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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	AOB item for the meeting of the “Agriculture and Fisheries” Council on 23 February 2026: Request to transfer provisions from the draft NRPP regulation to the draft CAP regulation, the draft CFP regulation and the draft CMO regulation <i>- Information from France, on behalf of France, Portugal and Spain, supported by Austria, Belgium, Bulgaria, Croatia, Czechia, Hungary, Ireland, Italy, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia</i>

Following the non-paper of January 23 and as expressed during the COREPER II on 28 January 2026, **France, Portugal, Spain, Austria, Belgium, Bulgaria, Croatia, Czechia, Hungary, Ireland, Italy, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia** consider that a number of provisions relating to the Common Agricultural Policy (CAP) and the Common Fisheries Policy (CFP) that are currently contained in the draft NRPP Regulation should be transferred, as appropriate, to the draft sectoral regulations specific to Fisheries (proposal for a CFP Regulation) and to the CAP (proposal for a CAP Regulation and proposal for a European Regulation revising the Common Organisation of Agricultural Markets (CMO) No 1308/2013).

This request is complementary to the list drawn up by the Commission and the Presidency and concerns the transfer of the specific definitions set out in Article 4 and paragraphs 1 to 5 of Article 35 to the CAP Regulation, paragraphs 6 to 9 to the CMO Regulation and paragraph 11 to the Fisheries Regulation, as well as all or part of the following articles: 59, 62 (including 62.1), 70 (including 70.1 to 70.3).

This transfer of regulatory provisions first and foremost pursues the objective of clarifying the texts in order to improve the readability of the provisions applicable to the beneficiaries of the CAP (in particular farmers) and the CFP. This transfer is therefore part of a simplification process, the elimination of duplicates and references that complicate the reading of the regulations, and aims to ensure a coherent treatment of all the provisions specific to these two policies.

This request has no budgetary impact and does not affect the functioning of the financial instrument supported by the NRPP Regulation.

Therefore, **France, Portugal, Spain, Austria, Belgium, Bulgaria, Croatia, Czechia, Hungary, Ireland, Italy, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia** ask the Presidency to consider the transfer proposals attached in annex. This is a collectively supported “basic minimum set” of articles to be transferred, still allowing individual Member State to have the freedom to ask for the transfer of other provisions, including on outermost regions.

Articles to be transferred

NRPP regulation's article to transfer	Regulations to which provisions are to be transferred
Article 4 – Definitions Paragraphs 3c (farmer) – <u>transfer with a cross-reference added to the NRPP regulation.</u> 9c (CAP operation) 14 (Agricultural Knowledge and Innovation System) 15 (organic farming) 16 (holding) 17 (the smaller Aegean islands) 22 (CAP definitions in NRPPs) 23 (new farmer)	<i>CAP Regulation (new article)</i> Article 1a – Definitions 1 (farmer) 2 (Operation) 3 (Agricultural Knowledge and Innovation System) 4 (organic farming) 5 (holding) 6 (the smaller Aegean islands) 7 (CAP definitions in NRPPs) 8 (new farmer)
Article 4 – Definitions 26 (small-scale coastal fishing) 27 (fisher) 28 (fishing) 29 (sustainable blue economy) 30 (maritime policy) 31 (maritime security and surveillance)	<i>CFP Regulation (new article)</i> Article 1a – Definitions 1 (small-scale coastal fishing) 2 (fisher) 3 (fishing) 4 (sustainable blue economy) 5 (maritime policy) 6 (maritime security and surveillance)

32 (European marine observation and data network) 33 (maritime spatial planning) 34 (ocean observation)	7 (European marine observation and data network) 8 (maritime spatial planning) 9 (ocean observation)
Article 35 — Types of intervention Paragraph 1 (types of intervention): – <u>transfer with a cross-reference added to the NRPP regulation.</u> Paragraph 2 (non-application of certain interventions to outermost regions) Paragraph 3 (amendment and deletion of the second paragraph) Paragraph 4 subparagraph 2 (rate of official investment support) Paragraph 5 (financial allocation for coupled aid)	CAP Regulation (amendments to several articles) Article 5 – paragraph 1: no amendment Article 5 – new paragraph 1a Article 6 – paragraph 2, first subparagraph Article 13 – new paragraph 6a Article 11 – new paragraph 4a
Article 35 Paragraph 6, subparagraph 4 (aid according to sugar or fat content for school programme products) Paragraph 7 (link between school programme and national programmes) Paragraph 8, subparagraphs 2, 4, 5 and 6 (financial provisions of the school programme excluding national co-financing) Paragraph 9 (modalities relating to the value of marketed production under sectoral interventions)	CMO Regulation (amendments to Article 1) Article 1 amending article 27 - creation of new paragraph 6 bis of article 27 Article 1 amending article 27 - creation of new paragraph 6 ter of article 27 Article 1 amending article 27 - creation of new paragraph 6 quater of article 27 Article 1 amending article 31 - creation of new paragraph 1 bis of article 31
Article 35 — Types of intervention Paragraph 11 (Common fisheries policy interventions)	CFP Regulation (new article) Article 3ter – Types of intervention
Articles 36 - Specific requirements for CAP interventions	CAP Regulation (new article merging the provisions of Article 22 and Article 36 of the NRPP) Article 2a – Specific requirements for CAP interventions Paragraphs 1 – 3

Article 37 – Monitoring of agricultural resources	<i>CAP Regulation (new article)</i> Article 20a– Monitoring of agricultural resources
Article 38 — Crisis payments to farmers	<i>CAP Regulation (new article)</i> Article 20b– Crisis payments to farmers
Article 38 — Crisis payments to farmers	<i>CFP Regulation (new article)</i> Article 4 quincies – Crisis payments to farmers
Article 39 – Specific aid for cotton	<i>CAP Regulation (new article)</i> Article 13 bis – Specific aid for cotton
Article 40 — WTO internal support	<i>CAP Regulation (new article)</i> Article 20 ter – WTO internal support
Article 41 – Implementation of the memorandum of understanding on oilseeds	<i>CAP Regulation (new article)</i> Article 20 quincies – Implementation of the memorandum of understanding on oilseeds
Article 42 – Scope and common requirements (support for smaller Aegean islands)	<i>CAP Regulation (new article)</i> Article 20 sexties – Scope and common requirements for smaller Aegean islands
Article 43 – Specific supply arrangements (support for the smaller Aegean islands)	<i>CAP Regulation (new article)</i> Article 20 septies– Specific supply arrangements for the smaller Aegean islands
Article 44 — Support for local agricultural products (support for the smaller Aegean islands)	<i>CAP Regulation (new article)</i> Article 20 nonies – Support for local agricultural products for the smaller Aegean islands
Article 45 – Controls and sanctions	<i>CAP Regulation (new article)</i> Article 20 decies – Controls and sanctions for the smaller Aegean islands
Article 57 – CAP national networks and the European CAP network	<i>CAP Regulation (new article)</i> Article 20 terdecies – National CAP networks and European CAP network

Article 59 – Presentation of the annual “insurance” file	<u>No transfer</u> but amendment of the text in PPNR regulation in line with the requests on Article 62
Article 62 – Control system for farm management and the common fisheries policy Paragraphs 1 to 5 (farm management)	<i>CAP Regulation (new article)</i> Article 3 bis – Farm Stewardship Control System
Article 62 – Control system for farm management and the common fisheries policy Paragraphs 1 to 3 and 6 to 8 (common fisheries policy)	<i>CFP Regulation (new article)</i> Article 4 bis – Control system for the common fisheries policy
Article 70 — Integrated Management and Control System	<i>CAP Regulation (new article)</i> Article 20 quaterdecies – Integrated Management and Control System
Articles 84 – Rules applicable to undertakings (competition rules)	<i>CAP Regulation (new article)</i> Article 22 bis – Rules applicable to undertakings (competition rules)
Article 85 – State aid	<i>CAP Regulation (new article)</i> Article 22 ter – State aid
Article 85 – State aid	<i>CFP (new article)</i> Article 4 quater – State aid
Annex XVII – WTO internal support	<i>CAP Regulation (new Annex)</i> Annex 3 – WTO Annex