Commission Regulation (EC) No 1092/2009 of 13 November 2009 fixing a single percentage for acceptance of the amounts notified by the Member States to the Commission concerning the applications for the grubbing-up premium for the wine year 2009/2010

COMMISSION REGULATION (EC) No 1092/2009

of 13 November 2009

fixing a single percentage for acceptance of the amounts notified by the Member States to the Commission concerning the applications for the grubbing-up premium for the wine year 2009/2010

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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)[(1)], and in particular Article 85s(4), in conjunction with Article 4 thereof,

Whereas:

(1) The eligible applications notified by the Member States to the Commission by 15 October 2009 according to Article 85s(2) of Regulation (EC) No 1234/2007 exceed the maximal annual budget for the grubbing-up scheme for the wine year 2009/2010, i.e. EUR 334 million, as laid down in Annex Xd to that Regulation. Therefore, a single percentage for acceptance of the amounts notified actually should be fixed.

(2) Bulgaria, Czech Republic and Luxembourg have communicated, according to Article 85s(2) of Regulation (EC) No 1234/2007, eligible applications for an area smaller than 50 hectares; therefore they are exempted from the application of the single percentage of acceptance in accordance with Article 71(3) of Commission Regulation (EC) No 555/2008 of 27 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector[(2)].

(3) For the sake of clarity it is appropriate to indicate also the breakdown per Member State concerned of the annual budget allocated to the grubbing-up scheme.

(4) Commission Regulation (EC) No 1123/2008 of 12 November 2008 fixing a single percentage for acceptance of the amounts notified by the Member States to the Commission concerning the applications for the grubbing-up premium[(3)] became obsolete at the end of the wine year 2008/2009. For this reason, it should be repealed.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1092/2009. (See end of Document for details)*

HAS ADOPTED THIS REGULATION:

Article 1

Grubbing-up applications notified to the Commission for the wine year 2009/2010 under Article 85s(2) of Regulation (EC) No 1234/2007 shall be accepted for 50,125 % of the amounts covered by those applications.

The budget limits for the Member States concerned are set out in the Annex to this Regulation.

Article 2

Regulation (EC) No 1123/2008 is repealed.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply for the wine year 2009/2010.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 November 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission