



**COUNCIL OF
THE EUROPEAN UNION**

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INFORMATION NOTE

from: General Secretariat
to: Special Committee on Agriculture/Council
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 vinegrowers
- Outcome of the European Parliament's first reading
(Strasbourg, 10 to 13 September 2012)

I. INTRODUCTION

The Parliament's Committee on Agriculture and Rural Development adopted ten amendments to the Commission's proposal.

In accordance with the provisions of Article 294 of the TFEU and the joint declaration on practical arrangements for the codecision procedure ¹, a number of informal contacts took place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this dossier at first reading, thereby avoiding the need for second reading and conciliation.

¹ OJ C 145, 30.6.2007, p.5

In this context, the EPP, S&D, ALDE, ECR and EFD political groups submitted an additional compromise amendment to the proposal for a Regulation. This amendment had been agreed during the informal contacts referred to above.

II. VOTE

When it voted on 11 September 2012, the plenary adopted the compromise amendment to the proposal for a Regulation. No other amendments were adopted. The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto ¹.

The Parliament's position reflects what had been previously agreed between the institutions. The Council should therefore be in a position to approve the Parliament's position. The act would then be adopted in the wording which corresponds to the Parliament's position.

¹ The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in *bold and italics*. The symbol "■" indicates deleted text.

Single payment scheme and support to vine-growers *I**

European Parliament legislative resolution of 11 September 2012 on the proposal for a regulation of the European Parliament and of the Council amending Council regulation (EC) N° 1234/2007 as regards the regime of the single payment scheme and support to vine-growers (COM(2011)0631 – C7-0338/2011 – 2011/0285(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2011) 0631),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0338/2011),
 - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
 - having regard to Article 294(3) and the first paragraph of Article 42 of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 25 April 2012¹,
 - having regard to the opinion of the Committee of the Regions of 4 May 2012²,
 - having regard to the undertaking given by the Council representative by letter of 9 July 2012 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
 - having regard to Rules 55 and 37 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A7-0203/2012),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 191, 29.6.2012, p. 116.

² OJ C 225, 27.7.2012, p. 174.

Position of the European Parliament adopted at first reading on 11 September 2012 with a view to the adoption of Regulation (EU) No .../2012 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

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 paragraph 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,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure³,

Whereas:

- (1) Article 103o of Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)⁴ provides for a possibility for Member States to grant decoupled aid under the single payment scheme to vine-growers. Several Member States have used this specific support measure ■ .
- (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, has resulted in administrative and budgetary burdens ■ .

¹ OJ C 191, 29.6.2012, p. 116.

² OJ C 225, 27.7.2012, p. 174.

³ Position of the European Parliament of 11 September 2012.

⁴ OJ L 299, 16.11.2007, p. 1.

- (3) In order to simplify the management of this specific support measure *and to ensure its consistency with the objectives of the rules for direct support schemes for farmers, it is appropriate to convert it into the possibility for Member States to definitively decrease the funds allocated to the support programmes in the wine sector and thereby increase the national ceilings for direct payments.*
- (4) *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.*
- (5) 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 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 shall 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 of support that was 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 make provision for 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) reduce proportionately 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 ...,

For the European Parliament
The President

For the Council
The President