material damage is contemplated?

.....

1.4. Is compensation planned for losses of income? If yes, what level of compensation is contemplated and how will income losses be calculated?

⁵⁷ OJ C 319, 27.12.2006, p. 1.

.....

1.5. Is the compensation to be calculated for each individual recipient?

.....

1.6. Are insurance payments to be deducted from the aid? How will it be checked whether insurance companies have made any payments?

.....

**2. AID TO COMPENSATE FARMERS ⁵⁸ FOR LOSSES CAUSED BY BAD WEATHER
(POINT V.B.3 OF THE GUIDELINES)**

2.1. What weather event has justified the aid?

.....

2.2. Please give the weather data demonstrating the exceptional nature of the event:

.....

2.3. Please indicate the last date until which aid may be granted ⁵⁹.

.....

2.4. What is the threshold of loss, in relation to normal production of the relevant crop ⁶⁰ in a normal year, above which farmers will qualify for aid?

⁵⁸ That is, farmers to the exclusion of processing and marketing undertakings.

⁵⁹ Under Article 11(10) of the Exemption Regulation, aid must be disbursed within four years after the expenses or losses have been incurred.

⁶⁰ The reference to crops does not mean that livestock are excluded from aid. The principles set out in point V.B.3 of the Guidelines will apply mutatis mutandis to aid intended to compensate for losses involving livestock due to adverse weather.

.....

Please note that the Commission will declare aid granted for losses due to adverse weather conditions compatible with Article 87(3)(c) of the Treaty only if those events can be assimilated to natural disasters as defined by Article 2(8) of Regulation (EC) No 1857/2006⁶¹. A climatic event may be assimilated to a natural disaster and qualify for compensation when it destroys more than 30% of the normal crop production in question.

2.5. Please give normal production figures for each of the crops affected by the weather event and eligible for compensation. Describe the method by which this figure has been arrived at⁶².

.....

2.6. In the case of damage to the means of production (e.g. destruction of trees), explain how the threshold of loss to qualify for the aid has been calculated.

.....

2.7. Is the amount eligible for aid calculated as follows: (mean level of production in a given normal period x average price for the same period) – (actual production during the year of the event x average price for that year)?

.....

2.8. Are losses calculated for each individual holding or for a whole area? In the latter case, please show that the averages used are representative and not likely to lead to considerable over-compensation for some beneficiaries.

.....

⁶¹ Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to state aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) No 70/2001. Under point 126 of the guidelines, the Commission will declare aid granted for losses due to adverse weather conditions compatible with Article 87(3)(c) of the Treaty, if all conditions of Article 11 of Regulation (EC) No 1857/2006 are met.

⁶² Normal gross annual production should be calculated either in proportion to the mean production of a farmer determined over the three preceding years or in proportion to the three-yearly average based on the five preceding years and excluding the top and bottom value. Other methods of calculating normal production (including regional reference figures) may however be accepted, provided that they are representative and not based on abnormally high production figures.

2.9. Will insurance payments be deducted from the amount eligible for aid?

.....

2.10. Will the normal costs no longer faced by the farmer (e.g. because there was no actual harvest) be taken into account in calculating the aid?

.....

2.11. If such normal costs go up because of the weather event, is additional aid envisaged to cover the extra costs? If yes, what percentage of the extra costs will the aid cover?

.....

2.12. Will aid be paid to compensate for damage caused by the weather event to buildings and equipment? If yes, what percentage of the damage will it cover?

.....

2.13. Please indicate the maximum rate of public aid as a percentage of eligible damage ⁶³:

..... in less-favoured areas ⁶⁴ (max. 90%);

..... in other zones (max. 80%).

2.14. Will aid be paid directly to farmers or in some circumstances to the producer organisations to which those farmers belong? In the latter case, what mechanisms will be used to check that the amount of aid collected by a farmer will not be more than the losses suffered?

.....

⁶³ This rate applies to the amount of aid as calculated according to the method indicated under 2.6 or 2.8, minus any insurance payments and normal costs not faced by the farmer, plus extra costs faced by the farmer as a result of the exceptional event.

⁶⁴ This rate applies to less-favoured areas or the areas referred to in Article 36(a)(i), (ii) and (iii) of Regulation (EC) No 1698/2005.

2.15. From 1 January 2010 will the compensation granted be reduced by 50% if the farmer concerned has not taken insurance covering at least 50% of mean annual production or of income related to production and the statistically most frequent climatic risks in the Member State or region concerned?

☐

yes

☐

no

If no, please note that under point 126 of the Guidelines the Commission will declare aid granted for losses due to adverse weather conditions compatible with Article 87(3)(c) of the Treaty only if all conditions of Article 11 of Regulation (EC) No .../2006 are met and that this condition is explicitly laid down by that Article 11. Please show too that, despite all reasonable efforts, no financially accessible insurance policy covering the statistically most frequent climatic risks in the Member State or region concerned was available at the time the damage was incurred.

2.16 For aid pertaining to drought-related losses incurred after 1 January 2011, has the Member State fully implemented Article 9 of Directive 2000/60/EC of the European Parliament and of the Council⁶⁵ with regard to agriculture:

☐

yes

☐

no

and does it guarantee that all costs for water services in the agricultural sector are recovered from the sector (Article 11(9) of Regulation (EC) No .../2006)?

☐

yes

☐

no

If no, please note that under point 126 of the Guidelines the Commission will declare aid granted for losses due to adverse weather conditions compatible with Article 87(3)(c) of the Treaty only if all conditions of [Article 11 of Regulation (EC) No .../2006] are met and that the above two conditions are explicitly laid down by that Article 11.

⁶⁵ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

PART III.12.O**SUPPLEMENTARY INFORMATION SHEET ON AID FOR COMBATING
ANIMAL AND PLANT DISEASES**

This form must be used by Member States for the notification of any state aid measures designed to compensate for damage to agricultural production or the means of agricultural production as described by point V.B.4 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013⁶⁶.

1. ANIMAL AND PLANT DISEASES

1. What disease is involved?

.....

2. Does this disease appear on the list of animal diseases drawn up by the World Organisation for Animal Health?

☐

yes

☐

no

If the disease has been caused by adverse weather

⁶⁶

OJ C 319, 27.12.2006, p. 1.

3. Please answer the questions in the Information Sheet 'Part III.12.N', providing any relevant information for making the cause-and-effect link between the weather event and the disease.

.....

If the disease has not been caused by adverse weather

4. Is there provision for aid for firms involved in the processing and marketing of agricultural products?

☐

yes

☐

no

If yes, please refer to point 131 of the Guidelines.

5. Has the aid scheme been introduced within three years of the expenses or losses?

☐

yes

☐

no

6. Please indicate the last date until which aid may be granted ⁶⁷.

.....

⁶⁷

Under Article 10(8) of the Exemption Regulation (Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to state aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) No 70/2001, aid must be introduced within three years after the expenses or losses have been incurred. The aid must be disbursed within four years after the expenses or losses have been incurred.

7. Please show that there are Community-level or national legislative, regulatory or administrative provisions empowering the authorities to act against the disease, either by adopting measures to eradicate it (in particular mandatory measures giving entitlement to financial compensation) or by establishing an early-warning system combined, where necessary, with aid to encourage private individuals to participate in prevention schemes on a voluntary basis⁶⁸.
-

8. Tick the applicable purpose of the aid scheme:

- ☐ preventative in that it involves screening measures or analyses, the extermination of pests which may transmit the disease, preventative vaccinations of animals or treatment of crops, and preventative slaughtering of livestock or destruction of crops;
- ☐ compensation, because the infected animals have to be slaughtered or the crops destroyed by order of, or on the recommendation of, the public authorities or because animals die as a result of vaccination or any other measure recommended or ordered by the competent authorities;
- ☐ combined prevention and compensation, because a programme to deal with losses resulting from the disease is subject to the condition that the beneficiaries must make a commitment to take subsequent appropriate preventive measures as ordered by the official authorities.

9. Please show that the aid intended for controlling the disease is compatible with the specific aims and provisions of the European Union's veterinary or plant health legislation.
-

⁶⁸

The programme must contain clear definitions of the diseases and parasitic infections, together with a description of the measures envisaged.

10. Please give a detailed description of the proposed control measures.

.....

11. What will be the costs or losses covered by the aid?

☐ costs of health checks, tests and other screening measures, purchase and administration of vaccines, medicines and plant protection products, slaughter and destruction costs of animals and costs of destruction of crops;

☐ losses caused by animal or plant diseases or by parasite infections;

☐ loss of income caused by the difficulties involved in rebuilding herds or replanting crops, or by any period of quarantine or waiting period ordered or recommended by the competent authorities to enable eradication of the disease before herd rebuilding or crop replanting.

12. Will aid designed to compensate costs of health checks, tests and other screening measures, purchase and administration of vaccines, medicines and plant protection products, slaughter and destruction costs of animals and costs of destruction of crops be granted through subsidised services without involving direct payments to farmers?

☐ yes

☐ no

If no, please refer to Article 10(1)(b) of Commission Regulation (EC) 1857/2006.

13. Is the amount of aid for losses due to animal or plant diseases or parasite infections calculated in relation to:

- a. the market value of animals killed or plants destroyed by the disease or parasite infection or of animals killed or plants destroyed by public order as part of a compulsory public prevention or eradication programme;

☐

yes

☐

no

If no, please refer to Article 10(2)(a)(i) of Commission Regulation (EC) 1857/2006.

- b. income losses due to quarantine obligations and difficulties in restocking or replanting;

☐

yes

☐

no

14. Please indicate the maximum aid intensity as a percentage of eligible costs.

..... % of costs of health checks, tests and other screening measures, purchase and administration of vaccines, medicines and plant protection products, slaughter and destruction costs of animals and costs of destruction of crops (gross aid intensity may not exceed 100%).

..... % of the losses caused by animal or plant diseases (gross aid intensity may not exceed 100%).

15. If aid is envisaged to make good the loss of profit due to any quarantine or waiting period imposed or recommended by the competent authorities to enable the elimination of the disease before the holding is restocked or replanted, or to any difficulties in restocking or replanting, please indicate all elements establishing that there is no risk of over-compensating the profit loss.

16. Has Community aid been envisaged for the same purpose? If yes, indicate the date and references of the Commission decision approving it.
-

17. Will insurance payments be deducted from the amount of aid?

☐ yes

☐ no

18. Will the calculation of the aid take account of costs not incurred because of the disease, which would otherwise have been incurred?

☐ yes

☐ no

2. TSE TESTS

1. Please indicate the maximum aid intensity for TSE TESTS as a percentage of eligible costs. Under Article 16(1) of Commission Regulation (EC) 1857/2006, aid may be granted for up to 100% of real costs incurred. Please note that Community payments regarding TSE TESTS must be included.

.....%

2. Does the measure relate to the obligatory BSE testing of bovine animals slaughtered for human consumption?

☐ yes☐ no

Please note that the obligation to perform screening can be based on Community or national legislation.

3. If yes, does the total direct and indirect aid for these tests exceed EUR 40 per individual test (including Community payments)?

☐ yes☐ no

4. If yes, please refer to the second subparagraph of Article 16(1) of Commission Regulation (EC) 1857/2006.

5. Will the aid be paid directly to farmers?

☐ yes☐ no

If yes, please refer to Article 16(3) of Commission Regulation (EC) 1857/2006.

3. FALLEN STOCK AND SLAUGHTERHOUSE WASTE

1. Is the measure linked with a consistent programme for monitoring and ensuring the safe disposal of all fallen stock in the Member State?

☐ yes☐ no

If no, please refer to Article 16(2) of Commission Regulation (EC) 1857/2006.

2. Is aid for fallen stock and slaughterhouse waste granted to processing and marketing firms?

☐ yes

☐ no

If yes, please refer to point 137(i) of the Guidelines.

3. Will the aid to cover the costs of eliminating slaughterhouse waste produced after these Guidelines came into force?

☐ yes

☐ no

If yes, please refer to point 137(ii) of the Guidelines.

4. Is the aid granted directly to producers?

☐ yes

☐ no

If yes, please refer to Article 16(3) of Commission Regulation (EC) 1857/2006.

5. If no, will aid be paid to firms active downstream from the farmer, providing services linked to the removal and/or destruction of fallen stock?

☐ yes

☐ no

If no, please refer to Article 16(3) of Commission Regulation (EC) 1857/2006.

6. Please indicate the maximum aid intensity as a percentage of eligible costs.

a. % of the costs of removal (max. 100%)

b. % of the costs of destruction (max. 75%)

7. Under Article 16(1)(a) of Commission Regulation (EC) 1857/2006, aid up to an equivalent amount may *alternatively* be granted towards the costs of premiums paid by farmers for insurance covering the costs of removal and destruction of fallen stock. Does the notified measure include this type of payments?

☐ yes

☐ no

8. Under Article 16(1)(b) of Commission Regulation (EC) 1857/2006, Member States may grant aid of up to 100% for costs of removal and destruction of carcasses where the aid is financed through fees or through compulsory contributions destined for the financing of the destruction of such carcasses, provided that such fees or contributions are limited to and directly imposed on the meat sector. Does the notified measure include this type of payments?

☐ yes

☐ no

9. Under Article 16(1)(c) of Commission Regulation (EC) 1857/2006, Member States may grant state aid of up to 100% for the costs of removal and destruction of fallen stock, where there is an obligation to perform TSE tests on the fallen stock concerned. Does such an obligation exist?

☐ yes

☐ no

PART III.12.P**SUPPLEMENTARY INFORMATION SHEET ON AID TOWARDS
THE PAYMENT OF INSURANCE PREMIA**

This form must be used by Member States for the notification of State aid measures which are designed to partially pay insurance premia of primary agricultural producers, as described by point V.B5 of the Community Guidelines for State aid in the agriculture and forestry sector 2007 to 2013 ⁶⁹

1. Does the aid measure foresee payment of insurance premiums in favour of large companies and/or companies active in the processing and marketing of agricultural products?

☐ yes

☐ no

If yes, please note that pursuant to paragraph 142 of the Guidelines the Commission cannot authorise such aid.

2. Please specify which losses will be covered by the insurance for which the premium will be partly financed under the notified aid measure:

☐ Only losses caused by adverse climatic events which can be assimilated to natural disasters, as defined in Article 2 point 8 of Commission Regulation (EC) No XX/2006...⁷⁰

☐ The losses referred to above plus other losses caused by climatic events.

⁶⁹ OJ C 319, 27.12.2006, p. 1.

⁷⁰ Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) 70/2001.

- ☐ Losses caused by animal or plant diseases or pest infestations (whether in combination with other losses mentioned in this point or not).

3. What is the level of aid proposed?

.....

Please note that if only the first case above applies, the maximum aid rate is 80%, in all other cases (i.e. where box two and/or three has been ticked) 50%.

4. Does the aid cover a re-insurance programme?

☐ yes ☐ no

If yes, please provide all necessary information to enable the Commission to check possible aid components at the different levels involved (i.e. at the level of the insurer and/or re-insurer) and the compatibility of the proposed aid with the common market. In particular please submit sufficient information to enable the Commission to check that the final benefit of the aid is passed on to the farmer.

5. Is the possibility of covering the risk linked to only one insurance company or group of companies?

☐ yes ☐ no

6. Is the aid conditional on the insurance contract being concluded with a company established in the Member State concerned?

☐ yes ☐ no

Please note that under Article 12(3) of Commission Regulation (EC) No 1857/2006 the Commission cannot authorise aid towards insurance premiums

which constitute a barrier to the operation of the internal market for insurance services.

PART III.12.Q
SUPPLEMENTARY INFORMATION SHEET FOR AID FOR
CLOSING PRODUCTION, PROCESSING AND MARKETING
CAPACITY

This form must be used for the notification of any state aid schemes designed to promote the abandonment of capacity as described by chapter V.C. of the Community Guidelines for State aid in the agricultural and forestry sector⁷¹.

1. REQUIREMENTS

1.1. Does the planned scheme provide that ,

- the aid must be in the general interest of the sector concerned
- there must be a counterpart on the part of the beneficiary
- the possibility of the aid being for rescue and restructuring must be excluded and that
- there must be no over-compensation of loss of capital value and of future income?

☐ yes ☐ no

⁷¹ OJ C 319, 27.12.2006, p. 1.

If no, please note that according to chapter V.C. of the Guidelines no aid can be granted if those conditions are not fulfilled.

• **“The aid must be in the general interest of the sector concerned”**

1.2. -What is/are the sector(s) covered by the scheme?

.....
.....

1.3. Is/are that/those sector(s) subject to production limits or quotas?

☐ yes ☐ no

If yes, please describe.....

.....

1.4. Can that sector \those sectors be considered to be in excess of capacity either at regional or national level?

☐ yes ☐ no

1.4.1. If yes:

1.4.1.1.- Is the planned aid scheme coherent with any Community arrangements to reduce production capacity?

☐ yes ☐ no

Please describe this arrangements and the measures taken to assure the coherence.....

1.4.1.2.- Is the planned aid scheme part of a programme for the restructuring of the sector which has defined objectives and a specific timetable?

☐ yes ☐ no

If yes, please describe the programme

1.4.1.3- What is the duration of the planned aid scheme?

Please note that according to point 147(b) of the guidelines the Commission can only authorised this type of aid when they provide for a limited duration. The duration of schemes aimed at reducing overcapacity should normally be limited to a period of not more than six months for collecting applications for participation and a further 12 months for actually closing down.

1.4.2. If no, is the capacity being closed for sanitary or environmental reasons?

☐ yes ☐ no

If yes, please describe

1.5. Can it be assured that no aid may be paid which would interfere with the mechanisms of the common organisations of the market (OCM) concerned?

☐ yes ☐ no

If no, please note that according to point 147(e) of the Guidelines any aid interfering with the mechanisms of the OCM concerned cannot be authorised

1.6. Is the aid scheme accessible to all economic operators in the sector concerned on the same conditions and a transparent system of calls for interest is used?

☐

yes

☐

no

If no, please note that according to point 147(k) of the Guidelines, to be authorised by the Commission the aid scheme must assure the respect of this condition.

1.7. Are only enterprises fulfilling compulsory minimum standards eligible for aid?

☐

yes

☐

no

Please note that enterprises are excluded which do not fulfil these standards and which would be obliged to stop production anyway.

1.8. In case of open farmland or orchards: Which measures have been taken in order to avoid erosion or other negative effects on the environment?

.....

1.9. In case of installations covered by Council Directive 96/61⁷²: Which measures have been taken in order to avoid any pollution risk and ensure that the site of operation is returned to a satisfactory state?

.....

• **“There must be a counterpart on the part of the beneficiary”**

1.10. What is the nature of the counterpart required to the beneficiary by the planned scheme?.....

.....

⁷² Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (OJ L 257, 10.10.1996, p. 26).

- 1.11. Does it consist of a definitive and irrevocable decision to scrap or irrevocably close the production capacity concerned?

☐ yes ☐ no

1.11.1 If yes,

- can it be proved that these commitments are legally binding for the beneficiary?

☐ yes ☐ no

Please justify.....

- can it be assured that these commitments must also bind any future purchaser of the facility concerned?

☐ yes ☐ no

Please justify.....

- 1.11.2.- If no, please describe the nature of the counterpart on the part of the beneficiary.....

Please note that according to point 147(g) of the guidelines where the production capacity has already closed definitively, or where such closure appears inevitable, there is no counterpart on the part of the beneficiary, and aid may not be paid.

- **“The possibility of the aid being for rescue and restructuring must be excluded”**

1.12.- Does the planned scheme provides that, when the beneficiary of the aid is in financial difficulty, the aid will be assessed in accordance with the Community guidelines on rescue and restructuring of firms in difficulty⁷³?

☐

yes

☐

no

If no, please note that according to point 147(j) of the Guidelines, the Commission cannot authorise an aid for the abandonment of capacity of a company in difficulties and that the aid must be evaluated under the rescue and/or restructuring aid.

- **“There must be no over-compensation of loss of capital value and of future income”**

1.13. Please specify what is the maximum amount of aid, if any, to be granted per beneficiary?

.....
.....

1.14. Is the amount of aid calculated on the basis of the loss of value of the assets plus an incentive payment which may not exceed 20% of the value of the assets, and eventually, the obligatory social costs resulting from the implementation of the scheme?

☐

yes

☐

no

⁷³ Community guidelines on State aid for rescuing and restructuring firms in difficulty (OJ C 244, 1.10.2004, p. 2).

If no, please note that according to point 147(l) of the Guidelines, the amount of aid should be strictly limited to compensation for those items.

- 1.15. Does the planned aid scheme provides that, where capacity is closed for other reasons than health or environmental, at least 50% of the costs of these aids should be met by a contribution from the sector, either through voluntary contributions or by means of compulsory levies?.

☐

yes

☐

no

If no, please note that according to point 147(m) of the Guidelines, the Commission cannot authorise the aid.

- 1.16 Does the planned scheme provide for the submission of an annual report on the implementation of the scheme?

☐

yes

☐

no

PART III.12.R.
SUPPLEMENTARY INFORMATION SHEET ON AID FOR THE
PROMOTION AND ADVERTISING OF AGRICULTURAL
PRODUCTS

This notification form must be used for State aid for advertising of products listed in Annex I to the EC-Treaty.

Please note that promotion operations as defined as the dissemination to the general public of scientific knowledge, the organisation of trade fairs or exhibitions, participation in these and similar public relations exercises, including surveys and market research, are not considered as advertising. State aid for such promotion in the broader sense is subject to points IV.j and IV.k of the Community guidelines for State aid in the agriculture and forestry sector 2007-2013⁷⁴.

1. ADVERTISING CAMPAIGNS WITHIN THE COMMUNITY

1.1. Where will the measure be carried out?

- ☐ On the market of another Member State
- ☐ On the home market

Who will carry out the advertising campaign ?

- ☐ Producer groups or other organisations, regardless of their size

⁷⁴ OJ C 319, 27.12.2006, p. 1.

☐ Others (please explain) :

...

1.2. Can your authorities submit samples or mock-ups of the advertising material to the Commission?

☐ yes

☐ no

If not, please explain why.

.....

1.3. Please provide an exhaustive list of the eligible expenses.

.....

1.4. Who are the beneficiaries of the aid ?

☐ farmers ;

- ☐ producer groups and/or producer organisations;
- ☐ enterprises active in the processing and marketing of agricultural products;
- ☐ others (please specify)

.....

1.5. Can your authorities give the assurance that all producers of the products concerned are able to benefit from the aid in the same manner?

- ☐ yes ☐ no

1.6 Will the advertising campaign be earmarked for quality products defined as products fulfilling the criteria to be established pursuant to Article 32 of Regulation (EC) No 1698/2005⁷⁵ ?

- ☐ yes ☐ no

1.7. Will the advertising campaign be earmarked for EU-recognized denominations with reference to the origin of the products ?

- ☐ yes ☐ no

⁷⁵ Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1).

1.8. If yes, will the said reference correspond exactly to the references which have been registered by the Community ?

☐ yes ☐ no

1.9. Will the advertising campaign be earmarked for products using a national or regional quality label ?

☐ yes ☐ no

1.10. Does the label make any reference to the national origin of the products concerned?

☐ yes ☐ no

1.11. If yes, demonstrate that the reference to the origin of the products will be subsidiary in the message.

1.12. Is the advertising campaign of generic character and in the benefit of all producers of the type of product concerned ?

☐ yes ☐ no

1.13. If yes, will the advertising campaign be carried out without reference to the origin of the products ?

☐ yes ☐ no

If no, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

1.14. Will the advertising campaign be dedicated directly to the products of particular companies ?

☐ yes ☐ no

If yes, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

1.15. Will the advertising campaign comply with the provisions of article 2 of Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to labelling, presentation and advertising of foodstuffs, as well as, where relevant, with the specific labelling rules laid down for various products (wine, dairy products, eggs and poultry)⁷⁶?

☐ yes ☐ no

If no, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

1.16. The aid rate will be the following :

- ☐ up to 50 % (indicate the exact rate : ... %) because the sector will finance the rest of the campaign itself,
- ☐ up to 100 % (indicate the exact rate : ... %) because the sector will finance the rest of the campaign through parafiscal levies or compulsory contributions,
- ☐ up to 100 % (indicate the exact rate : ... %) because the advertising campaign is generic and in the benefit of all producers of the type of product concerned.

⁷⁶ OJ L 109, 6.5.2000, p. 29.

2. ADVERTISING CAMPAIGNS IN THIRD COUNTRIES

2.1 Is the advertising campaign in line with the principles of Council Regulation (EC) No 2702/1999⁷⁷ ?

☐ yes ☐ no

If no, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

If yes, provide the elements demonstrating the compliance with the principles of Council Regulation (EC) No 2702/1999

2.2. Is the advertising campaign granted towards specific enterprises ?

☐ yes ☐ no

If yes, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

2.3. Does the advertising campaign risk endangering sales of or denigrate products from other Member States ?

☐ yes ☐ no

If yes, please note that under point VI.D of the Guidelines no aid may be granted for such campaigns.

⁷⁷ Council Regulation (EC) No 2702/1999 of 14 December 1999 on measures to provide information on, and to promote, agricultural products in third countries (OJ L 327, 21.12.1999, p. 7)

PART III.12.S**SUPPLEMENTARY INFORMATION SHEET ON AIDS LINKED TO TAX
EXEMPTIONS UNDER DIRECTIVE 2003/96/EC**

This form must be used for the notification of any state aid measure linked to tax exemptions under directive 2003/96/EC⁷⁸.

1. Which measure is envisaged ?

☐ Tax reduction for motor fuels used in primary agricultural production

☐ Tax reduction for energy products and electricity used in primary agricultural production

2. What is the level of the envisaged reduction ?

...

3. Under which article of Council Directive 2003/96/EC do you want to apply this exemption ?

...

4. Will there be any differentiation in the level of exemption within the sector concerned ?

☐ yes

☐ no

5. If the possibility of applying a level of taxation down to zero to energy products and electricity used for agriculture is repealed by the Council, will the exemption envisaged fulfil all the relevant provisions of the directive, without tax differentiation within the sector concerned ?

⁷⁸ Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ L 283, 31.10.2003, p. 51).

☐

yes

☐

no

Please indicate which article(s) of the directive will be applied

...

PART III.12.T
**SUPPLEMENTARY INFORMATION SHEET ON AIDS FOR THE FOREST
SECTOR**

This form must be used for the notification of any state aid measure to support forestry covered by Chapter VII of the Community Guidelines on State aid in the agriculture and forestry sector⁷⁹.

1. OBJECTIVE OF THE MEASURE

- 1.1. Does the measure contribute to maintaining, restoring or improving ecological, protective and recreational functions of forests, biodiversity and a healthy forest ecosystem or does it concern the eligible costs mentioned in points 175-181 in Chapter VII of the Guidelines?

☐

yes

☐

no

If not, please note that only measures concerning at least one of these objectives or eligible costs can be approved under this Chapter.

2. ELIGIBILITY CRITERIA

- 2.1. Does the measure exclude aid to forest based industries or for commercially viable extraction of timber, transportation of timber or for the processing of wood or other forestry resources into products or for energy generation?

☐

yes

☐

no

If not, please note that aid for the above purposes is excluded from the scope of this Chapter. Please refer to other State aid rules for such aid.

⁷⁹ OJ C 319, 27.12.2006, p. 1.

3. TYPE OF AID

- 3.1. Does the measure include aid for planting, felling, thinning and pruning of trees and other vegetation (point VII.C. a)?

☐ yes ☐ no

If yes, please indicate whether the eligible costs concern:

- ☐ planting, felling and pruning in general
- ☐ removal of fallen trees
- ☐ restoring forests damaged by air pollution, animals, storms, floods fire or similar events

If one of the above apply, please describe the measures and confirm that the primary objective of the measure is to maintain and restore forest ecosystem and biodiversity or the traditional landscape and that no aid is granted for felling whose primary purpose is commercially viable extraction of timber or for restocking where the felled trees are replaced by equivalent ones:

.....
.....
.....
.....

- ☐ afforestation to increase forest cover

Please describe the environmental reasons justifying the afforestation to increase forest cover and confirm that no aid will be granted for afforestation with species cultivated in the short term:

.....
.....
.....
.....

- ☐ afforestation to promote biodiversity

Please describe the measure and indicate the areas concerned:

.....
.....
.....
.....

☐ afforestation to create wooded areas for recreational purposes

Are the above wooded areas accessible to the public at no cost for recreational purposes? If not, is access restricted to protect sensitive areas?

.....
.....
.....

☐ afforestation to combat erosion and desertification or to promote a comparable protective function of the forest

Please describe the measures specifying the areas concerned, the protective function envisaged, tree species to be planted and any accompanying and maintenance measures to be undertaken:

.....
.....
.....
.....
.....

☐ other (please explain)

.....
.....

3.2. Does the measure include aid for maintaining and improving soil quality in forests and/or ensuring balanced and healthy tree growth (point VII.C. b)?

☐ yes ☐ no

If yes, please indicate whether the eligible costs concern:

☐ fertilisation

☐ other soil treatments

Please specify the type of fertilisation and/or other soil treatment

.....
.....

☐ reduction of excessive vegetation density

☐ ensuring sufficient water retention and proper drainage

Please confirm that the above measures will not reduce biodiversity, cause nutrient leaching or adversely affect natural water ecosystems or water protection zones and describe how this will be controlled in practice:

.....
.....
.....
.....

- 3.3. Does the measure include aid for preventing, eradicating and treating pests, pest damage and tree diseases or preventing and treating damage done by animals or targeted measures to prevent forest fires (point VII.C. c)?

☐ yes

☐ no

If yes, please indicate whether the eligible costs concern

☐ prevention and treatment of pests and tree diseases and pest damage or prevention and treatment of damage done by animals

Please indicate the pests and diseases or animals in question:

.....
.....
.....
.....

Please describe the prevention and treatment methods and mention any necessary products, appliances and materials. Are biological and mechanical prevention and treatment methods preferred when granting aid? If not, please demonstrate that they are not sufficient to fight the disease or pest in question:

.....
.....
.....
.....
.....
.....

☐ targeted measures to prevent forest fires

Please describe the measures:

.....
.....
.....
.....

Is aid granted to compensate for the value of stock destroyed by animals or on the order of the authorities to fight the disease or pest in question?

☐ yes

☐ no

Please describe how the value of stock will be calculated and confirm that the compensation will be limited to the value thus determined:

.....
.....
.....
.....

3.4. Does the measure include aid for the restoration and maintenance of natural pathways, landscape elements and features and the natural habitat for animals (point VII.C. d)?

☐ yes

☐ no

If yes, please describe the measures:

.....
.....
.....
.....
.....

3.5. Does the measure include aid for constructing, improving and maintaining forest roads and/or visitors' infrastructures (point VII.C. e)?

☐ yes

☐ no

If yes, please describe the measures:

.....
.....
.....
.....
.....

Are the forests and infrastructures used for recreation open to the public at no cost for recreational purposes?

☐ yes

☐ no

If not, is access restricted to protect sensitive areas or to ensure the proper and safe use of the infrastructures? Please describe the restrictions and the reasons for imposing them:

.....
.....
.....
.....

- 3.6. Does the measure include aid for the costs of information materials and activities (point VII.C. f)?

☐ yes

☐ no

If yes, please describe the measures and confirm that the supported actions and materials disseminate general information concerning forests and do not contain references to named products or producers or promote domestic products:

.....
.....
.....
.....
.....

- 3.7. Does the measure include aid for the costs of purchase of forestry land for nature protection purposes (point VII.C.g)?

☐ yes

☐ no

If yes, please describe in detail the nature protection use of the forestry land in question and confirm that this land is entirely and permanently secured for nature protection by means of a statutory or contractual obligation:

.....
.....
.....
.....
.....

- 3.8. Does the measure include aid for the costs of afforestation of agricultural or non-agricultural land, establishment of agro forestry systems on agricultural land, Natura 2000 payments, forest-environment payments, restoring forestry potential and introducing prevention actions as well as non productive investments, pursuant

to Articles 43-49 of Regulation (EC) No 1698/2005⁸⁰ or any replacing legislation?

☐ yes

☐ no

If yes please demonstrate that the measure fulfils the conditions laid down in Articles 43-49 of Regulation (EC) No 1698/2005 or any replacing legislation:

.....
.....
.....
.....
.....

3.9. Does the measure include aid for the additional costs and income foregone due to the use of environmentally friendly forest technology?

☐ yes

☐ no

If yes, please describe in detail the technology used and confirm that it goes beyond the relevant mandatory requirements:

.....
.....
.....
.....
.....

Is the compensation paid on the basis of a voluntary commitment that the forest owner has entered and that satisfies the conditions of Article 47 of Regulation (EC) No 1698/2005 or any replacing legislation?

☐ yes

☐ no

If not, please note that the aid cannot be authorized under Chapter VII of the Guidelines. If yes, describe the commitments:

.....
.....
.....
.....
.....

⁸⁰ Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1.)

⁸¹ OJ C 319, 27.12.2006, p. 1.

- 3.10. Does the measure include aid for the costs of purchase of forestry land (other than forestry land for environmental protection purposes, see point 3.7 above)?

☐ yes

☐ no

If yes, please describe the measure and indicate the aid intensity:

.....
.....
.....
.....
.....

- 3.11. Does the measure include aid for the costs of training, consultancy services, such as, establishment of business plans or forestry management plans, feasibility studies, as well as participation in competitions, exhibitions and fairs?

☐ yes

☐ no

If yes please demonstrate that the measure fulfils the conditions laid down in Article 15 of the Exemption Regulation:

.....
.....
.....
.....
.....

- 3.12. Does the measure include aid for the setting up of forestry associations?

☐ yes

☐ no

If yes please demonstrate that the measure fulfils the conditions laid down in Article 9 of the Exemption Regulation:

.....
.....
.....
.....
.....

- 3.13. Does the measure include aid in favour of vulgarisation of new techniques, such as reasonable small scale pilot projects or demonstration projects?

☐ yes

☐ no

If yes please describe the measures and demonstrate that they fulfil the conditions set out in point 107 of the Guidelines:

.....
.....

.....
.....
.....

4. AMOUNT OF AID

- 4.1. Is the aid for measures indicated under points 3.1-3.7 limited to 100 % of the eligible costs and overcompensation excluded?

☐

yes

☐

no

Please describe how the exclusion of overcompensation will be controlled:

.....
.....
.....

- 4.2. Is the aid for measures indicated under point 3.8 limited to the maximum intensity or amount laid down in Regulation (EC) No 1698/2005 or any replacing legislation?

☐

yes

☐

no

Are the measures indicated under point 3.8 being co-financed under Regulation (EC) No 1698/2005 or any replacing legislation or is such co-financing envisaged or possible?

☐

yes

☐

no

If yes, please describe how any double funding leading to overcompensation will be excluded:

.....
.....
.....

- 4.3. Can the compensation for measures indicated under point 3.9 be granted above the maximum aid rate for aid under Article 47 fixed in the Annex of Regulation (EC) No 1698/2005, but in no case more than the demonstrated additional costs and income foregone?

☐

yes

☐

no

In both cases, please indicate the aid amount and describe how it is calculated. If yes, please describe the specific circumstances and the effect of the measure to the

environment and present calculations showing that the additional amounts of aid are limited to the demonstrated additional costs and/or income foregone:

.....
.....
.....
.....
.....

- 4.4. Is the aid for the measures indicated under point 3.10 is limited to the maximum aid intensity laid down in Article 4 of the Exemption Regulation for the purchase of agricultural land?

☐ yes

☐ no

Please describe how the exclusion of overcompensation will be controlled:

.....
.....
.....

- 4.5. Is the aid for measures indicated under points 3.11-3.13 limited to the maximum aid intensity laid down in the applicable rules of the Exemption Regulation or the Guidelines?

☐ yes

☐ no

Please describe how the exclusion of overcompensation will be controlled:

.....
.....
.....

COMMISSION REGULATION (EC) No 1936/2006**of 20 December 2006**

amending Regulation (EC) No 701/2003 laying down detailed rules for the application of Council Regulation (EC) No 2286/2002 as regards the arrangements applicable to imports of certain poultrymeat and egg products originating in the African, Caribbean and Pacific States (ACP States)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat¹, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs², and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EC) No 1706/98³, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EC) No 701/2003⁴ lays down detailed rules as regards the arrangements applicable to imports of certain poultrymeat and egg products originating in the African, Caribbean and Pacific States (ACP States).
- (2) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences⁵ applies to import licences for the import tariff quota periods from 1 January 2007. Regulation (EC) No 1301/2006 lays down in particular rules on applications for import licences, the status of applicants and the issue of licences. It limits the validity of the licences to the final day of the tariff quota period. Regulation (EC) No 1301/2006 must apply to import licences issued under Regulation (EC) No 701/2003, save as otherwise provided for in that Regulation. It is therefore

¹ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006 (OJ L 119, 4.5.2006, p. 1).

² OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 679/2006.

³ OJ L 348, 21.12.2000, p. 5.

⁴ OJ L 99, 17.4.2003, p. 32. Regulation as amended by Regulation (EC) No 2170/2003 (OJ L 326, 13.12.2003, p. 4).

⁵ OJ L 238, 1.9.2006, p. 13.

necessary to bring Regulation (EC) No 701/2003 into line with Regulation (EC) No 1301/2006, where appropriate.

- (3) In view of the accession of Bulgaria and Romania to the European Union on 1 January 2007, provision must be made to add entries on the licence applications and the licences themselves in Bulgarian and Romanian.
- (4) Regulation (EC) No 701/2003 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 701/2003 is hereby amended as follows:

1. Articles 1, 2, 3, 4, 5 and 6 are replaced by the following:

“Article 1

1. This Regulation lays down detailed rules for applying the import tariff quotas on the products falling within the CN codes listed in Annex I hereto, opened by Regulation (EC) No 2286/2002.
2. Commission Regulations (EC) Nos 1291/2000⁶ and 1301/2006 shall apply, save as otherwise provided for in this Regulation.
3. The quantity of products benefiting from the arrangements referred to in paragraph 1 and the rate of the reduction in the customs duty are fixed in Annex I hereto.

Article 2

The quantity fixed for each quota shall be divided into two subperiods, as follows:

- 50% from 1 January to 30 June,
- 50% from 1 July to 31 December.

Article 3

1. For the purposes of Article 5 of Regulation (EC) No 1301/2006, applicants for import licences must supply proof, when making their first application for a

⁶ OJ L 152, 24.6.2000, p. 1.

given tariff quota period, that they have imported or exported at least 50 tonnes of products falling under Regulation (EEC) No 2777/75 in each of the two periods referred to in that Article 5.

2. Licence applications may involve several products covered by different CN codes. In such cases, all the CN codes shall be indicated in section 16 and their description in section 15 of licence applications and licences.

Applications must be for a minimum of 10 tonnes and a maximum of 10% of the quantity available in the subperiod in question.

Article 4

1. Section 8 of the licence application and the licence shall indicate the country of origin and “yes” shall be marked with a cross.
2. Section 20 of the licence application and the licence shall contain one of the references appearing in Annex II.A.
3. Section 24 of the licence shall contain one of the references appearing in Annex II.B.

Article 5

1. Licence applications may be lodged only in the first seven days of the month preceding each period referred to in Article 2.

However, for the period from 1 January to 30 June 2007, licence applications shall be lodged during the first fifteen days of January 2007.

2. Not later than the fifth working day following the end of the period for submission of applications, the Member States shall notify the Commission of the total quantities, in kilograms, applied for in respect of each quota.
3. Licences shall be issued as soon as possible after the Commission has taken a decision.
4. The Member States shall communicate to the Commission, before the end of the fourth month following each annual period, the quantities (expressed in kilograms) under each quota actually put into free circulation under this Regulation in the period concerned.

Article 6

1. Import licences shall be valid for 180 days from the actual day of issue under Article 23(2) of Regulation (EC) No 1291/2000.

2. Notwithstanding Article 9(1) of Regulation (EC) No 1291/2000, the transfer of rights deriving from licences or certificates shall be limited to holders who meet the eligibility criteria laid down in Article 5 of Regulation (EC) No 1301/2006 and Article 3(1) of this Regulation.”
2. Article 9 is deleted.
3. Annex II is replaced by the text set out in the Annex to this Regulation.
4. Annexes III and IV are deleted.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 December 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX
“ANNEX II

A. Entries referred to in Article 4(2):

in Bulgarian: Продукт АКTB - Регламент (EO) № 701/2003.

in Spanish: Producto ACP - Reglamento (CE) nº 701/2003.

in Czech: Produkt AKT - Nařízení (ES) č.701/2003.

in Danish: AVS-produkt - Forordning (EF) nr. 701/2003.

in German: AKP-Erzeugnis - Verordnung (EG) Nr. 701/2003.

in Estonian: AKV-toode - Määruse (EÜ) nr. 701/2003.

in Greek: Προϊόν ΑΚΕ - Κανονισμού (ΕΚ) αριθ. 701/2003. .

in English: ACP product - Regulation (EC) No 701/2003.

in French: Produit ACP - Règlement (CE) nº. 701/2003.

in Italian: Prodotto ACP - Regolamento (CE) n.701/2003.

in Latvian: ĀKK valstu produkts - Regulas (EK) Nr. 701/2003.

in Lithuanian: AKR produktas - Reglamento (EB) Nr. 701/2003.

in Hungarian: AKCS-termék - 701/2003/EK Rendelet.

in Maltese: Prodott ta' l-ACP -Ir-Regolament (KE) Nru. 701/2003.

in Dutch: ACS-product - Verordening (EG) nr. 701/2003.

in Polish: Produkt AKP - Rozporządzenia(WE) nr.701/2003.

in Portuguese: Proiduto ACP - Regulamento (CE) n.º 701/2003.

in Romanian: Produs ACP - Regulamentul (CE) nr. 701/2003.

in Slovak: Produkt AKT - Nariadenie (ES) č. 701/2003.

in Slovenian: Proizvod AKP - Uredba (CE) št. 701/2003.

in Finnish: AKT-tuote - Asetus (EY) N:o. 701/2003.

in Swedish: AVS-produkt - Förordning (EG) nr. 701/2003.

B. Entries referred to in Article 4(3):

in Bulgarian: намаляване на общата митническа тарифа съгласно предвиденото в Регламент (ЕО) №701/2003.

in Spanish: reducción del derecho de aduana prevista en el Reglamento (CE) nº 701/2003.

in Czech: snížení celní sazby podle nařízení (ES) č. 701/2003.

in Danish: toldnedsættelse som fastsat i forordning (EF) nr. 701/2003.

in German: Ermäßigung des Zollsatzes gemäß der Verordnung (EG) Nr. 701/2003.

in Estonian: ühise tollitariifistiku maksumäära alandamine vastavalt määrusele (EÜ) nr 701/2003.

in Greek: Μείωση του δασμού, όπως προβλέπεται στον κανονισμό (ΕΚ) αριθ. 701/2003.

in English: Reduction of the customs duty as provided for in Regulation (EC) No 701/2003.

in French: réduction du droit de douane comme prévu au règlement (CE) nº 701/2003.

in Italian: riduzione del dazio doganale a norma del regolamento (CE) n. 701/2003.

in Latvian: Regulā (EK) Nr. 701/2003 paredzētais muitas nodokļa samazinājums .

in Lithuanian: Reglamente (EB) Nr. 701/2003 numatytas muito sumažinimas .

in Hungarian: a közös vámtarifában szereplő vámtétel csökkentése a 701/2003/EK rendelet szerint .

in Maltese: tnaqqis tad-dritt doganali komuni kif jipprovd i-Regolament (KE) Nru 701/2003.

in Dutch: verlaging van het douanerecht overeenkomstig Verordening (EG) nr. 701/2003.

in Polish: Cła WTC obniżone jak przewidziano w rozporządzeniu (WE) nr 701/2003.

in Portuguese: Redução do direito aduaneiro como previsto no Regulamento (CE) n.º 701/2003.

in Romanian: reducerea tarifului vamal comun astfel cum este prevăzut de Regulamentul (CE) nr. 701/2003.

in Slovak: zníženie colnej sadzby v súlade s nariadením (ES) č. 701/2003.

in Slovenian: zníženie colnej sadzby v súlade s nariadením (ES) č. 701/2003.

in Finnish: Asetuksessa (EY) N:o 701/2003 säädetty yhteisen tullitariffin alen.

in Swedish: nedsättning av tullsatsen i enlighet med förordning (EG) nr 701/2003.”

COMMISSION REGULATION (EC) No 1937/2006**of 20 December 2006**

amending Regulation (EC) No 2497/96 laying down procedures for applying in the poultrymeat sector the arrangements provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat¹, and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 2398/96 of 12 December 1996 opening a tariff quota for turkey meat originating in and coming from Israel as provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel²,

Whereas:

- (1) Commission Regulation (EC) No 2497/96³ lays down procedures for applying in the poultrymeat sector the arrangements provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel.
- (2) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences⁴ applies to import licences for the tariff quota periods commencing from 1 January 2007. Regulation (EC) No 1301/2006 lays down in particular detailed rules for applications for import licences, the status of applicants and the issue of licences. The Regulation limits the validity of licences to the final day of the tariff quota period. The provisions of Regulation (EC) No 1301/2006 should apply to import licences issued under Regulation (EC) No 2497/96, unless otherwise provided for in that Regulation. The provisions of Regulation (EC) No 2497/96 must therefore be aligned on Regulation (EC) No 1301/2006 where necessary.
- (3) In view of the accession of Bulgaria and Romania to the European Union on 1 January 2007, there should be provision for entries in Bulgarian and Romanian on the applications and licences.

¹ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006.

² OJ L 327, 18.12.1996, p. 7.

³ OJ L 338, 28.12.1996, p. 48.

⁴ OJ L 238, 1.9. 2006, p. 13.

- (4) Regulation (EC) No 2497/96 should therefore be amended.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2497/96 is amended as follows:

1. Articles 1, 2, 3, 4 and 5 are replaced by the following:

“Article 1

1. This Regulation lays down detailed rules for the application of the tariff quotas for the import of products under the CN codes in Annex I opened by Regulation (EC) No 2398/96.
2. Commission Regulations (EC) Nos 1291/2000⁵ and 1301/2006 shall apply, except as otherwise provided for in this Regulation.
3. The quantity of products covered by the arrangements referred to in paragraph 1 and the rate of reduction in customs duty shall be as laid down in Annex I.

Article 2

The quantity fixed for each group shall be divided as follows into four subperiods:

- 25% from 1 January to 31 March,
- 25% from 1 April to 30 June,
- 25% from 1 July to 30 September,
- 25% from 1 October to 31 December.

Article 3

1. For the application of Article 5 of Regulation (EC) No 1301/2006, applicants for import licences must prove, when submitting the first application for a given tariff quota period, that they imported or exported not less than 50 tonnes of products referred to in Regulation (EEC) No 2777/75 in each of the two periods referred to in the said Article 5.
2. Licence applications may refer to only one of the groups defined in Annex I to this Regulation; they may relate to several products under different CN codes. If they do, all the CN codes and their designations must be entered in sections 16 and 15 respectively of the licence application and the licence.

⁵ OJ L 152, 24.6.2000, p. 1.

Licence applications must relate to a minimum of 10 tonnes and to a maximum of 10% of the quantity available for the group and subperiod concerned of the import tariff quota.

3. In Section 8 of licence applications and licences, the country of origin shall be indicated and “Yes” shall be marked with a cross.

4. Section 20 of licence applications and licences shall contain one of the entries given in Annex II, Part A.

5. Section 24 of the licence shall contain one of the entries given in Annex II, Part B.

Article 4

1. Licence applications shall be lodged during the first seven days of the month preceding each subperiod of the import tariff quota referred to in Article 2.

However, for the subperiod between 1 January and 31 March 2007, licence applications must be lodged during the first fifteen days of January 2007.

2. A security of EUR 20 per 100 kilograms shall be lodged for import licence applications for all products referred to in Article 1.

3. Member States shall notify the Commission, by the fifth working day following the end of the period for lodging applications, of the total quantities in kilograms requested, broken down by group.

4. Licences shall be issued as quickly as possible after the Commission has taken a decision.

5. Member States shall notify the Commission, before the end of the fourth month following each annual period, of the quantities in kilograms actually released for free circulation under this Regulation during the period concerned, broken down by group.

Article 5

Import licences shall be valid for 150 days from the date of actual issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000.

Without prejudice to Article 9(1) of Regulation (EC) No 1291/2000, the rights deriving from the licences may be transferred only to transferees satisfying the eligibility conditions defined in Article 5 of Regulation (EC) No 1301/2006 and Article 3(1) of this Regulation.”

2. Article 6 is deleted.

3. Annex II is replaced by the Annex hereto.

4. Annexes III and IV are deleted.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 December 2006.

For the Commission

[Mariann FISCHER BOEL](#)

Member of the Commission

ANNEX
“ANNEX II

A-Entries referred to in Article 3(4):

In Bulgarian: Регламент (ЕО) № 2497/96.

In Spanish: Reglamento (CE) nº 2497/96.

In Czech: Nařízení (ES) č. 2497/96.

In Danish: Forordning (EF) nr. 2497/96.

In German: Verordnung (EG) Nr. 2497/96.

In Estonian: Määruse (EÜ) nr 2497/96.

In Greek: Κανονισμού (ΕΚ) αριθ. 2497/96.

In English: Regulation (EC) No 2497/96.

In French: Règlement (CE) nº2497/96.

In Italian: Regolamento (CE) n. 2497/96.

In Latvian: Regulas (EK) Nr. 2497/96.

In Lithuanian: Reglamento (EB) Nr. 2497/96.

In Hungarian: 2497/96/EK Rendelet.

In Maltese: Regolament (KE) Nru 2497/96.

In Dutch: Verordening (EG) nr. 2497/96.

In Polish: Rozporządzenia (WE) nr 2497/96.

In Portuguese: Regulamento (CE) n.º2497/96.

In Romanian: Regulamentul (CE) nr.2497/96.

In Slovak: Nariadenie (ES) č. 2497/96.

In Slovenian: Uredbe (CE) št. 2497/96.

In Finnish: Asetus (EY) N:o2497/96.

In Swedish: Förordning (EG) nr 2497/96.

ANNEX II***B-Entries referred to in Article 3(5):***

In Bulgarian: намаляване на общата митническа тарифа съгласно предвиденото в Регламент (ЕО) № 2497/96.

In Spanish: reducción del arancel aduanero común prevista en el Reglamento (CE) nº 2497/96.

In Czech: snížení společné celní sazby tak, jak je stanoveno v nařízení (ES) č. 2497/96.

In Danish: toldnedsættelse som fastsat i forordning (EF) nr. 2497/96.

In German: Ermäßigung des Zollsatzes nach dem GZT gemäß Verordnung (EG) Nr. 2497/96.

In Estonian: ühise tollitariifistiku maksumäära alandamine vastavalt määrusele (EÜ) nr 2497/96.

In Greek: Μείωση του δασμού του κοινού δασμολογίου, όπως προβλέπεται στον κανονισμό (ΕΚ) αριθ. 2497/96.

In English: reduction of the common customs tariff pursuant to Regulation (EC) No 2497/96.

In French: réduction du tarif douanier commun comme prévu au règlement (CE) nº 2497/96.

In Italian: riduzione del dazio della tariffa doganale comune a norma del regolamento (CE) n. 2497/96.

In Latvian: Regulā (EK) Nr. 2497/96 paredzētais vienotā muitas tarifa samazinājums.

In Lithuanian: bendrojo muito tarifo muito sumažinimai, nustatyti Reglamente (EB) Nr. 2497/96.

In Hungarian: a közös vámtarifában szereplő vámtétel csökkentése a 2497/96/EK rendelet szerint.

In Maltese: tnaqqis tat-tariffa doganali komuni kif jipprovdi r-Regolament (KE) Nru 2497/96.

In Dutch: Verlaging van het gemeenschappelijke douanetarief overeenkomstig Verordening (EG) nr. 2497/96.

In Polish: Cła WTC obniżone jak przewidziano w rozporządzeniu (WE) nr 2497/96.

In Portuguese: redução da Pauta Aduaneira Comum como previsto no Regulamento (CE) n.º 2497/96.

In Romanian: reducerea tarifului vamal comun astfel cum este prevăzut de Regulamentul (CE) nr. 2497/96.

In Slovak: Zníženie spoločnej colnej sadzby, ako sa ustanovuje v nariadení (ES) č. 2497/96.

In Slovenian: znižanje skupne carinske tarife v skladu z Uredbo (ES) št. 2497/96.

In Finnish: Asetuksessa (EY) N:o 2497/96 säädetty yhteisen tullitariffin alennus.

In Swedish: nedsättning av den gemensamma tulltaxan i enlighet med förordning (EG) nr 2497/96.

COMMISSION REGULATION (EC) No 1938/2006**of 20 December 2006**

amending Regulation (EC) No 1431/94 laying down detailed rules for the application of Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat¹, and in particular Article 6(1) thereof,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues², and in particular Article 7 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1431/94 lays down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products³.
- (2) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences⁴ applies to import licences for periods of import tariff quotas beginning on 1 January 2007. Regulation (EC) No 1301/2006 lays down in particular detailed rules for applications for import licences, the status of applicants and the issue of licenses. The Regulation limits the validity of licences to the final day of the tariff quota period. The provisions of Regulation (EC) No 1301/2006 must apply to import licences issued under Regulation (EC) No 1431/1994, unless otherwise provided for in that Regulation. The provisions of Regulation (EC) No 1431/94 must therefore be aligned on Regulation (EC) No 1301/2006 where necessary.

¹ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006.

² OJ L 91, 8.4.1994, p. 1. Regulation as amended by Commission Regulation (EC) No 2198/95 (OJ L 221, 19.9.1995, p. 3).

³ OJ L 156, 23.6.1994, p. 9. Regulation as last amended by Regulation (EC) No 1255/2006 (OJ L 228, 22.8.2006, p. 3).

⁴ OJ L 238, 1.9.2006, p. 13.

- (3) In view of the accession of Bulgaria and Romania to the European Union on 1 January 2007, entries in Bulgarian and Romanian must be added to applications and licences.
- (4) Regulation (EC) No 1431/94 should therefore be amended accordingly.
- (5) The Management Committee for Poultrymeat and Eggs has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1431/94 is amended as follows:

1. Articles 1, 2, 3, 4, 5 and 6 are replaced by the following:

"Article 1

- 1. This Regulation lays down detailed rules for the application of tariff quotas for importing products under the CN codes referred to in Annex I, opened by Regulation (EC) No 774/94.
- 2. The provisions of Regulation (EC) Nos 1291/2000 and 1301/2006 shall apply, except where otherwise provided for in this Regulation.
- 3. The quantity of products covered by the arrangements referred to in paragraph 1 and the reduction rate of the customs duty shall be as laid down in Annex I.

Article 2

The quantity fixed for each group shall be divided among the following four quarters:

- 25% from 1 January to 31 March,
- 25% from 1 April to 30 June,
- 25% from 1 July to 30 September,
- 25% from 1 October to 31 December.

Article 3

1. For the application of Article 5 of Regulation (EC) No 1301/2006, applicants for import licences must prove, when submitting the first application for a given tariff quota period, that they imported or exported not less than 50 tonnes of products referred to in Regulation (EEC) No 2777/75 in each of the two periods referred to in the said Article 5.

2. Licence applications must not involve more than one of the groups referred to in Annex I to this Regulation, but may involve several products covered by different CN codes. In such cases, all the CN codes shall be indicated in box 16 and their description in box 15 of licence applications and licences.

The application must be for a minimum of 10 tonnes and a maximum of 10% of the quantity available for the group concerned during the quarter in question.

3. The country of origin shall be entered in box 8 of the licence application and the licence, and the word "yes" shall be marked with a cross, except for groups 3, 5 and 6.

4. Box 20 of the licence application and the licence shall contain one of the entries given in Annex II, Part A.

5. Box 24 of the licence shall contain one of the entries given in Annex II, Part B.

6. For group 3 products, box 24 of the licence shall contain one of the entries given in Annex II, Part C.

7. For group 5 products, box 24 of the licence shall contain one of the entries given in Annex II, Part D.

Article 4

1. Licence applications may be lodged only in the first seven days of the month preceding each quarter referred to in Article 2.

However, for the period from 1 January to 31 March 2007, licence applications shall be lodged during the first fifteen days of January 2007.

2. Licence applications must be accompanied by a supply contract specifying that the poultry supplies requested are available for delivery within the European Union during the quota period from the origin and for the quantity requested.

This paragraph shall apply only to group 1, 2 and 4 products.

3. By way of derogation from Article 6(1) of Regulation (EC) No 1301/2006, in the case of groups 3, 5 and 6, each applicant may lodge more than one application for import licences for products in one group where such products originate in more than one country. Separate applications for each country of origin must be submitted simultaneously to the competent authority of a Member State. They shall be considered, as regards the maximum referred to in Article 3(2), as a single application.

4. Member States shall notify the Commission, by the fifth working day following the end of the period for submitting applications, of the total quantities in kilograms requested, broken down by group and origin.

5. Licences shall be issued as soon as possible after the Commission has taken a decision.

6. Member States shall notify the Commission, by the end of the fourth month following each annual period, of the quantities in kilograms actually released for free circulation under this Regulation during the period concerned, broken down by group and origin.

Article 5

Import licences shall be valid for 150 days from the actual day of issue within the meaning of Article 23(2) of Regulation (EC) No 1291/2000.

Without prejudice to Article 9(1) of Regulation (EC) No 1291/2000, the rights deriving from the licences may be transferred only to transferees satisfying the eligibility conditions defined in Article 5 of Regulation (EC) No 1301/2006 and Article 3(1) of this Regulation.

Article 6

A security of EUR 50 per 100 kilograms shall be lodged for applications for import licences for any product indicated in Article 1."

2. Article 7 is deleted.

3. Annex II is replaced by the Annex hereto.

4. Annexes III and IV are deleted.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 December 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX
"Annex II

A - Entries referred to in Article 3(4):

In Bulgarian: Регламент (ЕО) № 1431/94.

In Spanish: Reglamento (CE) n° 1431/94.

In Czech: Nařízení (ES) č. 1431/94.

In Danish: Forordning (EF) nr. 1431/94.

In German: Verordnung (EG) Nr. 1431/94.

In Estonian: Määrus (EÜ) nr 1431/94.

In Greek: Κανονισμός (ΕΚ) αριθ. 1431/94.

In English: Regulation (EC) No 1431/94.

In French: Règlement (CE) n° 1431/94.

In Italian: Regolamento (CE) n. 1431/94.

In Latvian: Regula (EK) Nr. 1431/94.

In Lithuanian: Reglamentas (EB) Nr. 1431/94.

In Hungarian: 1431/94/EK Rendelet.

In Maltese: Ir-Regolament (KE) Nru 1431/94.

In Dutch: Verordening (EG) nr. 1431/94.

In Polish: Rozporządzenie (WE) nr 1431/94.

In Portuguese: Regulamento (CE) n° 1431/94.

In Romanian: Regulament (CE) nr. 1431/94.

In Slovak: Nariadenie (ES) č. 1431/94.

In Slovenian: Uredba (ES) št. 1431/94.

In Finnish: Asetus (EY) N:o 1431/94.

In Swedish: Förordning (EG) nr 1431/94.

ANNEX II***B - Entries referred to in Article 3(5):***

In Bulgarian: фиксиран на 0 % в съответствие с Регламент (ЕО) № 1431/94.

In Spanish: exacción reguladora del 0 % en aplicación del Reglamento (CE) nº 1431/94.

In Czech: dávka stanovená na 0% v souladu s nařízením (ES) č. 1431/94.

In Danish: importafgift fastsat til 0 % i henhold til forordning (EF) nr. 1431/94.

In German: Gemäß der Verordnung (EG) Nr. 1431/94 auf 0 v.H. festgesetzte Abschöpfung

In Estonian: 0%line maks kehtestatud vastavalt määrusele (EÜ) nr 1431/94.

In Greek : Εισφορά καθοριζόμενη σε 0 % κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1431/94.

In English: Levy fixed at 0% pursuant to Regulation (EC) No 1431/94.

In French: prélèvement fixé à 0% en application du règlement (CE) nº 1431/94.

In Italian: prelievo fissato allo 0% in applicazione del regolamento (CE) n. 1431/94.

In Latvian: piemērojot Regulu (EK) Nr. 1431/94, ir noteikts 0 % ieturējums

In Lithuanian: nulinis mokestis nustatytas pagal Reglamentą (EB) Nr. 1431/94.

In Hungarian: 0 %-os lefölözés a 1431/94/EK rendelet szerint

In Maltese: hlas stabbilit fil-livell ta' 0% b'applikazzjoni tar-Regolament (KE) Nru 1431/94

In Dutch: heffing 0 % op grond van Verordening (EG) nr. 1431/94.

In Polish: opłata według stawki 0 % zgodnie z rozporządzeniem (WE) nr 1431/94.

In Portuguese: taxa fixada em 0%, em aplicação do Regulamento (CE) n.º 1431/94.

In Romanian: taxă stabilită la 0 % în aplicarea Regulamentului (CE) nr. 1431/94

In Slovak: Poplatok stanovený na 0 % podľa nariadenia (ES) č. 1431/94.

In Slovenian: prelevman, določen na 0 % v skladu z Uredbo (ES) št. 1431/94.

In Finnish: Maksu vahvistettu 0 prosentiksi asetuksen (EY) N:o 1431/94 mukaisesti.

In Swedish: Avgiften fastställd till 0 % i enlighet med förordning (EG) nr 1431/94.

ANNEX II***C - Entries referred to in Article 3(6):***

In Bulgarian: Не следва да се използва за продукти с произход от Бразилия и Тайланд в съответствие с Регламент (ЕО) № 1514/97.

In Spanish: No puede utilizarse para productos originarios de Brasil o Tailandia en aplicación del Reglamento (CE) nº 1514/97.

In Czech: Nepoužije se u produktů pocházejících z Brazílie a Thajska v souladu s nařízením (ES) č. 1514/97.

In Danish : Kan ikke anvendes for produkter med oprindelse i Brasilien og Thailand i henhold til forordning (EF) nr. 1514/97.

In German: Gemäß der Verordnung (EG) Nr. 1514/97 nicht verwendbar für Erzeugnisse mit Ursprung in Brasilien und Thailand.

In Estonian: Ei ole kasutatav Brasiilia ja Tai päritolu toodete puhul vastavalt määrusele (EÜ) nr 1514/97.

In Greek: Δεν μπορεί να χρησιμοποιηθεί για τα προϊόντα καταγωγής Βραζιλίας και Ταϊλάνδης κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ.1514/97.

In English: Not to be used for products originating in Brazil or Thailand pursuant to Regulation (EC) No 1514/97.

In French: N'est pas utilisable pour des produits originaires du Brésil et de Thaïlande en application du règlement (CE) nº 1514/97.

In Italian: da non utilizzare per prodotti originari del Brasile e della Tailandia in applicazione del regolamento (CE) n. 1514/97.

In Latvian: Piemērojot Regulu (EK) Nr. 1514/97, neizmanto Brazīlijas un Taizemes izcelsmes produktiem.

In Lithuanian: Nenaudojama produktams, kurių kilmės šalys yra Brazilija ir Tailandas, taikant Reglamentą (EB) Nr. 1514/97.

In Hungarian: Nem alkalmazandó a Brazíliából és Thaiföldről származó termékekre az 1514/97/EK rendelet alapján.

In Maltese: Ma jistax jintuza għall-prodotti ta' orġini mill-Brazil u mit-Tajlandja, b'applikazzjoni tar-Regolament (KE) Nru 1514/97.

In Dutch: Mag niet worden gebruikt voor producten van oorspong uit Brazilië en Thailand overeenkomstig Verordening (EG) nr. 1514/97.

In Polish: Nie stosuje się w przypadku produktów pochodzących z Brazylii i Tajlandii zgodnie z rozporządzeniem (WE) nr 1514/97.

In Portuguese: Não utilizável para produtos originários do Brasil e da Tailândia, em aplicação do Regulamento (CE) n.º 1514/97.

In Romanian: Nu se utilizează pentru produsele originare din Brazilia și Tailanda în aplicarea Regulamentului (CE) nr. 1514/97.

In Slovak: Podľa nariadenia (ES) č. 1514/97 nepoužívať pre výrobky pochádzajúce z Brazílie a z Thajska.

In Slovenian: V skladu z Uredbo (ES) št. 1514/97 se ne uporablja za proizvode s poreklom iz Brazilije in Tajske.

In Finnish: Ei voimassa Brasiliasta ja Thaimaasta peräisin olevien tuotteiden osalta asetuksen (EY) N:o 1514/97 mukaisesti.

In Swedish: Får inte användas för produkter med ursprung i Brasilien och Thailand i enlighet med förordning (EG) nr 1514/97.

ANNEX II***D - Entries referred to in Article 3(7):***

In Bulgarian: Не следва да се използва за продукти с произход от Бразилия в съответствие с Регламент (ЕО) № 1514/97.

In Spanish: No puede utilizarse para productos originarios de Brasil en aplicación del Reglamento (CE) nº 1514/97.

In Czech: Nepoužije se u produktů pocházejících z Brazílie v souladu s nařízením (ES) č. 1514/97.

In Danish: Kan ikke anvendes for produkter med oprindelse i Brasilien i henhold til forordning (EF) nr. 1514/97.

In German: Gemäß der Verordnung (EG) Nr. 1514/97 nicht verwendbar für Erzeugnisse mit Ursprung in Brasilien..

In Estonian: Ei ole kasutatav Brasiilia päritolu toodete puhul vastavalt määrusele (EÜ) nr 1514/97.

In Greek: Δεν μπορεί να χρησιμοποιηθεί για τα προϊόντα καταγωγής Βραζιλίας κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1514/97.

In English: Not to be used for products originating in Brazil pursuant to Regulation (EC) No 1514/97.

In French: N'est pas utilisable pour des produits originaires du Brésil en application du règlement (CE) nº 1514/97.

In Italian: da non utilizzare per prodotti originari del Brasile in applicazione del regolamento (CE) n. 1514/97.

In Latvian: Piemērojot Regulu (EK) Nr. 1514/97, neizmanto Brazīlijas izcelsmes produktiem.

In Lithuanian: Nenaudojama produktams, kurių kilmės šalys yra Brazilija, taikant Reglamentą (EB) Nr. 1514/97.

In Hungarian: Nem alkalmazandó a Brazíliából származó termékekre az 1514/97/EK rendelet alapján.

In Maltese: Ma jistax jintuża għall-prodotti ta' orġini mill-Brażil, b'applikazzjoni tar-Regolament (KE) Nru 1514/97.

In Dutch: Mag niet worden gebruikt voor producten van oorspong uit Brazilië overeenkomstig Verordening (EG) nr. 1514/97.

In Polish: Nie stosuje się w przypadku produktów pochodzących z Brazylii zgodnie z rozporządzeniem (WE) nr 1514/97.

In Portuguese: Não utilizável para produtos originários do Brasil, em aplicação do Regulamento (CE) n.º 1514/97.

In Romanian: Nu se utilizează pentru produsele originare din Brazilia în aplicarea Regulamentului (CE) nr. 1514/97.

In Slovak: Podľa nariadenia (ES) č. 1514/97 nepoužívať pre výrobky pochádzajúce z Brazílie.

In Slovenian: V skladu z Uredbo (ES) št. 1514/97 se ne uporablja za proizvode s poreklom iz Brazilije.

In Finnish: Ei voimassa Brasiliasta peräisin olevien tuotteiden osalta asetuksen (EY) N:o 1514/97 mukaisesti.

In Swedish: Får inte användas för produkter med ursprung i Brasilien i enlighet med förordning (EG) nr 1514/97."

COMMISSION REGULATION (EC) No 1939/2006**of 21 December 2006****amending Regulation (EC) No 462/2003 laying down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the ACP States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organisation of the market in pigmeat¹, and in particular Article 22 thereof,

Having regard to Council Regulation (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EC) No 1706/98², and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EC) No 462/2003³ lays down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the ACP States.
- (2) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences⁴ applies to import licences for import tariff quota periods starting from 1 January 2007. Regulation (EC) No 1301/2006 lays down in particular rules on applications for import licences, the status of applicants and the issue of licences and limits the validity of the licences to the final day of the tariff quota period. Regulation (EC) No 1301/2006 must apply to import licences issued under Regulation (EC) No 462/2003, save as otherwise provided for in that Regulation. It is therefore necessary to bring Regulation (EC) No 462/2003 into line with Regulation (EC) No 1301/2006, where appropriate.

¹ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

² OJ L 348, 21.12.2002, p. 5.

³ OJ L 70, 14.3.2003, p. 8. Regulation as amended by Regulation (EC) No 1711/2006 (OJ L 321, 21.11.2006, p. 5).

⁴ OJ L 238, 1.9.2006, p. 13.

- (3) In view of the accession of Bulgaria and Romania to the European Union on 1 January 2007, provision must be made to add entries on the licence applications and the licences themselves in Bulgarian and Romanian.
- (4) Regulation (EC) No 462/2003 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 462/2003 is hereby amended as follows:

1. Articles 1, 2, 3, 4, 5 and 6 are replaced by the following:

“Article 1

1. All imports into the Community within the framework of Regulation (EC) No 2286/2002 of products covered by CN codes listed in Annex I to this Regulation shall qualify for reduced customs duties on presentation of an import licence.
2. Commission Regulations (EC) Nos 1291/2000⁵ and 1301/2006 shall apply, save as otherwise provided for in this Regulation.
3. The quantity of products benefiting from the above arrangements and the rate of customs duty are fixed in Annex I hereto.

Article 2

The quantity fixed in part B of Annex I shall be divided into the following subperiods in the import tariff quota period:

- 25% in the period 1 January to 31 March,
- 25% in the period 1 April to 30 June,
- 25% in the period 1 July to 30 September,
- 25% in the period 1 October to 31 December.

⁵ OJ L 152, 24.6.2000, p. 1.

Article 3

1. Notwithstanding Article 5 of Regulation (EC) No 1301/2006, retail establishments or restaurants selling their products to final consumers shall be excluded from the reduction in customs duties referred to in Article 1(1) of this Regulation and may not submit import licence applications to this end.
2. Import licence applications may mention only one of the serial numbers referred to in Annex I. They may involve several products covered by different combined nomenclature (CN) codes. In such cases, all the CN codes shall be indicated in section 16 and their description in section 15 of licence applications and licences.
3. Applications must be for a minimum of one tonne and a maximum of 100% of the quantity available for the subperiod specified in Article 2.

Article 4

1. Section 8 of the licence application and the licence shall indicate the country of origin and “yes” shall be marked with a cross.
2. Section 20 of the licence application and the licence shall contain one of the references shown in part A of Annex II.
3. Section 24 of the licence shall contain one of the references shown in part B of Annex II.

Article 5

1. Licence applications shall be lodged in the first seven days of the month preceding each subperiod referred to in Article 2.

However, for the period from 1 January to 31 March 2007, licence applications shall be lodged during the first fifteen days of January 2007.

2. The Member States shall notify to the Commission, no later than the third working day following the end of the period for submission of applications, the total quantities, in kilograms, applied for in respect of each quota.
3. Licences shall be issued as soon as possible after the Commission has taken a decision.
4. The Member States shall notify to the Commission, before the end of the fourth month following each annual period, the quantities (expressed in kilograms) under each quota actually put into free circulation under this Regulation in the period concerned.

Article 6

1. Import licences shall be valid for 150 days from the actual day of issue under Article 23(2) of Regulation (EC) No 1291/2000.
2. Notwithstanding Article 9(1) of Regulation (EC) No 1291/2000, the transfer of rights deriving from licences or certificates shall be limited to holders who meet the eligibility criteria laid down in Article 5 of Regulation (EC) No 1301/2006 and Article 3(1) of this Regulation.”
2. Article 9 is deleted.
3. Annex II is replaced by the Annex to this Regulation.
4. Annexes III and IV are deleted.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX**“ANNEX II****PART A**

Entries referred to in Article 4(2):

—	in Bulgarian	:	Продукт с произход страните от АКТБ – Регламент (ЕО) № 2286/2002 и Регламент (ЕО) № 462/2003
—	in Spanish	:	Producto ACP - Reglamentos (CE) nº 2286/2002 y (CE) nº 462/2003
—	in Czech	:	Produkt AKP – nařízení (ES) č. 2286/2002 a (ES) č. 462/2003
—	in Danish	:	AVS-produkt - forordning (EF) nr. 2286/2002 og (EF) nr. 462/2003
—	in German	:	AKP-Erzeugnis - Verordnungen (EG) Nr. 2286/2002 und (EG) Nr. 462/2003
—	in Estonian	:	AKV riikide toode – määrused (EÜ) nr 2286/2002 ja (EÜ) nr 462/2003
—	in Greek	:	Προϊόν ΑΚΕ - Κανονισμοί (ΕΚ) αριθ. 2286/2002 και (ΕΚ) αριθ. 462/2003
—	in English	:	ACP product - Regulations (EC) No 2286/2002 and (EC) No 462/2003
—	in French	:	Produit ACP - règlements (CE) nº 2286/2002 et (CE) nº 462/2003
—	in Italian	:	Prodotto ACP - regolamenti (CE) n. 2286/2002 e (CE) n. 462/2003
—	in Latvian	:	ĀKK produkts — Regula (EK) Nr. 2286/2002 un (EK) Nr. 462/2003
—	in Lithuanian	:	AKR produktas – Reglamentai (EB) Nr.2286/2002 ir (EB) Nr. 462/2003
—	in Hungarian	:	AKCS-termék – 2286/2002/EK és 462/2003/EK rendelet
—	in Maltese	:	Prodott ta' l-ACP – ir-Regolamenti (KE) Nru 2286/2002 u (KE) Nru 462/2003

—	in Dutch	:	ACS-product - Verordeningen (EG) nr. 2286/2002 en (EG) nr. 462/2003
—	in Polish	:	Produkt z państw AKP – rozporządzenia (WE) nr 2286/2002 i (WE) nr 462/2003
—	in Portuguese	:	Produto ACP - Regulamentos (CE) n.º 2286/2002 e (CE) n.º 462/2003
—	in Romanian	:	Produse ACP – Regulamentele (CE) nr. 2286/2002 si (CE)nr.462/2003
—	in Slovak	:	Výrobok AKT - nariadenia (ES) č. 2286/2002 a (ES) č. 462/2003
—	in Slovenian	:	Proizvod AKP - uredbi (ES) št. 2286/2002 in (ES) št. 462/2003
—	in Finnish	:	AKT-tuote - asetukset (EY) N:o 2286/2002 ja (EY) N:o 462/2003
—	in Swedish	:	AVS-produkt - förordningarna (EG) nr 2286/2002 och (EG) nr 462/2003.

PART B

Entries referred to in Article 4(3):

—	in Bulgarian	:	Намаляване на митото, както е предвидено в Регламент (ЕО) № 462/2003
—	in Spanish	:	Reducción del derecho de aduana en virtud del Reglamento (CE) n° 462/2003
—	in Czech	:	Snížení cla stanovené nařízením (ES) č. 462/2003
—	in Danish	:	Toldnedsættelse, jf. forordning (EF) nr. 462/2003
—	in German	:	Ermäßigung des Zollsatzes gemäß der Verordnung (EG) Nr. 462/2003
—	in Estonian	:	Vähendatud tollimaksumäär vastavalt määrusele (EÜ) nr 462/2003
—	in Greek	:	Μείωση του δασμού όπως προβλέπεται στον κανονισμό (ΕΚ) αριθ. 462/2003

—	in English	:	Customs duty reduction as provided for in Regulation (EC) No 462/2003
—	in French	:	Réduction du droit de douane comme prévu au règlement (CE) n° 462/2003
—	in Italian	:	Riduzione del dazio doganale a norma del regolamento (CE) n. 462/2003
—	in Latvian	:	Regulā (EK) Nr. 462/2003 paredzētais muitas nodokļa samazinājums
—	in Lithuanian	:	Muito mokesčio sumažinimas, kaip numatyta Reglamente (EB) Nr. 462/2003
—	in Hungarian	:	A 462/2003/EK rendeletben előírt vámcsökkentés
—	in Maltese	:	Tnaqqis tad-dritt doganali komuni previst fir-Regolament (KE) Nru 462/2003
—	in Dutch	:	Douanerecht verlaagd overeenkomstig Verordening (EG) nr. 462/2003
—	in Polish	:	Obniżenie stawki celnej zgodnie z rozporządzeniem (WE) nr 462/2003
—	in Portuguese	:	Redução do direito aduaneiro conforme previsto no Regulamento (CE) n.º 462/2003
—	in Romanian	:	Reducerea taxelor vamale așa cum este prevăzut în Regulamentul (CE) nr. 462/2003
—	in Slovak	:	Zníženie colnej sadzby podľa nariadenia (ES) č. 462/2003
—	in Slovenian	:	Znižanje carine, kot je določeno v Uredbi (ES) št. 462/2003
—	in Finnish	:	Tullialennus, josta on säädetty asetuksessa (EY) N:o 462/2003
—	in Swedish	:	Nedsättning av tullavgiften enligt förordning (EG) nr 462/2003.

COMMISSION REGULATION (EC) No 1940/2006**of 21 December 2006****amending Commission Regulation (EC) No 1556/2006 laying down detailed rules for the application of Council Regulation (EC) No 774/94 concerning the import arrangements for pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organisation of the market in pigmeat¹, and in particular Article 22 thereof,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues², and in particular Article 7 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1556/2006³ lays down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products.
- (2) Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences⁴ applies to import licences for import tariff quota periods starting from 1 January 2007. Regulation (EC) No 1301/2006 lays down in particular rules on applications for import licences, the status of applicants and the issue of licences and limits the validity of the licences to the final day of the tariff quota period. Regulation (EC) No 1301/2006 must apply to import licences issued under Regulation (EC) No 1556/2006, save as otherwise provided for in that Regulation. It is therefore necessary to bring Regulation (EC) No 1556/2003 into line with Regulation (EC) No 1301/2006, where appropriate.

¹ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

² OJ L 91, 8.4.1994, p. 1. Regulation as amended by Commission Regulation (EC) No 2198/95 (OJ L 221, 19.9.1995, p. 3).

³ OJ L 288, 19.10.2006, p. 7. Regulation as amended by Regulation (EC) No 1711/2006 (OJ L 321, 21.11.2006, p. 5).

⁴ OJ L 238, 1.9.2006, p. 13.

- (3) In view of the accession of Bulgaria and Romania to the European Union on 1 January 2007, provision must be made to add entries on the licence applications and the licences themselves in Bulgarian and Romanian.
- (4) Regulation (EC) No 1556/2006 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1556/2006 is hereby amended as follows:

1. Articles 1, 2, 3, 4, 5 and 5 are replaced by the following:

“Article 1

1. This Regulation lays down detailed rules for applying the import tariff quota for fresh, chilled or frozen pigmeat covered by CN codes 0203 19 13 and 0203 29 15 opened by Regulation (EC) No 774/94.
2. Commission Regulations (EC) Nos 1291/2000⁵ and 1301/2006 shall apply, save as otherwise provided for in this Regulation.
3. The quantity of products benefiting from the arrangements referred to in paragraph 1 and the rate of customs duty are fixed in Annex I hereto.

Article 2

The quantity fixed in Annex I shall be divided into the following subperiods in the import tariff quota period:

- 25% in the period 1 January to 31 March,
- 25% in the period 1 April to 30 June,
- 25% in the period 1 July to 30 September,
- 25% in the period 1 October to 31 December.

⁵ OJ L 152, 24.6.2000, p. 1.

Article 3

1. Notwithstanding Article 5 of Regulation (EC) No 1301/2006, retail establishments or restaurants selling their products to final consumers shall be excluded from the tariff quota referred to in Article 1(1) of this Regulation and may not submit import licence applications to this end.
2. Licence applications must mention the serial number, and may relate to products covered by the two different CN codes and originating in only one country. In such cases, all the CN codes shall be indicated in section 16 and their descriptions in section 15. Licence applications must be a minimum of 20 tonnes and a maximum of 20% of the quantity available for the import tariff quota subperiod.
3. Section 8 of licence applications and licences shall show the country of origin.
4. Section 20 of the licence application and the licence shall contain one of the references shown in part A of Annex II.
5. Section 24 of the licence shall contain one of the references shown in part B of Annex II.

Article 4

1. Licence applications shall be lodged in the first seven days of the month preceding each subperiod referred to in Article 2.

However, for the period from 1 January to 31 March 2007, licence applications shall be lodged during the first fifteen days of January 2007.

2. Notwithstanding Article 6(1) of Regulation (EC) No 1301/2006, each applicant may lodge several applications for import licences for products referred to in Annex I, if these products originate in different countries. The applications, one each for a single country of origin, shall be submitted together to the competent authority of a Member State. They shall be considered, as regards the maximum referred to in Article 3(2), as a single application.
3. The Member States shall notify to the Commission, no later than the third working day following the end of the period for submission of applications, the total quantities, in kilograms, applied for.
4. Licences shall be issued as soon as possible after the Commission has taken a decision.
5. The Member States shall notify to the Commission, before the end of the fourth month following each annual period, the quantities (expressed in kilograms) actually put into free circulation under this Regulation in the period concerned.

Article 5

1. Import licences shall be valid for 150 days from the actual day of issue under Article 23(2) of Regulation (EC) No 1291/2000.
2. Notwithstanding Article 9(1) of Regulation (EC) No 1291/2000, the transfer of rights deriving from licences or certificates shall be limited to holders who meet the eligibility criteria laid down in Article 5 of Regulation (EC) No 1301/2006 and Article 3(1) of this Regulation.”
2. Article 7 is deleted.
3. Annex II is replaced by the Annex to this Regulation.
4. Annexes III, IV and V are deleted.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX**“ANNEX II****PART A**

Entries referred to in Article 3(4):

- in Bulgarian : Регламент (ЕО) № **1556/2006**
- in Spanish : Reglamento (CE) n° 1556/2006
- in Czech : Nařízení (ES) č. 1556/2006
- in Danish : Forordning (EF) nr. 1556/2006
- in German : Verordnung (EG) Nr. 1556/2006
- in Estonian : Määrus (EÜ) nr 1556/2006
- in Greek : Κανονισμός (ΕΚ) αριθ. 1556/2006
- in English : Regulation (EC) No 1556/2006
- in French : règlement (CE) n° 1556/2006
- in Italian : Regolamento (CE) n. 1556/2006
- in Latvian : Regula (EK) Nr. 1556/2006
- in Lithuanian : Reglamentas (EB) Nr. 1556/2006
- in Hungarian : 1556/2006/EK rendelet
- in Maltese : Ir-Regolament (KE) Nru 1556/2006
- in Dutch : Verordening (EG) nr. 1556/2006
- in Polish : Rozporządzenie (WE) nr 1556/2006
- in Portuguese : Regulamento (CE) n.º 1556/2006
- in Romanian : Regulamentul (CE) nr 1556/2006
- in Slovak : Nariadenie (ES) č. 1556/2006
- in Slovenian : Uredba (ES) št. 1556/2006
- in Finnish : Asetus (EY) N:o 1556/2006
- in Swedish : Förordning (EG) nr 1556/2006

PART B

Entries referred to in Article 3(5):

- in Bulgarian: : Мито, определено на 0%, съгласно Регламент (ЕО) № 1556/2006
- in Spanish : Derecho de aduana del 0 % en aplicación del Reglamento (CE) n° 1556/2006
- in Czech : Clo stanovené na 0 % podle nařízení (ES) č. 1556/2006
- in Danish : Told fastsat til 0 % i henhold til forordning (EF) nr. 1556/2006
- in German : Auf 0 v. H. festgesetzter Zoll gemäß der Verordnung (EG) Nr. 1556/2006
- in Estonian : Vastavalt määrusele (EÜ) nr 1556/2006 on kinnitatud 0 % tollimaks
- in Greek : Δασμός καθοριζόμενος σε 0 % κατ' εφαρμογή του κανονισμού (ΕΚ) αριθ. 1556/2006
- in English : Customs duty fixed at 0% pursuant to Regulation (EC) No 1556/2006
- in French : droit de douane fixé à 0 % en application du règlement (CE) n° 1556/2006
- in Italian : Dazio doganale fissato allo 0 % in applicazione del regolamento (CE) n. 1556/2006
- in Latvian : Noteikts 0 % muitas nodoklis, ievērojot Regulu (EK) Nr. 1556/2006
- in Lithuanian : 0 % muitas, nustatytas pagal Reglamentą (EB) Nr. 1556/2006
- in Hungarian : 0 %-os vám-tétel a(z) 1556/2006/EK rendelet alapján
- in Maltese : Rata ta' dazju doganali ffissat għal 0 % skond ir-Regolament (KE) Nru 1556/2006
- in Dutch : Douanerecht 0 % op grond van Verordening (EG) nr. 1556/2006
- in Polish : Cło ustalone na poziomie 0 % na podstawie Rozporządzenia (WE) nr 1556/2006
- in Portuguese : Direito aduaneiro fixado em 0 %, nos termos do Regulamento (CE) n.º 1556/2006

- in Romanian : Taxe vamale fixate la 0% in conformitate cu Regulamentul (CE) nr. 1556/2006
- in Slovak : Clo stanovené na úrovni 0 % podľa nariadenia (ES) č. 1556/2006
- in Slovenian : 0 % dajatev v skladu z Uredbo (ES) št. 1556/2006
- in Finnish : Tulliksi vahvistettu 0 % asetuksen (EY) N:o 1556/2006 mukaisesti
- in Swedish : Tullsats fastställd till 0 % i enlighet med Förordning (EG) nr 1556/2006

”