Council of the European Union

Brussels, 26 March 2026
(OR. en)

7695/26

Interinstitutional File:
2025/0241 (COD)

AGRI 223
AGRIFIN 68
FIN 469
CADREFIN 131
CODEC 537
ENV 284
FORETS 45

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	AOB item for the meeting of the "Agriculture and Fisheries" Council on 30 March 2026: CAP Strategic Plans - National Partnership Plans: transitional provisions for sectoral interventions in the wine sector and in the fruit and vegetable sector *- Information from Spain and Portugal, supported by Austria, Bulgaria, Czechia, France, Hungary, Poland, Romania and Slovakia*

Spain and Portugal, with the support of Austria, Bulgaria, Czechia, France, Hungary, Poland, Romania, and Slovakia, wish to convey to the European Commission their deep concern regarding the legal uncertainty Member States and operators face in the context of the Sectoral Interventions for Wine and the Sectoral Interventions for Fruit and Vegetables, in view of next EU Multiannual Financial Framework 2028–2034.

As regards the situation in the **wine sector**, under the current regulations it is not possible to publish national calls for aid applications for interventions in the wine sector and, consequently, to continue granting aid to the sector in the 2028 financial year. This would cause serious harm at a particularly delicate time, given the economic situation the sector is currently facing.

With the reform of the CAP 2021-2027, aid to the wine sector — previously regulated by Regulation (EU) No 1308/2013 on the common organisation of the markets in agricultural products (CMO) — was incorporated into the National Strategic Plans, which expire in 2027.

Accordingly, in the current period, this aid is provided through the Wine Sector Intervention and is financed from a fixed annual budget previously agreed in the Multiannual Financial Framework (MFF) 2021-2027.

To ensure proper implementation, Member States must publish the calls for aid applications for the different interventions one or even two years in advance of the financial year in which payments will be made. This is because, by the very nature of the interventions, the implementation of eligible actions cannot be concentrated in the final months of the financial year.

As a result of this necessary early planning time, in order to be able to pay out aids in 2028, the relevant calls for applications would need to be published in 2026, or at the very latest in early 2027.

However, this is not currently possible for two reasons. Firstly, the regulatory framework applicable from 2028 has not yet been approved. The amendment to Regulation 1308/2013 on the Common Market Organisation (CMO), within the framework of the post-2027 CAP, is still under discussion and is not expected to be published until the end of 2027, at the earliest. Secondly, no agreement has yet been reached on the Multiannual Financial Framework (MFF) for 2028–2034, which makes it impossible to guarantee the availability of the funds needed to finance such aid in 2028.

For all these reasons, **we call upon the European Commission** to present as soon as possible, for adoption before December 2026, **transitional provisions allowing for the extension of the current regulatory framework for the Sectoral Intervention in the Wine Sector (Regulation 2021/2115), making its implementation conditional upon the availability of funding in the future MFF 2028–2034.**

This would provide the necessary legal basis for Member States to publish calls for aid at the start of 2027, making the approval of applications conditional upon the final budget allocation in the new MFF. Furthermore, by making its implementation conditional upon the approval of the 2027–2034 MFF, any risk of committing funds that might ultimately prove unavailable would be avoided.

Should these measures not be adopted, 2028 would become a blank year for support to the wine sector, as the approval of the new regulation under the post-2027 CAP and the future MFF 2028–2034, according to the timetable set out by the Commission itself, would come too late to allow for the launch of calls for aid that could be implemented and paid out in that financial year**.**

As regards the **fruit and vegetable sector**, the situation is equally worrying in relation to the new CAP for 2028–2034. This is because, on the one hand, Article 50(2) of the current Regulation (EU) 2021/2115 allows for operational programmes of producer organisations to last between three and seven years and, on the other hand, Article 5(6) of Regulation (EU) 2021/2117 (amendment to the CMO Regulation), it permitted that, upon the entry into force of the current CAP, operational programmes approved under Regulation 1308/2013 could continue to be implemented until their approved natural conclusion.

Thus, when the future CAP enters into force in 2028, a large number of operational programmes currently being implemented will have been approved under conditions different from those envisaged by the future CAP. This includes operational programmes that have been approved between 2023 and 2026, and even those that may be approved in 2027, with a mandatory minimum duration of three years as established by Regulation (EU) 2021/2115, which may extend up to seven years.

It should also be noted that operational programmes are medium-term, multi-annual strategies involving large-scale investments co-financed at 50% by the European Union; consequently, changing the rules – particularly regarding funding – whilst these operational programmes are being implemented could seriously jeopardise the sector’s viability and competitiveness.

Therefore, **it is essential that producer organisations have the necessary legal certainty and that a transitional period similar to that set out in Article 5(6) of Regulation (EU) 2021/2117 be established.**