


Procedure file

| Basic information | |
|---|---------------------------------------|
| CNS - Consultation procedure Regulation | 2009/0084(CNS) Procedure completed |
| Common agricultural policy (CAP): support schemes for farmers Amending Regulation (EC) No 73/2009 2008/0103(CNS) | |
| Subject 3.10.14 Support for producers and premiums | |

| Key players | | | |
|-------------------------------|--|---|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | AGRI Agriculture and Rural Development | | 21/07/2009 |
| | | S&D DE CASTRO Paolo | |
| | Committee for opinion | Rapporteur for opinion | Appointed |
| | BUDG Budgets | The committee decided not to give an opinion. | |
| Council of the European Union | Council configuration | Meeting | Date |
| | Employment, Social Policy, Health and Consumer Affairs2980 | | 30/11/2009 |
| European Commission | Commission DG | Commissioner | |
| | Agriculture and Rural Development | FISCHER BOEL Mariann | |

| Key events | | | |
|------------|---|---|---------|
| 28/06/2009 | Legislative proposal published | COM(2009)0321 | Summary |
| 16/07/2009 | Committee referral announced in Parliament | | |
| 02/09/2009 | Vote in committee | | Summary |
| 04/09/2009 | Committee report tabled for plenary, 1st reading/single reading | A7-0004/2009 | |
| 17/09/2009 | Results of vote in Parliament |  | |
| 17/09/2009 | Decision by Parliament | T7-0015/2009 | Summary |
| 30/11/2009 | Act adopted by Council after consultation of Parliament | | |
| 30/11/2009 | End of procedure in Parliament | | |
| 19/12/2009 | Final act published in Official Journal | | |

| Technical information | |
|------------------------|------------------------------|
| Procedure reference | 2009/0084(CNS) |
| Procedure type | CNS - Consultation procedure |
| Procedure subtype | Legislation |
| Legislative instrument | Regulation |

| | |
|----------------------------|--|
| | Amending Regulation (EC) No 73/2009 2008/0103(CNS) |
| Legal basis | Treaty on the Functioning of the EU TFEU 043-p2 |
| Other legal basis | Rules of Procedure EP 159 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | AGRI/7/00342 |

Documentation gateway

| | | | | |
|---|-------------------------------|------------|----|---------|
| Legislative proposal | COM(2009)0321 | 29/06/2009 | EC | Summary |
| Committee draft report | PE427.185 | 22/07/2009 | EP | |
| Committee report tabled for plenary, 1st reading/single reading | A7-0004/2009 | 04/09/2009 | EP | |
| Text adopted by Parliament, 1st reading/single reading | T7-0015/2009 | 17/09/2009 | EP | Summary |

Additional information

| | |
|----------------------|-------------------------|
| National parliaments | IPEX |
| European Commission | EUR-Lex |

Final act

[Regulation 2009/1250](#)
[OJ L 338 19.12.2009, p. 0001](#) Summary

Common agricultural policy (CAP): support schemes for farmers

PURPOSE: to amend Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003.

PROPOSED ACT: Council Regulation.

CONTENT: the aim of the proposal is to clarify two aspects of interpretation found in Articles 11 and 69(5) of Council Regulation (EC) No 73/2009.

A technical correction has to be introduced to the calculation formula of Article 11 (Financial discipline) in order to take into account the transfers to Rural Development foreseen in Article 23 of Council Regulation (EC) No 479/2008 and Article 136 of Council Regulation (EC) No 73/2009. This adjustment has already been introduced in Article 12 of Council Regulation (EC) No 1290/2005.

In addition, an adjustment of Article 69(5) is proposed in order to comply with point 6.6 of the Final Presidency compromise on Health Check proposals.

More specifically,

- Article 11 of Council Regulation (EC) No 73/2009 establishes the mechanism of financial discipline which provides for an adjustment of the direct payments when the forecasts indicate that the sub-ceiling for direct aids and market measures, under heading 2 of Annex I to the [Interinstitutional Agreement](#) between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management, with a safety margin of EUR 300 000 000, is exceeded. The sub-ceiling under heading 2 covers expenditure for direct aids before all transfers to rural development. Therefore, the expenditure to be compared with the ceiling for the adjustment should be done before modulation and the transfers to the rural development. Therefore, a correct comparison of expenditure to the ceiling should also include the possible transfer to the European Agricultural Fund for Rural Development, referred to in Article 136 of Regulation (EC) No 73/2009, and the amounts resulting from Article 190a(2) 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) concerning financial transfers to rural development in the wine sector.
- The first sub-paragraph of Article 69(5) of Regulation (EC) No 73/2009 derogates from Article 69(4) of that Regulation in relation to the use of Articles 68 and 69 of Regulation (EC) No 1782/2003. The purpose of this derogation is to set a transitional period for a gradual adaptation of the support in the beef and veal sector. This derogation should therefore be limited to cases where Article 69 of Regulation (EC) No 1782/2003 has been used mainly for supporting the beef and veal sector.

IMPACT ASSESSMENT: not applicable.

BUDGETARY IMPLICATIONS: this measure does not involve any additional Community expenditure.

Common agricultural policy (CAP): support schemes for farmers

The Committee on Agriculture and Rural Development adopted the report drawn up by Paolo DE CASTRO (S-D, IT) approving unamended, under the consultation procedure, the proposal for a Council regulation amending Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006 and (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003.

Common agricultural policy (CAP): support schemes for farmers

The European Parliament adopted by 525 votes to 16, with 31 abstentions, a legislative resolution approving unamended, under the consultation procedure, the proposal for a Council regulation amending Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006 and (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003.

Common agricultural policy (CAP): support schemes for farmers

PURPOSE: to clarify two aspects of interpretation found in Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, and to amend it accordingly.

LEGISLATIVE ACT: Council Regulation (EC) No 1250/2009 amending Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers.

CONTENT: the Council adopted a regulation clarifying certain aspects of the CAP "Health check" Direct payments regulation 73/2009 adopted in January 2009. These are mainly technical alignments needed to ensure the smooth implementation of the new Health Check rules. They include for example adjustments to ensure consistency of approach in the implementation of the farm payment rules in certain vulnerable sectors (sheepmeat, goatmeat, beef and veal) as well as the reinstatement of a rule from the previous regulation and omitted from the Health Check whereby farmers should not be able to benefit from a windfall profit of direct payments.

Further to the Commission's report to Council on the dairy market situation 2009 (see [COM\(2009\)0385](#)), the Council has also decided to extend the deadline for member states who, under certain conditions, wish to grant specific support for 2010 to farmers in the dairy sector.

ENTRY INTO FORCE: 22/12/2009.