Commission Regulation (EC) No 1250/2006 of 18 August 2006 amending Regulation (EC) No 1973/2004 laying down detailed rules for the application of Council Regulation (EC) No 1782/2003 as regards the support schemes provided for in Titles IV and IVa of that Regulation and the use of land set aside for the production of raw materials

COMMISSION REGULATION (EC) No 1250/2006

of 18 August 2006

amending Regulation (EC) No 1973/2004 laying down detailed rules for the application of Council Regulation (EC) No 1782/2003 as regards the support schemes provided for in Titles IV and IVa of that Regulation and the use of land set aside for the production of raw materials

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001[(1)], and in particular Article 145 thereof,

Whereas:

(1) Commission Regulation (EC) No 1973/2004[(2)] lays down the implementing rules for the coupled support schemes provided for in Titles IV and IVa of Regulation (EC) No 1782/2003 and as regards the use of land set aside for the production of raw materials under the single payment scheme provided for in Title III of that Regulation and under arable crops area payment provided for in Chapter 10 of Title IV of that Regulation.

(2) Article 3 of Regulation (EC) No 1973/2004 provides for the data to be communicated to the Commission by the Member States and for the different dates for the sending of this information. Regulation (EC) No 1973/2004 also requires additional information to be sent on the different support schemes. In the interest of simplification, it is appropriate to clarify the necessary information to be sent to the Commission throughout the year.

(3) Article 64 of Regulation (EC) No 1973/2004 defines ‘set-aside’ as leaving fallow an area eligible for area payments pursuant to Article 108 of Regulation (EC) No 1782/2003. In order to cover all set-aside schemes covered by Article 107 of that Regulation, it is appropriate to extend the scope of this definition beyond paragraph 1 of Article 107.

(4) Article 171cj of Regulation (EC) No 1973/2004 provides that the weight of tobacco on the basis of which aid is calculated is to be adjusted where the moisture content differs from the levels laid down in Annex XXVIII to that Regulation for the variety

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1250/2006. (See end of Document for details)*

concerned. Those levels should be adapted to include the correct version as facilitated by the Member States concerned.

(5) Regulation (EC) No 1973/2004 should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1973/2004 is amended as follows:

1. Article 3 is replaced by the following:

Article 3

Communications

1 The Member States shall communicate the following data to the Commission by electronic transmission:

a by 1 September of the year concerned at the latest:

(i) the total area for which the aid has been claimed in the case of:

— the specific quality premium for durum wheat provided for in Article 72 of Regulation (EC) No 1782/2003,

— the protein crop premium provided for in Article 76 of Regulation (EC) No 1782/2003,

— the crop-specific payment for rice provided for in Article 79 of Regulation (EC) No 1782/2003, broken down for the indica and japonica varieties,

— the area payment for nuts provided for in Article 83 of Regulation (EC) No 1782/2003, expressed by categories of nut trees,

— the aid for energy crops provided for in Article 88 of Regulation (EC) No 1782/2003,

— the arable crops area payment provided for in Article 100 of Regulation (EC) No 1782/2003, by base area as referred to in Annex IV to this Regulation and in the standardised format described in Annex IX to this Regulation,

— the crop-specific payment for cotton provided for in Article 110a of Regulation (EC) No 1782/2003,

— the aid for olive groves provided for in Article 110g of Regulation (EC) No 1782/2003, by categories,

— the hops area aid provided for in Article 110n of Regulation (EC) No 1782/2003,

— the single area payment scheme (SAPS) provided for in Article 143b of Regulation (EC) No 1782/2003;

(ii) the total quantity for which the aid has been claimed in the case of:

— the dairy premium provided for in Article 95 of Regulation (EC) No 1782/2003,

— the additional payments to producers of dairy products provided for in Article 96 of Regulation (EC) No 1782/2003;

(iii) the total number of applications in the case of the sheep and goat premiums provided for in Article 111 of Regulation (EC) No 1782/2003, using the model form set out in Annex XI to this Regulation;

b by 15 October of the year concerned at the latest, the total determined area in the case of:

— the protein crop premium provided for in Article 76 of Regulation (EC) No 1782/2003,

— the aid for energy crops provided for in Article 88 of Regulation (EC) No 1782/2003;

c by 15 November of the year concerned at the latest:

(i) the total determined area used for the calculation of the coefficient of reduction in the case of:

— the specific quality premium for durum wheat provided for in Article 72 of Regulation (EC) No 1782/2003,

— the crop-specific payment for rice provided for in Article 79 of Regulation (EC) No 1782/2003, broken down for the indica and japonica varieties, and also the detailed information by variety of rice and by base area and sub-base area using the model form set out in Annex III to this Regulation,

— the area payment for nuts provided for in Article 83 of Regulation (EC) No 1782/2003, expressed by categories of nut trees,

— the arable crops area payment provided for in Article 100 of Regulation (EC) No 1782/2003, by base area as referred to in Annex IV to this Regulation and in the standardised format described in Annex IX to this Regulation,

— the crop-specific payment for cotton provided for in Article 110a of Regulation (EC) No 1782/2003,

— the aid for olive groves provided for in Article 110g of Regulation (EC) No 1782/2003, by categories,

— the hops area aid provided for in Article 110n of Regulation (EC) No 1782/2003,

— the single area payment scheme (SAPS) provided for in Article 143b of Regulation (EC) No 1782/2003;

(ii) the total determined quantity used for the calculation of the coefficient of reduction, in the case of the dairy premium provided for in Article 95 of Regulation (EC) No 1782/2003;

(iii) the total determined quantity in the case of:

— the additional payments to producers of dairy products provided for in Article 96 of Regulation (EC) No 1782/2003,

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1250/2006. (See end of Document for details)*

— the tobacco aid provided for in Article 110j of Regulation (EC) No 1782/2003, by tobacco varieties as listed in Annex XXV to this Regulation;

(iv) the amount of aid per hectare to be granted for each category of olive groves in the case of the aid for olive groves provided for in Article 110g of Regulation (EC) No 1782/2003;

d by 31 March of the following year at the latest, the indicative aid amount per kg in the case of the tobacco aid provided for in Article 110j of Regulation (EC) No 1782/2003, by group of tobacco varieties as listed in Annex XXV to this Regulation and, where applicable, per quality grade;

e by 31 July of the following year at the latest:

(i) the total area for which the aid has actually been paid in the case of:

— the specific quality premium for durum wheat provided for in Article 72 of Regulation (EC) No 1782/2003,

— the protein crop premium provided for in Article 76 of Regulation (EC) No 1782/2003,

— the crop-specific payment for rice provided for in Article 79 of Regulation (EC) No 1782/2003, broken down for the indica and japonica varieties,

— the area payment for nuts provided for in Article 83 of Regulation (EC) No 1782/2003, expressed by categories of nut trees,

— the aid for energy crops provided for in Article 88 of Regulation (EC) No 1782/2003,

— the arable crops area payment provided for in Article 100 of Regulation (EC) No 1782/2003, by base area as referred to in Annex IV to this Regulation and in the standardised format described in Annex IX to this Regulation,

— the crop-specific payment for cotton provided for in Article 110a of Regulation (EC) No 1782/2003,

— the aid for olive groves provided for in Article 110g of Regulation (EC) No 1782/2003, by categories,

— the hops area aid provided for in Article 110n of Regulation (EC) No 1782/2003,

— the single area payment scheme (SAPS) provided for in Article 143b of Regulation (EC) No 1782/2003;

(ii) the total quantity for which the aid has actually been paid in the case of:

— the aid for starch potato (in starch-equivalent) provided for in Article 93 of Regulation (EC) No 1782/2003,

— the dairy premium provided for in Article 95 of Regulation (EC) No 1782/2003,

— the additional payments to producers of dairy products provided for in Article 96 of Regulation (EC) No 1782/2003,

— the seed aid provided for in Article 99 of Regulation (EC) No 1782/2003, by seed species as listed in Annex XI to Regulation (EC) No 1782/2003,

— the tobacco aid provided for in Article 110j of Regulation (EC) No 1782/2003, by tobacco varieties as listed in Annex XXV to this Regulation and by quality,

— the transitional sugar payment provided for in Article 110p of Regulation (EC) No 1782/2003;

(iii) the final aid amount per kg in the case of the tobacco aid provided for in Article 110j of Regulation (EC) No 1782/2003, by group of tobacco varieties as listed in Annex XXV to this Regulation and, where applicable, per quality grade;

(iv) the total number of sheep and goat premiums paid in the case of the sheep and goat premiums provided for in Article 111 of Regulation (EC) No 1782/2003, using the model form set out in Annex XII to this Regulation.

2 In the communications provided for in paragraph 1, the areas shall be expressed in hectares to two decimal places, the quantities shall be expressed in tonnes to three decimal places, and the number of applications shall be expressed with no decimal places.

3 Where the information required under paragraph 1 changes, in particular as a result of the checks or corrections or improvements of previous figures, an update shall be communicated to the Commission within one month after the occurrence of the change.

2. Article 4 is amended as follows:

(a) paragraph 1 is replaced by the following:

1. The coefficient of reduction of area in the case referred to in Articles 75, 78(2), 82, 85, 89(2), 98, 143 and 143b(7) of Regulation (EC) No 1782/2003 or of the quantities and the objective criteria in the case referred to in Article 95(4) of that Regulation shall be fixed at the latest by 15 November of the year concerned on the basis of the data communicated in accordance with Article 3(b) and (c) of this Regulation.;

(b) paragraph 2 is deleted.

3. In Article 14, paragraphs 1 and 2 are replaced by the following:

1. Member States shall communicate to the Commission by 1 September at the latest the list of the varieties registered in the national catalogue, classified according to the criteria defined in item 2 of Annex I to Council Regulation (EC) No 1785/2003[(3)] in case of amendments to that list.

2 For French Guiana, the information concerning the areas referred to in Article 3(1)(c)(i) shall be communicated on the basis of the average of the areas sown during the two sowing cycles as referred to in the second paragraph of Article 12.

4. In Article 44, the second paragraph is replaced by the following:

Such information shall include, in particular:

(a) the areas corresponding to each species of raw material;

(b) the quantities of each type of raw material and end product obtained.