



**COUNCIL OF
THE EUROPEAN UNION**

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from:	General Secretariat
to:	Delegations
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Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1234/2007 as regards the regime of the single payment scheme and support to vine-growers (<i>CAP Reform</i>) - <i>Final text</i>

Delegations will find attached in Annex the text reflecting the agreement reached between the representatives of the European Parliament, Council and Commission at the informal trilogue held on 4 July 2012.

This text, still subject to legal-linguistic revision by both institutions, has been sent to the Chair of the European Parliament Committee on Agriculture and Rural Development by the Presidency with a view to a first reading agreement in the EP Plenary in September 2012.

**REGULATION (EU) No .../2011
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

of

**amending Council Regulation (EC) No 1234/2007 as regards the regime of the single payment
scheme and support to vine-growers**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular *the first subparagraph of Article 42 and* Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the ordinary legislative procedure²,

¹ OJ C [...], [...], p. [...]

² OJ C [...], [...], p. [...]

Whereas:

- (1) Article 103o of Council Regulation (EC) No 1234/2007 of 22 September 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)³ provides for a possibility for the Member States to grant decoupled aid under the Single Payment Scheme to vine-growers. Several Member States have used this possibility ■ .
- (2) However, the fact that Member States may modify *transfers to the Single Payment Scheme from the* support programmes once a year ■ and the fact that support programmes have a five-year duration whilst payment entitlements *giving rise to direct payments* are granted for an indeterminate period of time, have generated administrative and budgetary burdens ■ .

³ OJ L 299, 16.11.2007, p. 1.

- (3) In order to simplify the management of this measure *and to ensure its consistency with the objectives of the rules for direct support schemes for farmers, it is appropriate to convert the measure into the possibility to definitively decrease the funds allocated to the support programmes in the wine sector and thereby increase the national ceilings for direct payments.*
- (3a) *It is appropriate to allow Member States to continue applying the support provided for in Article 103o of Regulation (EC) No 1234/2007 for 2014.*
- (4) Regulation (EC) No 1234/2007 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

■ Regulation (EC) No 1234/2007 is *amended as follows*:

1. In Article 103n, the following paragraph 1a is inserted:

"1a. By 1 August 2013, Member States may decide to reduce, from 2015, the amount available for the support programmes referred to in Annex Xb in order to increase their national ceilings for direct payments referred to in Article 40 of Regulation (EC) No 73/2009.

The amount resulting from the decrease referred to in the first subparagraph shall definitively remain in the national ceilings for direct payments referred to in Article 40 of Regulation (EC) No 73/2009 and no longer be available for the measures listed in Articles 103p to 103y."

2. *Article 103o* is replaced by the following:

"Article 103o

Single Payment Scheme and support to vine-growers

1. Member States may decide by 1 December 2012 to provide support to vine-growers *for* 2014 by allocating payment entitlements within the meaning of Chapter 1 of Title III of Regulation (EC) No 73/2009.

If the amount of the support referred to in the first subparagraph is greater than the amount provided for in 2013, the Member State concerned shall use the difference to allocate payment entitlements ■ within the meaning of Chapter 1 of Title III of Regulation (EC) No 73/2009 *to vine-growers* in accordance with point C of Annex IX to that Regulation.

2. Member States intending to provide support referred to in paragraph 1 shall foresee such support in their support programmes in accordance with Article 103k(3).

3. *The* support *for 2014* referred to in paragraph 1 shall:

- (a) ■ remain in the Single Payment Scheme and no longer be available under Article 103k(3), for the measures listed in Articles 103p to 103y;
- (b) proportionately reduce the amount of funds available for measures listed in Articles 103p to 103y in the support programmes."

Article 2

This Regulation shall enter into force on the seventh 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,

For the European Parliament
The President

For the Council
The President