

**Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 1857/2006 on the application of Articles 87 and 88 of the Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) No 70/2001**

(2011/C 37/08)

**Aid No:** XA 69/10

**Member State:** Spain

**Region:** Comunidad Autónoma de Canarias

**Title of aid scheme or name of company receiving an individual aid:** Ayudas urgentes y de carácter excepcional para reparar los daños producidos por las lluvias en el Archipiélago los días 31 de enero y 1 y 2 de febrero de 2010, previstas en el artículo 6, del Decreto nº 12/2010, a excepción de las relativas a la reparación de daños en infraestructuras de industrialización y comercialización de productos agrícolas de las entidades comercializadoras (apartado 4 del artículo 6) que se acogen al Reglamento (CE) nº 1998/2006, «de minimis»

**Legal basis:** Artículo 6 del Decreto Territorial nº 12/2010, de 4 de febrero, de ayudas y medidas urgentes y de carácter excepcional para reparar los daños producidos por las lluvias en el Archipiélago los días 31 de enero y 1 y 2 de febrero de 2010 (B.O.C. nº 26 de 9 de febrero de 2010), a excepción de las destinadas a la reparación de daños en infraestructuras de industrialización y comercialización de productos agrícolas de las entidades comercializadoras que se acogen como ya se ha señalado al Reglamento (CE) nº 1998/2006, «de minimis».

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** Four hundred thousand euro (EUR 400 000)

**Maximum aid intensity:**

According to Article 6 of the aforementioned Decree No 12/2010 of 4 February 2010, the maximum aid intensity can be up to 90 % of the losses suffered. The magnitude of the losses will be established, as per Article 6(6)(d) of the Decree, by a report on the damages drawn up by the relevant department of the Insular Council. However, aid may in no circumstances exceed the difference between the value of the loss incurred and the amount of other aid or compensation that is compatible or complementary that may be paid out for the same reasons by other administrations, public bodies (whether national or international), or any other financial entity from public or private funds, or that paid out under insurance policies.

In the case of aid for damage to production equipment and infrastructure in the agricultural sector, provided for in Article 6(4) of Decree No 12/2010 of 4 February 2010, damages will be assessed by applying the percentage of the damages evaluated at the cost approved by the Directorate-General for Agriculture using the models established for this purpose.

However, this compensation offered will be reduced by 50 % in the case of farmers who have not taken out insurance covering at least 50 % of their average annual production in accordance with Article 11(8) of Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products.

Similarly, should the aid be insufficient to cover all the applications, the percentage of funding may be reduced, across all applicants, until the funding available has been allocated.

**Date of implementation:** From the date when the provisions of Article 20 of Commission Regulation (EC) No 1857/2006 of 15 December 2006 have been met, in accordance with the provisions of the additional ninth provision of Decree No 12/2010 of 4 February 2010 establishing a contingent condition for aid governed by Article 6 of the Decree, with the exception of aid intended to repair damage to marketing associations' infrastructure for processing or marketing agricultural products (Article 6(5) of Decree No 167/2009), which is eligible under Commission Regulation (EC) No 1998/2006 of 15 December 2006 on the application of Articles 87 and 88 of the Treaty to *de minimis* aid

**Duration of scheme or individual aid award:** Until 31 December 2010 or until the funding (EUR 400 000) has been exhausted

**Objective of aid:**

The intended objectives are those listed in Decree No 12/2010, and conform to the provisions of Article 11 of Commission Regulation (EC) No 1857/2006:

*'Article 11*

**Aid for losses due to adverse climatic events**

1. Aid to compensate farmers for losses of plants or animals or farm buildings caused by adverse climatic events which can be assimilated to natural disasters shall be compatible with the common market within the meaning of Article 87(3)(c) of the Treaty and shall be exempt from the notification requirement of Article 88(3) of the Treaty if it fulfils the conditions set out in paragraphs 2 to 6, 9 and 10 of this Article as far as plants or animals are concerned, and paragraphs 3 to 8 and 10 of this Article as far as farm buildings are concerned.

2. Gross aid intensity must not exceed 80 %, and 90 % in less favoured areas or in areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, as designated by Member States in accordance with Articles 50 and 94 of that Regulation, of the reduction in income from the sale of the product resulting from the adverse climatic event. That reduction in income shall be calculated by subtracting:

- (a) the result of multiplying the quantity of product produced in the year of the adverse climatic event by the average selling price obtained during that year;
- (b) the result of multiplying the average annual quantity produced in the preceding three-year period (or a three-year average based on the preceding five-year period, excluding the highest and lowest entry) by the average selling price obtained.

The amount thus eligible for aid may be increased by other costs specifically incurred by the farmer because of non-harvesting due to the adverse event.

3. The maximum amount of loss eligible for aid pursuant to paragraph 1 must be reduced by:

- (a) any amount received under insurance schemes; and
- (b) costs not incurred because of the adverse climatic event.

4. The calculation of loss must be made at the level of the individual holding.

5. Aid must be paid directly to the farmer concerned or to a producer organisation of which the farmer is a member. If the aid is paid to an organisation, the amount of aid must not exceed the amount of aid that could be granted to the farmer.

6. Compensation for damages to farm buildings and farm equipment caused by adverse climatic events which can be assimilated to natural disasters must not exceed gross aid intensity of 80 %, and 90 % in less favoured areas or in areas referred to in Article 36(a)(i), (ii) or (iii) of Regulation (EC) No 1698/2005, as designated by Member States in accordance with Articles 50 and 94 of that Regulation.

7. The adverse climatic event which can be assimilated to a natural disaster must be formally recognised as such by public authorities.

8. From 1 January 2010, compensation offered must be reduced by 50 % unless it is given to farmers who have taken out insurance covering at least 50 % of their average annual production or production-related income and the statistically most frequent climatic risks in the Member State or region concerned.

9. From 1 January 2011, aid for losses caused by drought may be paid only by a Member State which has fully implemented Article 9 of Directive 2000/60/EC of the European Parliament and of the Council (15) in respect of agriculture, and ensures that the costs of water services provided to agriculture are recovered through an adequate contribution from that sector.

10. Aid schemes must be introduced within three years following the occurrence of the expense or loss. Aid must be paid out within four years following the occurrence.'

In accordance with Article 6 of Decree No 12/2010 of 25 February 2010, aid shall be provided for the following:

1. Compensation for losses to crop and animal production:

- (a) on livestock holdings, losses suffered as a result of damage to areas used for livestock farming, provided the animals on the holding are covered under any of the provisions of the combined agricultural insurance plan;
- (b) losses registered in crop and stockbreeding productions for which at the time of the incident, the insurance contract period had not begun, provided that the insurance had been taken out in the previous marketing year;
- (c) in crop and livestock productions where, at the time when the damage occurred, the holdings were covered by a valid insurance policy under the combined agricultural insurance system. Compensation is available for damage that is not covered by that system;
- (d) damage incurred by crop and livestock production that is not included in the current combined agricultural insurance plan, unless guaranteed by another form of insurance.

Compensation for losses on livestock holdings as a result of damage to areas used for livestock farming will be provided in the form of payments to cover additional expenditure on animal feed.

The compensation for arable production will be calculated on the basis of an assessment of losses of expected production for the marketing year concerned. To that end, account will be taken, where applicable, of the conditions and procedures laid down in the agricultural insurance system.

The aid provided for crop and livestock productions is intended for owners of holdings, who have experienced losses equal to or more than 30 % of production.

2. Compensation is also provided to cover repairs to damage to infrastructure and means of production on arable and livestock holdings, and to cover dead animals not covered by insurance. In the case of cover for dead animals, the compensation must not exceed 80 %, or 90 % in less favoured areas, of the market value of the animal, under the provision of Article 11(6) of Commission Regulation (EC) No 1857/2006.

**Sector(s) concerned:**

- for animal production: goats, rabbits, poultry and bees,
- for crop production: temperate fruits, subtropical fruits (bananas, papaya, avocado, etc.), grapes, vegetables (potatoes) and ornamental plants.

**Name and address of the granting authority:**

Consejería de Agricultura, Ganadería, Pesca y Alimentación  
(Dirección General de Agricultura)  
Avda. José Manuel Guimerá, 10  
Edificio de Servicios Múltiples II, Planta 3a  
38071 Santa Cruz de Tenerife  
ESPAÑA

**Website:**

[http://www.gobcan.es/agricultura/otros/reglamento\\_CE\\_pynes.htm](http://www.gobcan.es/agricultura/otros/reglamento_CE_pynes.htm)

**Other information: —**

**Aid No:** XA 150/10

**Member State:** France

**Region:** Département de l'Ain

**Title of aid scheme or name of company receiving an individual aid:** Appui technique à l'amélioration des performances des filières (Ain)

**Legal basis:** Articles L 1511-2, L 3231-2 et 3232-1 du code général des collectivités territoriales; délibération du Conseil général de l'Ain

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** EUR 440 000

**Maximum aid intensity:**

80 %

The rate of aid will vary according to the type of action, as follows:

- 50 % for charters of good practice and technical assistance to dairy farmers,

— 70 % for technical support for improving standard production (Article 15),

— 80 % for technical support for improving quality production (Article 14).

**Date of implementation:** From the date of publication of the registration number of the exemption request on the website of the European Commission's Directorate-General for Agriculture and Rural Development

**Duration of scheme or individual aid award:** Until 31 December 2013 at the latest

**Objective of aid:**

The measure is covered by Articles 14 and 15 ('Provision of technical support in the agricultural sector') of Regulation (EC) No 1857/2006.

This aid programme seeks to improve agricultural production in the department of Ain, with aid for the preparation of charters of good practice and for technical support. The department subsidises support for livestock enterprises, preparing farmers for AOC registration, or setting up norms at department level.

Support for drawing up charters of good practice:

Promotion measures and technical support are useful tools in encouraging stockfarmers to abide by the national charter of good animal husbandry practice. The aim is to promote these stockfarmer awareness campaigns, as well as the training and management of a team of dairy or milk testing experts, that of regional and national working groups tasked with adapting to new developments, and lastly the efficient data management of validation visits.

Technical support in improving performance — this aid consists of supporting initiatives which can take several forms:

- support for farmers involved in the production of products under the AOC or a mark backed by a specification, according to the identified special interests,
- support for the creation of a technical reference system (and a genetic system for livestock enterprises), the collection of technical and economic data during training sessions for farmers to enable them to benefit from the latest technical advances in their respective sectors (cattle, sheep, goat, poultry, pig and horserearing, horticulture, biological products, etc.),

- support for the creation of a reference system for feed aimed at increasing feeding potential and limiting the level of nitrogenous wastes in the environment by means of reliable infrared urea analyses. The results will enable the provision of technical advice adapted to efficient and balanced feed, thus optimising ruminant digestive functions and milk production,
- specific support for stockfarmers aimed at creating a simple monitoring method allowing the heifer-rearing period to be reduced to two years (see reference table), at determining the level of milk omega 3 in accordance with the feeding method using infrared measurement, along with a reference system, and at optimising grazing land management so as to reduce dairy production costs (training sessions, in the fields, with stockfarmers who can pass on good practices).

The proposed services will be restricted to:

- farms whose size does not exceed that of an SME as defined in Community law (cf. Annex I to Commission Regulation (EC) No 800/2008 of 6 August 2008),
- farms active in the primary production of agricultural products,
- farms that are not enterprises in difficulty within the meaning of the Community guidelines on State aid for rescuing and restructuring firms in difficulty (OJ C 244, 1.10.2004).

**Sector(s) concerned:** All agricultural sectors in the department (SME farms)

**Name and address of the granting authority:**

Monsieur le Président du Conseil général de l'Ain  
Direction de l'aménagement du territoire et de l'économie  
45 avenue Alsace-Lorraine  
01000 Bourg en Bresse  
FRANCE

**Website:**

<http://www.ain.fr>

[http://www.ain.fr/jcms/int\\_50667/formulaires](http://www.ain.fr/jcms/int_50667/formulaires)

[http://www.ain.fr/upload/docs/application/msword/2010-07/b\\_ain\\_bue\\_a.t.\\_ameliorperf\\_b2.doc](http://www.ain.fr/upload/docs/application/msword/2010-07/b_ain_bue_a.t._ameliorperf_b2.doc)

**Other information:** —

**Aid No:** XA 210/10

**Member State:** Italy

**Region:** The entire territory of Italy

**Title of aid scheme or name of company receiving an individual aid:** Concessione di un contributo per la partecipazione del giovane imprenditore agricolo (o di un proprio collaboratore) a forum per lo scambio di conoscenze tra imprese, a concorsi, mostre e fiere.

**Legal basis:**

Legge 15 dicembre 1998, n. 441, recante «Norme per la diffusione e la valorizzazione dell'imprenditoria in agricoltura».

Legge 27 dicembre 2006, n. 296 (legge finanziaria 2007), articolo 1, comma 1068 e comma 1074.

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** The total planned expenditure is EUR 400 000,00

**Maximum aid intensity:** 100 % of eligible costs

**Date of implementation:** From the date of publication of the identification number for the request for exemption on the website of the Commission's Directorate-General for Agriculture and Rural Development

**Duration of scheme or individual aid award:** The aid will be granted until 31 December 2013

**Objective of aid:** To encourage farmers and farm workers to take part in forums to share knowledge between businesses, and in competitions, exhibitions and fairs, pursuant to Article 15(2)(d) of Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) No 70/2001 (OJ L 358, 16.12.2006, p. 3).

**Sector(s) concerned:** Young farmers

**Name and address of the granting authority:**

Ministero delle politiche agricole alimentari e forestali  
Dipartimento delle politiche competitive del mondo rurale e della qualità  
Direzione generale della competitività per lo sviluppo rurale  
Via XX Settembre 20  
00187 Roma RM  
ITALIA

**Website:**

<http://www.politicheagricole.gov.it/SviluppoRurale/GiovaniAgricoltura/default.htm>

**Other information:** —