

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(EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 (repealed)

TITLE IV

OTHER AID SCHEMES

CHAPTER 1

SPECIFIC QUALITY PREMIUM FOR DURUM WHEAT

Article 72

Scope of application

Aid shall be granted to farmers producing durum wheat falling within CN code 1001 10 00, under the conditions laid down in this Chapter.

Article 73

Amount and eligibility

- 1 The aid shall be EUR 40 per hectare.
- 2 Granting of payments shall be subject to the use of certain quantities of certified seeds of varieties recognised, in the production zone, as being of high quality for the production of semolina or pasta.

Article 74

Areas

[^{F1} The aid shall be granted for national base areas in the traditional production zones listed in Annex X.

The base area shall be as follows:

Bulgaria	21 800 ha
Greece	617 000 ha
Spain	594 000 ha
France	208 000 ha

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Italy	1 646 000 ha
Cyprus	6 183 ha
Hungary	2 500 ha
Austria	7 000 ha
Portugal	118 000 ha]

2 A Member State may subdivide its base area into sub-base areas in accordance with objective criteria.

Textual Amendments

F1 Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)

Article 75

Overrun of the area

1 Where the area for which aid is claimed exceeds the base area, the area per farmer for which aid is claimed shall be reduced proportionately in that year.

2 When a Member State subdivides its base area in sub-base areas, the reduction provided for in the paragraph 1 shall apply only to the farmers in sub-base areas where their limit have been exceeded. This reduction shall be made when, in the Member State concerned, the areas in sub-base areas, which have not reached their limits, have been redistributed to sub-base areas in which those limits have been exceeded.

CHAPTER 2

PROTEIN CROP PREMIUM

Article 76

Scope

An aid shall be granted to farmers producing protein crops under the conditions laid down in this Chapter.

Protein crops shall include:

- peas falling within CN code 0713 10,
- field beans falling within CN code 0713 50,
- sweet lupins falling within CN code ex 1209 29 50.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 77

Amount and eligibility

The aid shall be EUR 55,57 per hectare of protein crops harvested after the stage of lactic ripeness.

However, crops grown on areas which are fully sown and which are cultivated in accordance with local standards, but which do not attain the stage of lactic ripeness as a result of exceptional weather conditions recognised by the Member State concerned, shall remain eligible for aid provided that the areas in question are not used for any other purpose up to this growing stage.

Article 78

Area

[^{F1} A maximum guaranteed area of 1 648 000 ha for which the aid may be granted is hereby established.]

2 Where the area for which aid is claimed exceeds the maximum guaranteed area, the area per farmer for which aid is claimed shall be reduced proportionately in that year in accordance with the procedure referred to in Article 144(2).

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)

CHAPTER 3

CROP SPECIFIC PAYMENT FOR RICE

Article 79

Scope

Aid shall be granted to farmers producing rice, falling within CN code 1006 10 under the conditions laid down in this Chapter.

Article 80

Amount and eligibility

1 The aid shall be granted per hectare of land sown under rice and where the crop is maintained until at least the beginning of flowering under normal growth conditions.

However, crops grown on areas which are fully sown and which are cultivated in accordance with local standards, but which do not attain the stage of flowering as a

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Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

result of exceptional weather conditions recognised by the Member State concerned, shall remain eligible for aid provided that the areas in question are not used for any other purpose up to this growing stage.

[^{F12} The aid shall be as follows, according to the yields in the Member States concerned:

	Marketing year 2004/2005 and in case of application of Article 71(EUR/ha)	Marketing year 2005/2006 and onward(EUR/ha)
Bulgaria	—	345,225
Greece	1 323,96	561,0
Spain	1 123,95	476,25
France:		
— metropolitan territory	971,73	411,75
— French Guyana	1 329,27	563,25
Italy	1 069,08	453,0
Hungary	548,7	232,5
Portugal	1 070,85	453,75
Romania	—	126,075]

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)

[^{F1} Article 81

Areas

A national base area for each producing Member State is hereby established. However, for France two base areas are established. The base areas shall be as follows:

Bulgaria	4 166 ha
Greece	20 333 ha
Spain	104 973 ha
France:	19 050 ha
— metropolitan territory	
— French Guyana	4 190 ha
Italy	219 588 ha
Hungary	3 222 ha

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Portugal	24 667 ha
Romania	500 ha

A Member State may subdivide its base area or areas into sub-base areas in accordance with objective criteria.]

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)

Article 82

Overrun of the areas

1 Where in a Member State the area given over to rice in a given year exceeds the base area indicated in Article 81, the area per farmer for which aid is claimed shall be reduced proportionately in that year.

2 When a Member State subdivides its base area or areas in sub-base areas, the reduction provided for in paragraph 1 shall apply only to the farmers in sub-base areas where their limit have been exceeded. This reduction shall be made when, in the Member State concerned, the areas in sub-base areas, which have not reached their limits, have been redistributed to sub-base areas in which those limits have been exceeded.

CHAPTER 4

AREA PAYMENT FOR NUTS

Article 83

Community aid

1 A Community aid shall be granted to farmers producing nuts under the conditions laid down in this Chapter.

Nuts shall include:

- almonds falling within CN codes 0802 11 and 0802 12,
- hazelnuts or filberts falling within CN codes 0802 21 and 0802 22,
- walnuts falling within CN codes 0802 31 and 0802 32,
- pistachios falling within CN codes 0802 50,
- locust beans falling within CN codes 1212 10 10.

2 Member States may differentiate the aid in function of the products or by increasing or decreasing the national guaranteed areas (hereinafter referred to as the 'NGA') established in Article 84(3). However, in each Member State, the total amount of aid granted in a given year shall not be higher than the ceiling referred to in Article 84(1).

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

[^{F1} Article 84

Areas

1 A Member State shall grant the Community aid within the limit of a ceiling calculated by multiplying the number of hectares of its NGA as fixed in paragraph 3 by the average amount of EUR 120,75.

2 A maximum guaranteed area of 829 229 ha is hereby established.

3 The maximum guaranteed area referred to in paragraph 2 shall be divided into the following NGA:

National Guaranteed Areas (NGA)	
Belgium	100 ha
Bulgaria	11 984 ha
Germany	1 500 ha
Greece	41 100 ha
Spain	568 200 ha
France	17 300 ha
Italy	130 100 ha
Cyprus	5 100 ha
Luxembourg	100 ha
Hungary	2 900 ha
Netherlands	100 ha
Austria	100 ha
Poland	4 200 ha
Portugal	41 300 ha
Romania	1 645 ha
Slovenia	300 ha
Slovakia	3 100 ha
United Kingdom	100 ha

4 A Member State may subdivide its NGA into sub-areas in accordance with objective criteria, in particular at regional level or in relation to the production.]

Textual Amendments

F1 Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 85

Overrun of the sub-base areas

When a Member State subdivides its NGA in sub-base areas and one or more sub-base areas are exceeded, the area per farmer for which Community aid is claimed shall be reduced proportionately in that year for the farmers in the sub-base areas where their limit have been exceeded. This reduction shall be made when, in the Member State concerned, the areas in sub-base areas, which have not reached their limits, have been redistributed to sub-base areas in which those limits have been exceeded.

Article 86

Conditions for eligibility

1 Payment of the Community aid shall be conditional on, in particular, minimum plot size and tree density.

2 Areas in improvement plans within the meaning of Article 14(b) of Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organisation of the market in fruit and vegetables⁽¹⁾ become eligible for aid under this scheme on 1 January of the year following the year in which the improvement plan expired.

3 Member States may make the granting of Community aid conditional on farmers being members of a producer organisation recognised under Articles 11 or 14 of Regulation (EC) No 2200/96.

4 If the provision of paragraph 3 is applied, Member States may decide that the payment of the aid referred to in paragraph 1 is made to a producer organisation on the behalf of its members. The amount of aid received by the producer organisation shall be paid to its members. However, Member States may authorise a producer organisation, as compensation for the services provided to its members, to operate a deduction on the amount of Community aid up to a maximum of 2 %.

Article 87

National aid

1 Member States may grant national aid, in addition to the Community aid, up to a maximum of EUR 120,75 per hectare per year.

2 The national aid may be paid only for areas receiving Community aid.

3 Member States may make the granting of national aid conditional on farmers being members of a producer organisation recognised under Articles 11 or 14 of Regulation (EC) No 2200/96.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

CHAPTER 5

AID FOR ENERGY CROPS

Article 88

Aid

An aid of EUR 45 per hectare per year shall be granted for areas sown under energy crops used under the conditions laid down in this Chapter.

Energy crops shall mean crops supplied essentially for the production of the following energy products:

- products considered biofuels listed in Article 2, point 2 of Directive 2003/30/EC of the European Parliament and of the Council of 8 May 2003 on the promotion of the use of biofuels or other renewable fuels for transport⁽²⁾,
- electric and thermal energy produced from biomass.

[^{F2}Articles 143a and 143c shall not apply to the aid for energy crops in the Community as constituted on 1 January 2007.]

Textual Amendments

- F2** Inserted by Council Regulation (EC) No 2012/2006 of 19 December 2006 amending and correcting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).

Article 89

Areas

[^{F31} A maximum guaranteed area of 2 000 000 ha for which the aid may be granted is hereby established.]

2 Where the area for which aid is claimed exceeds the maximum guaranteed area, the area per farmer for which aid is claimed shall be reduced proportionately in that year in accordance with the procedure referred to in Article 144(2).

Textual Amendments

- F3** Substituted by Council Regulation (EC) No 2012/2006 of 19 December 2006 amending and correcting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

[^{F4}Article 90

Conditions for eligibility

[^{F5}The aid shall be granted only in respect of areas whose production is covered by a contract between the farmer and the processing industry or by a contract between the farmer and the collector, except in case of processing undertaken by the farmer himself/herself on the holding.]

Areas which have been subject to an application for energy crops scheme may not be counted as being set aside for the purposes of the set-aside requirement indicated in Article 6(1) of Regulation (EC) No 1251/1999 and in Articles 54(2), 63(2), 71j and 107(1) of this Regulation.]

Textual Amendments

- F4** Substituted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F5** Substituted by Council Regulation (EC) No 319/2006 of 20 February 2006 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers.

[^{F2}Article 90a

National aid

Member States shall be authorised to pay national aid up to 50 % of the costs associated with establishing permanent crops for the areas which have been subject to an application for the aid for energy crops.]

Textual Amendments

- F2** Inserted by Council Regulation (EC) No 2012/2006 of 19 December 2006 amending and correcting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).

Article 91

Review of the list of energy crops

Products may be added or removed to Article 88 in accordance with the procedure referred to in Article 144(2).

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 92

Review of energy crops scheme

By 31 December 2006, the Commission shall submit a report to the Council on the implementation of the scheme, accompanied, where appropriate, by proposals taking into account the implementation of the EU biofuels initiative.

CHAPTER 6

AID FOR STARCH POTATO

Article 93

Aid

Aid shall be established for farmers producing potatoes intended for the manufacture of potato starch. The amount of the payment applies to the quantity of potatoes needed for making one tonne of starch. It shall be:

- EUR 110,54 for the marketing year 2004/2005 and in case of application of Article 71,
- EUR 66,32 from the marketing year 2005/2006 onwards.

It shall be adjusted according to the starch content of the potatoes.

[^{F4}Article 94

Conditions

The aid shall be paid only in respect of the quantity of potatoes covered by a cultivation contract between the potato producer and the starch manufacturer within the limit of the quota allocated to such undertaking, as referred to in Article 2(2) or (4) of Regulation (EC) No 1868/94.]

Textual Amendments

- F4** Substituted by [Council Regulation \(EC\) No 583/2004 of 22 March 2004 amending Regulations \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \(EC\) No 1786/2003 on the common organisation of the market in dried fodder and \(EC\) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund \(EAGGF\) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.](#)

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

CHAPTER 7

DAIRY PREMIUM AND ADDITIONAL PAYMENT

Article 95

Dairy premium

1 From 2004 to 2007, milk producers shall qualify for a dairy premium. It shall be granted per calendar year, per holding and per tonne of individual reference quantity eligible for premium and available on the holding.

2 Without prejudice to paragraph 3 and to reductions resulting from the application of paragraph 4, the individual reference quantity for milk available on the holding on 31 March of the calendar year concerned, expressed in tonnes, shall be multiplied by:

- EUR 8,15/t for the calendar year 2004,
- EUR 16,31/t for the calendar year 2005,
- EUR 24,49/t for the calendar years 2006 and 2007, and

in case of application of Article 70, for the following calendar years.

[^{F6}For Poland and Slovenia, the amount per tonne for the dairy premium for 2004 shall be multiplied by the provisional individual reference quantity available on the holding on 1 May 2004.]

3 Individual reference quantities which have been the subject of temporary transfers in accordance with Article 6 of Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector⁽³⁾ or Article 16 of Council Regulation (EC) No 1788/2003 of 29 September 2003 establishing a levy in the milk and milk products sector⁽⁴⁾ on 31 March of the calendar year concerned shall be deemed to be available on the holding of the transferee for that calendar year.

4 For the purpose of applying paragraph 2, where, on 31 March of a calendar year, the sum of all individual reference quantities in a Member State exceeds the sum of the corresponding total quantities of that Member State set out in Annex I of Regulation (EEC) No 3950/92, for the 12-month period 1999/2000, the Member State concerned shall, on the basis of objective criteria, take the necessary steps to reduce accordingly the total amount of individual reference quantities eligible for premium on its territory.

[^{F7}However, for Germany and Austria the ceiling fixed on the basis of the reference quantities for the 12-month period of 1999/2000, shall be, respectively, 27 863 827,288 and 2 750 389,712 tonnes.]

[^{F6}For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia the total quantities referred to in the first subparagraph are set out in table (f) of Annex I of Council Regulation (EC) No 1788/2003⁽⁵⁾.

For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia the 12 month period referred to in the first subparagraph shall be that of 2004/2005.]

[^{F8}For Bulgaria and Romania the total quantities referred to in the first subparagraph are set out in table (f) of Annex I of Council Regulation (EC) No 1788/2003 and reviewed in accordance with Article 6(1) sixth subparagraph of Council Regulation (EC) No 1788/2003.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

For Bulgaria and Romania the 12-month period referred to in the first subparagraph shall be that of 2006/2007.]

Textual Amendments

- F6** Inserted by Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.
- F7** Inserted by Council Regulation (EC) No 2217/2004 of 22 December 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and Regulation (EC) No 1788/2003 establishing a levy in the milk and milk products sector.
- F8** Inserted by Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.

Article 96

Additional payments

1 From 2004 to 2007, Member States shall, on a yearly basis, make additional payments to producers in their territory totalling the global amounts per year set out in paragraph 2. Such payments shall be made according to objective criteria and in such a way as to ensure equal treatment between producers and to avoid market and competition distortions. Moreover, such payments shall not be linked to fluctuations of market prices.

Premium supplements shall only be granted as a supplementary amount per premium amount as set out in Article 95(2).

[^{F92} Additional payments: global amounts expressed in EUR million:

	2004	2005	2006 and 2007^a
Belgium	12,12	24,3	36,45
Czech Republic	9,817	19,687	29,53
Denmark	16,31	32,7	49,05
Germany	101,99	204,53	306,79
Estonia	2,286	4,584	6,876
Greece	2,31	4,63	6,94
Spain	20,38	40,86	61,29
France	88,7	177,89	266,84
Ireland	19,2	38,5	57,76
Italy	36,34	72,89	109,33
Cyprus	0,531	1,066	1,599
Latvia	2,545	5,104	7,656

^a And, in case of application of Article 70, for the following calendar years.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Lithuania	6,028	12,089	18,133
Luxembourg	0,98	1,97	2,96
Hungary	7,127	14,293	21,44
Malta	0,178	0,357	0,536
Netherlands	40,53	81,29	121,93
Austria	10,06	20,18	30,27
Poland	32,808	65,796	98,694
Portugal	6,85	13,74	20,62
Slovenia	2,051	4,114	6,17
Slovakia	3,709	7,438	11,157
Finland	8,81	17,66	26,49
Sweden	12,09	24,24	36,37
United Kingdom	53,4	107,09	160,64

a And, in case of application of Article 70, for the following calendar years.

In the new Member States the global amounts shall be applied in accordance with the schedule of increments as set out in Article 143a.]

Textual Amendments

F9 Substituted by [Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.](#)

Article 97

Definitions

For the purpose of this Chapter, the definitions of ‘producer’ laid down in Article 5 of Regulation (EC) No 1788/2003 shall apply.

CHAPTER 8

SPECIFIC REGIONAL AID FOR ARABLE CROPS

Article 98

Aid

In case of application of Article 70, in Finland and in Sweden north of the 62nd Parallel and some adjacent areas affected by comparable climatic conditions rendering agricultural activity particularly difficult, farmers producing cereals, oilseeds, linseed

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Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

and flax and hemp grown for fibre shall be granted a specific aid of EUR 24/t, multiplied by the yields determined in the regionalisation plan for the region concerned within the limit of a ceiling, fixed by the Commission in accordance with Article 64(2), corresponding to the component of this aid in the ceiling referred to in Article 41.

When the total amount of aid claimed exceeds the fixed ceiling, the aid per farmer shall be reduced proportionately in that year.

CHAPTER 9

SEED AID

Article 99

Aid

1 In case of application of Article 70, Member States shall grant, on a yearly basis, the aids fixed in Annex XI for the production of basic seed or certified seeds of one or more of the species listed in Annex XI.

2 In case the area accepted for certification for which the aid for seeds is claimed is used also for claiming the aid under the single payment scheme, the amount of aid for seed, except in the case of species referred to in Annex XI points 1 and 2, shall be reduced, but not to less than zero, by the amount of aid of the single payment scheme to be granted in a given year for the area concerned.

[^{F43} The amount of aid claimed shall not exceed a ceiling, fixed by the Commission in accordance with Article 64(2), corresponding to the component of seed aids for the species concerned in the national ceiling referred to in Article 41. However, for the new Member States, this ceiling shall correspond to the amounts mentioned in Annex XIa.

When the total amount of aid claimed exceeds the fixed ceiling, the aid per farmer shall be reduced proportionately in that year.]

4 The varieties of *Cannabis sativa* L. for which the aid provided for in this Article is payable shall be determined in accordance with the procedure referred to in Article 144(2).

Textual Amendments

- F4** Substituted by [Council Regulation \(EC\) No 583/2004 of 22 March 2004 amending Regulations \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \(EC\) No 1786/2003 on the common organisation of the market in dried fodder and \(EC\) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund \(EAGGF\) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.](#)

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

CHAPTER 10

ARABLE CROPS AREA PAYMENT

Article 100

Scope of application and definitions

1 In case of application of Article 66, Member States shall grant, under the conditions set out in this Chapter, save as otherwise provided, the aid chosen by the Member State concerned according to that Article, to farmers producing arable crops.

2 For the purposes of this Chapter:

- the marketing year shall run from 1 July to 30 June,
- ‘arable crops’ are taken to mean those listed in Annex IX.

3 Member States where maize is not a traditional crop may make grass silage eligible for the arable crops area payments, under the same conditions as those applicable for arable crops.

Article 101

Base areas

The area payment shall be fixed on a per hectare basis and regionally differentiated.

The area payment shall be granted for the area which is down to arable crops or subject to set-aside in accordance with Article 107 of this Regulation and which does not exceed the total number of hectares of the regional base area or areas as fixed in Annex VI of Commission Regulation (EC) No 2316/1999⁽⁶⁾, taking into account the application of Regulation (EC) No 1017/94.

[^{F10}However, the regional base area or areas in the new Member States shall be fixed by the Commission in accordance with the procedure referred to in Article 144(2) and within the limits of the national base areas listed in Annex XIb.]

A region in this sense shall be understood to mean a Member State or a region within the Member State, at the option of the Member State concerned. In case of application of Article 66 of this Regulation, the area or areas fixed in Annex VI of Regulation (EC) No 2316/1999 shall be reduced by the number of hectares corresponding to the set-aside entitlements set up in accordance with Article 53 and 63(2) of this Regulation in the region concerned.

Textual Amendments

- F10** Inserted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 102

Overrun of base areas and ceiling

1 When the sum of the areas for which payment is claimed under the arable crops' scheme, including the set-aside provided for under that scheme in case of application of Article 71, is in excess of the base area, the eligible area per farmer shall be reduced proportionately [^{X1}for all the payments granted under this Chapter in the region] in question, during the same marketing year.

2 The sum of the payments claimed shall not be higher than the ceiling fixed by the Commission in accordance with Article 64(2). When the total amount of aid claimed exceeds the fixed ceiling, the aid per farmer shall be reduced proportionately in that year.

3 In case of application of Article 71, areas which are not the subject of an application for payment under this Chapter but are used to support an application for aid under Chapter 12 shall also be taken into account for the calculation of areas for which payment is claimed.

4 If a Member State makes grass silage eligible for the arable crops area payments, a separate base area shall be defined. If the base area for arable crops or grass silage is not reached in a given marketing year, the balance of hectares shall be allocated for the same marketing year to the corresponding base area.

5 Where a Member State has chosen to establish one or more national base areas, it may subdivide each national base area into sub-base areas according to objective criteria to be defined by the Member State.

For the purposes of applying this paragraph, the 'Secano' and 'Regadío' base areas shall be considered as national base areas.

Where there is an overshoot of a national base area, the Member State concerned may, in accordance with objective criteria, concentrate the measure applicable under paragraph 1 totally or partially on the sub-base areas for which the overshoot has been noted.

Member States which have decided to apply the possibilities provided for in this paragraph, shall notify farmers and the Commission by 15 September of their choices and the detailed rules for their application.

Editorial Information

- X1** Substituted by [Corrigendum 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 \(Official Journal of the European Union L 270 of 21 October 2003\)](#).

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 103

Regionalisation plan

The regionalisation plan established by Member States pursuant to Article 3 of Regulation (EC) No 1251/1999 shall apply.

[^{F10}Alternatively, for any new Member State applying the single area payment scheme referred to in Article 143b in 2004 and opting for the application of Article 66, the regionalisation plan shall be established, according to objective criteria, not later than 1 August of the last year of application of the single area payment scheme. Where this is done, the combined regional base areas and the weighted average reference yield in the regions shall respect the limits of the national base area and reference yield as listed in Annex XIb.[^{F8}However, for Bulgaria and Romania the condition for the application of this paragraph will be that the single area payment scheme is applied in 2007 and that the application of Article 66 has been opted for.]]

The regionalisation plan may be revised, according to objective criteria, by the Member State concerned at the request of the Commission or at the initiative of that Member State.

Textual Amendments

- F8** Inserted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)
- F10** Inserted by [Council Regulation \(EC\) No 583/2004 of 22 March 2004 amending Regulations \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \(EC\) No 1786/2003 on the common organisation of the market in dried fodder and \(EC\) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund \(EAGGF\) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.](#)

Article 104

Basic amount

1 The area payment shall be calculated by multiplying the basic amount per tonne by the average cereal yield determined in the regionalisation plan for the region concerned.

2 The calculation mentioned in paragraph 1 shall be made using the average cereals yield. However, where maize is treated separately, the 'maize' yield shall be used for maize and the 'cereals other than maize' yield shall be used for cereals, oilseeds, linseed and flax and hemp grown for fibre.

3 The basic amount for arable crops and, in case of application of Article 71, for set-aside shall be fixed at EUR 63,00/t from the 2005/2006 marketing year onwards.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

^{F4}Article 105

Durum wheat supplement

- ^{F1} A supplement to the area payment of:
- EUR 291/ha for the marketing year 2005/2006,
 - EUR 285/ha for the marketing year 2006/2007 and onwards,

shall be paid for the area down to durum wheat in the traditional production zones listed in Annex X, subject to the following limits:

<i>(hectares)</i>	
Bulgaria	21 800
Greece	617 000
Spain	594 000
France	208 000
Italy	1 646 000
Cyprus	6 183
Hungary	2 500
Austria	7 000
Portugal	118 000]

2 Should the total of the areas for which a supplement to the area payment is claimed be greater than the limit referred to in paragraph 1 during the course of a marketing year, the area per farmer for which the supplement may be paid shall be reduced proportionately.

However, subject to the limits per Member State laid down in paragraph 1, Member States may distribute the areas indicated in that paragraph among the production zones as defined in Annex X, or, for the Member States of the Community as constituted on 30 April 2004, if necessary, the production regions of the regionalisation plan, according to the extent of the production of durum wheat during the period 1993 to 1997. Where this is done, should the total of the areas within a region for which a supplement to the area payment is requested be greater than the corresponding regional limit during the course of a marketing year, the area per farmer in that production region for which the supplement may be paid shall be reduced proportionately. The reduction shall be made when, within a Member State, the areas in regions which have not reached their regional limits have been distributed to regions in which those limits have been exceeded.

3 In regions where the production of durum wheat is well established, other than those referred to in Annex X, special aid amounting to EUR 46/ha for the marketing year 2005/06 shall be granted up to a limit of the following number of hectares:

Germany	10 000 ha
Spain	4 000 ha
France	50 000 ha

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Italy	4 000 ha
Hungary	4 305 ha
Slovakia	4 717 ha
United Kingdom	5 000 ha.]

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)
- F4** Substituted by [Council Regulation \(EC\) No 583/2004 of 22 March 2004 amending Regulations \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \(EC\) No 1786/2003 on the common organisation of the market in dried fodder and \(EC\) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund \(EAGGF\) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.](#)

Article 106

Flax and hemp

For flax and hemp grown for fibre, the area payment shall be made only, depending on circumstances, when the contract is concluded or commitment made as referred to in Article 2(1) of Regulation (EC) No 1673/2000.

For hemp grown for fibre, the area payment shall also be made under the conditions provided for in Article 52.

Article 107

Set-aside

1 In case of application of Article 71, farmers applying for the area payment shall be subject to an obligation to set aside part of the land of their holding from production and shall receive compensation for this obligation.

2 The set-aside obligation for each farmer applying for area payments shall be fixed as a proportion of his area down to arable crops and for which a claim is made and left in set-aside pursuant to this Chapter.

The basic rate of compulsory set-aside is fixed at 10 % for the marketing years 2005/2006 and 2006/2007.

3 The land set aside may be used for:

- producing materials for the manufacture within the Community of products not directly intended for human or animal consumption, provided that effective control systems are applied;

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

- growing legume crops on a agricultural holding, managed for the totality of its production, in compliance with the obligations laid down in Regulation (EEC) No 2092/91.

Member States shall be authorised to pay national aid up to 50 % of the costs associated with establishing multiannual crops intended for bio-mass production on set-aside land.

4 The quantity of by-products for feed or food uses likely to be made available as a result of the cultivation of oilseeds on land set-aside under paragraph 3 first indent shall be taken into account for the respect of the limit of 1 million tonnes referred to in Article 56(3).

5 Where different yields are set for irrigated and non-irrigated land, the payment for set-aside for non-irrigated land apply.

6 Farmers may be granted the set-aside payment on land voluntarily set aside in excess of their obligation. Member States shall allow farmers to set-aside up to at least 10 % of the area down to arable crops and for which a payment application is made, and left in set-aside pursuant to this Article. Higher percentages may be set by a Member State taking into account specific situations and ensuring sufficient occupation of farmland.

In case of application of Article 66, this paragraph shall apply according to detailed rules to be adopted by the Commission, in accordance with the procedure referred to in Article 144(2).

7 Farmers who make a payment application for an area no bigger than the area which would be needed to produce 92 tonnes of cereals, on the basis of the yields determined for their region, are not bound by the set-aside obligation. Paragraph 6 shall apply to these farmers.

8 Without prejudice to Article 108, areas:

- set aside pursuant to agri-environment (Articles 22 to 24 of Council Regulation (EC) No 1257/1999), which are neither put to any agricultural use nor used for any lucrative purposes other than those accepted for other land set aside under this Regulation, or
- afforested pursuant to afforestation (Article 31 of Regulation (EC) No 1257/1999),

as a result of an application made after 28 June 1995, may, up to any limit per holding which may be set by the Member State concerned, be counted as being set aside for the purposes of the set-aside requirement indicated in paragraph 1. Such limit shall be set only to the extent necessary to avoid a disproportionate amount of the available budget relating to the scheme in question being concentrated on a small number of farms.

However, on these areas, the area payment specified in Article 104 of this Regulation shall not be granted and the support granted under Article 24(1) or Article 31(1), second indent of Regulation (EC) No 1257/1999 shall be limited to an amount equal at most to the area payment for set aside specified in Article 104 of this Regulation.

Member States may decide not to apply the scheme provided for in this paragraph to a new applicant in any region in which there is a continuing risk of a significant overshoot of the regional base area.

9 Set aside areas shall not be less than 0,1 ha in size and 10 metres wide. For duly justified environmental reasons, Member States may accept areas at least 5 metres wide and 0,05 ha in size.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

F⁴ Article 108

Eligible land

Applications for payments may not be made in respect of land which, at the date provided for the area aid applications for 2003, was under permanent pasture, permanent crops or trees or was used for non-agricultural purposes.

For the new Member States, applications for payments may not be made in respect of land which, on 30 June 2003, was under permanent pasture, permanent crops or trees or was used for non-agricultural purposes.^{F8} However, for Bulgaria and Romania, applications for payment may not be made in respect of land which, on 30 June 2005, was under permanent pasture, permanent crops or trees or was used for non-agricultural purposes.]

Member States may, on terms to be determined in accordance with the procedure referred to in Article 144(2), derogate from the first or second subparagraph of this Article provided that they take action to prevent any significant increase in the total eligible agricultural area.]

Textual Amendments

- F4** Substituted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F8** Inserted by Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.

Article 109

Sowing and application

In order to qualify for the area payment, a farmer shall by 31 May at the latest preceding the relevant harvest have sown the seed and by 15 May at the latest have lodged an application.

Article 110

Implementing rules

Detailed rules for the application of this Chapter shall be adopted in accordance with the procedure referred to in Article 144(2) and in particular:

- those relating to the establishment and management of base areas,
- those relating to the establishment of production regionalisation plans,
- those relating to grass silage,

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

- those relating to the granting of the area payment,
- those relating to the minimum area eligible for payment; such rules shall take particular account of the monitoring requirements and of the desired effectiveness of the scheme in question,
- those determining, for durum wheat, the eligibility for the supplement to the area payment and the eligibility requirements for the special aid, and in particular determination of the regions to be taken into consideration,
- those relating to set-aside, and in particular those relating to Article 107(3); these conditions shall define the fodder legumes that may be grown on land set aside and, with regard to the first indent of the first paragraph of that paragraph, may include the growing of crops without compensation.

According to the same procedure, the Commission may:

- either make the granting of payments subject to the use of:
 - (i) specific seeds;
 - (ii) certified seed in the case of durum wheat and flax and hemp grown for fibre;
 - (iii) certain varieties in the cases of oilseeds, durum wheat, linseed and flax and hemp grown for fibre,
- or provide for the possibility for Member States to make the grant of payments subject to such conditions,
- allow the dates in Article 109 to be varied in certain zones where exceptional climatic conditions render the normal dates inapplicable.

[^{FII}CHAPTER 10A

CROP SPECIFIC PAYMENT FOR COTTON

Article 110a

Scope

Aid shall be granted to farmers producing cotton, falling within CN code 5201 00 under the conditions laid down in this Chapter.

Article 110b

Eligibility

1 The aid shall be granted per hectare of eligible area of cotton. In order to be eligible, the area shall be located on agricultural land authorised by the Member State for cotton production, sown under authorised varieties and maintained at least until the boll opening under normal growing conditions.

However, if the cotton does not attain the stage of boll opening as a result of exceptional weather conditions recognised as such by the Member State, areas fully sown under cotton shall remain eligible for aid provided that the areas in question have up to the boll opening not been used for any other purpose than for the production of cotton.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

2 Member States shall authorise the land and the varieties referred to in paragraph 1 in accordance with detailed rules and conditions to be adopted in accordance with the procedure referred to in Article 144(2).

Article 110c

Base areas and amounts

[^{F1} A national base area is hereby established for:

- Bulgaria: 10 237 ha
- Greece: 370 000 ha
- Spain: 70 000 ha
- Portugal: 360 ha.]

[^{F12} The amount of the aid per eligible hectare shall be in:

- Bulgaria: EUR 263
- Greece: EUR 594 for 300 000 hectares and EUR 342,85 for the remaining 70 000 hectares
- Spain: EUR 1 039
- Portugal: EUR 556.]

3 If the eligible area of cotton in a given Member State and in a given year exceeds the base area laid down in paragraph 1, the aid referred to in paragraph 2 for that Member State shall be reduced proportionately to the overrun of the base area.

However, for Greece the proportionate reduction shall be applied in respect of the amount of the aid fixed for the part of the national base area composed of the 70 000 hectares in order to respect the global amount of EUR 202,2 million.

4 Detailed rules for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 144(2).

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded](#).

Article 110d

Approved inter-branch organisations

1 For the purpose of this Chapter, an ‘approved inter-branch organisation’ shall mean a legal entity made up of farmers producing cotton and at least one ginner, aiming at, in particular, the supply of qualitatively suitable unginned cotton to the ginner. The Member State in whose territory the ginner is established shall approve the organisation that respects the criteria to be adopted in accordance with the procedure referred to in Article 144(2).

2 The approved inter-branch organisation shall be financed by its members.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 110e

Differentiation of aid by approved inter-branch organisations

1 The approved inter-branch organisation may decide that a maximum of half of the total amount of the aid to which its farmer-members are entitled on the basis of the areas eligible pursuant to Article 110b(1) is differentiated according to a scale fixed by it.

2 The scale referred to in paragraph 1 shall be approved by the Member State and shall respect the criteria to be adopted in accordance with the procedure referred to in Article 144(2). These criteria shall concern, in particular, the quality of the unginned cotton to be delivered, adapted to the environmental and economic conditions of the zones concerned.

Article 110f

Payment of aid

1 Farmers shall be granted the aid per eligible hectare pursuant to Article 110c.

2 Farmers who are members of an approved inter-branch organisation shall be granted an aid per eligible hectare pursuant to Article 110c, increased by an amount of EUR 10. However, in case of differentiation, the aid shall be granted per eligible hectare pursuant to Article 110c adjusted in accordance with Article 110e(1). The adjusted amount shall be increased by an amount of EUR 10.

Textual Amendments

F11 Inserted by Council Regulation (EC) No 864/2004 of 29 April 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and adapting it by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

CHAPTER 10B

AID FOR OLIVE GROVES

Article 110g

Scope

Aid shall be granted to farmers as a contribution to the maintenance of olive groves of environmental or social value according to the conditions laid down in this Chapter.

Article 110h

Eligibility

Payment of the aid shall be subject to the following conditions:

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

- (a) the olive grove shall be registered in the geographic information system referred to in Article 20(2);
- (b) only surfaces corresponding either to olive trees planted before 1 May 1998, except for Cyprus and Malta, for which the date shall be 31 December 2001, or to replacing trees or surfaces covered by a programme approved by the Commission shall be eligible for the aid;
- (c) the number of olive trees in the olive grove shall not differ by more than 10 % from the number registered on 1 January 2005 in the geographic information system referred to in Article 20(2);
- (d) the olive grove shall comply with the features of the olive grove category under which aid is claimed;
- (e) the aid applied for shall amount to at least EUR 50 per application.

Article 110i

Amount

1 The aid for olive groves shall be granted per olive GIS-ha. An olive GIS-ha shall be the area unit used in a common method to be established in accordance with the procedure referred to in Article 144(2) on the basis of data from the geographical information system for olive cultivation referred to in Article 20(2).

2 Within the maximum amounts established in paragraph 3, and after deduction of the amount withheld pursuant to paragraph 4, Member States shall fix an aid per olive GIS-ha of up to a maximum of five categories of olive grove areas.

These categories shall be established in accordance with a common framework of environmental and social criteria, including aspects related to landscape and social tradition, to be adopted in accordance with the procedure referred to in Article 144(2). In this context, particular attention shall be given to the maintenance of olive groves in marginal areas.

3 Where the coefficient of 0,4, resulting from the application of the coefficient of 0,6 laid down in Annex VII (H) is applied, the maximum amount of aid referred to in paragraph 2 shall be as follows:

[^{F12} EUR million	
Spain	103,14
Cyprus	2,93]

Member States shall allocate the maximum amount between the different categories in accordance with objective criteria and in a non-discriminatory manner. For each category, the aid per olive GIS-ha may amount to, but may not exceed, the level of the maintenance costs excluding harvest costs.

Should Member States decide upon a decrease in the coefficient of 0,4 the maximum amount of the aid referred to in the above table, as well as the Annexes VIII and VIIIa, shall be adjusted in accordance with the procedure referred to in Article 144(2).

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

The maximum amounts of aid set for Cyprus and Malta are provisional. They may be revised in 2005 after the introduction of the geographical information system referred to in Article 20(2), in accordance with the procedure provided for in Article 144(2), to adjust the Cypriot and Maltese maximum amount of aid accordingly.

4 Member States may withhold up to 10 % of the amounts referred to in paragraph 3 to ensure Community finance of work programmes drawn up by approved operators' organisations pursuant to Article 8 of Council Regulation (EC) No 865/2004 of 29 April 2004 on the common organisation of the market in olive oil and table olives⁽⁷⁾.

However, should a Member State decide to apply a higher coefficient than 0,6 as laid down in Annex VII (H), it may withhold a maximum of 10 % of the olive oil component in the national ceiling referred to in Article 41 to ensure Community financing of the work programmes referred to in the first subparagraph. This maximum amount shall be fixed in accordance with the procedure referred to in Article 144(2).

Textual Amendments

F12 Substituted by [Commission Regulation \(EC\) No 552/2007 of 22 May 2007 establishing the maximum Community contribution to financing the work programmes in the olive oil sector and fixing, for 2007, budgetary ceilings for the partial or optional implementation of the Single Payment Scheme and the annual financial envelopes for the Single Area Payment Scheme, provided for in Council Regulation \(EC\) No 1782/2003, and amending that Regulation.](#)

CHAPTER 10C

TOBACCO AID

Article 110j

Scope of application

For the harvest years 2006, 2007, 2008 and 2009 aid may be granted to farmers producing raw tobacco, falling within CN code 2401, under the conditions laid down in this chapter.

Article 110k

Eligibility

The aid shall be granted to farmers who received a tobacco premium payment in accordance with Regulations (EEC) No 2075/92 in the calendar years 2000, 2001 and 2002, and to farmers who acquired tobacco production quotas during the period 1 January 2002 to 31 December 2005. The payment of the aid shall be subject to the following conditions:

- (a) the tobacco must come from a production area referred to in Annex II to Commission Regulation (EC) No 2848/98⁽⁸⁾;
- (b) the quality requirements defined in Regulation (EC) No 2848/98 must be fulfilled;

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

- (c) the leaf tobacco must be delivered by the farmer to the premises of the first processor under a cultivation contract;
- (d) it shall be made in such a way as to ensure equal treatment between farmers and/or according to objective criteria such as location of tobacco producers in an Objective 1 region or the production of varieties of a certain quality.

Article 110l

Amount

1 Where a coefficient of 0,6, resulting from the application of the coefficient of 0,4 laid down in Annex VII (I) is applied, the maximum amount of the total of the aid, including the amounts to be transferred to the Community Tobacco Fund referred to in Article 110m, shall be as follows:

^{F13} (in EUR million)	2006-2009
Germany	21,287
Spain	70,599
France	48,217
Italy (except Apulia)	189,366
Portugal	8,468]

Should Member States decide upon a decrease in the coefficient of 0,6, the maximum amount of the aid referred to in the above table, as well as Annex VIII, shall be adjusted in accordance with the procedure referred to in Article 144(2).

Textual Amendments

F13 Substituted by [Commission Regulation \(EC\) No 1156/2006 of 28 July 2006 establishing for 2006 budgetary ceilings for partial or optional implementation of the Single Payment Scheme, annual financial envelopes for the Single Area Payment Scheme and maximum amounts for granting separate sugar payments provided for under Council Regulation \(EC\) No 1782/2003, and amending that Regulation.](#)

Article 110m

Transfer to the Community Tobacco Fund

An amount equal to 4 % for the calendar year 2006 and 5 % for the calendar year 2007 of the aid granted in accordance with this Chapter shall finance actions of information under the Community Tobacco Fund provided for in Article 13 of Regulation (EC) No 2075/92.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

CHAPTER 10D

HOPS AREA AID

Article 110n

Scope of application

Aid shall be granted to farmers producing hops falling within CN code 1210, under the conditions laid down in this Chapter.

Article 110o

Eligibility

Eligible areas shall be areas that are:

- located in hop production areas as published by the Commission pursuant to Article 6(2) of Council Regulation (EEC) No 1784/77⁽⁹⁾,
- planted with hops, and
- actually harvested.]

[^{F14}CHAPTER 10E

SUGAR PAYMENT

Article 110p

Transitional sugar payment

1 In case of application of Article 71, farmers may qualify for a transitional sugar payment in respect of the year 2006. It shall be granted within the limits of the amounts set out in point K of Annex VII.

2 Without prejudice to Article 71(2), the amount of the transitional sugar payment per farmer shall be determined by Member States on the basis of objective and non-discriminatory criteria such as:

- the quantities of sugar beet, cane or chicory covered by delivery contracts concluded in accordance with Article 19 of Regulation (EC) No 1260/2001,
- the quantities of sugar or inulin syrup produced in accordance with Regulation (EC) No 1260/2001,
- the average number of hectares under sugar beet, cane or chicory used for the production of sugar or inulin syrup and covered by delivery contracts concluded in accordance with Article 19 of Regulation (EC) No 1260/2001

and in respect of a representative period which could be different for each product of one or more of the marketing years 2004/2005, 2005/2006 and 2006/2007 to be determined by Member States before 30 April 2006.

However, where the representative period includes the marketing year 2006/2007, this marketing year shall be replaced by the marketing year 2005/2006 for farmers affected

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

by a renunciation of quota in the marketing year 2006/2007 as provided for in Article 3 of Council Regulation (EC) No 320/2006 of 20 February 2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community⁽¹⁰⁾.

Where the marketing year 2006/2007 is chosen, the references to Article 19 of Regulation (EC) No 1260/2001 contained in the first subparagraph shall be replaced by references to Article 6 of Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector⁽¹¹⁾.

3 Articles 143a and 143c shall not apply to the transitional sugar payment.

Textual Amendments

F14 Inserted by Council Regulation (EC) No 319/2006 of 20 February 2006 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers.

CHAPTER 10F

COMMUNITY AID FOR SUGAR BEET AND CANE PRODUCERS

Article 110q

Scope

[^{F31} In Member States which have granted the restructuring aid provided for in Article 3 of Regulation (EC) No 320/2006 for at least 50 % of the sugar quota fixed on 20 February 2006 in Annex III to Regulation (EC) No 318/2006, Community aid shall be granted to sugar beet and cane producers.]

2 The aid shall be granted for a maximum of five consecutive years as from the marketing year in which the threshold of 50 % referred to in paragraph 1 has been reached but no later than for the marketing year 2013/2014.

Textual Amendments

F3 Substituted by Council Regulation (EC) No 2012/2006 of 19 December 2006 amending and correcting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).

Article 110r

Conditions for eligibility

The aid shall be granted in respect of the quantity of quota sugar obtained from sugar beet or cane delivered under contracts concluded in accordance with Article 6 of Regulation (EC) No 318/2006.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

^{F3}Article 110s

Amount of the aid

The aid shall be expressed per tonne of white sugar of standard quality. The amount of the aid shall be equal to half of the amount obtained by dividing the amount of the ceiling referred to in point 2 of point K of Annex VII for the Member State concerned for the corresponding year by the total of the sugar and inulin syrup quota fixed on 20 February 2006 in Annex III to Regulation (EC) No 318/2006.

Articles 143a and 143c shall not apply to the aid for sugar beet and cane producers.]]

Textual Amendments

- F3** Substituted by Council Regulation (EC) No 2012/2006 of 19 December 2006 amending and correcting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).

^{F15}CHAPTER 10G

TRANSITIONAL FRUIT AND VEGETABLES PAYMENTS

Article 110t

Transitional area aid

1 In the case of application of Articles 68b(1) or 143bc(1) during the period referred to in those provisions, a transitional area aid may be granted, under the conditions laid down in this Chapter, to farmers producing certain tomatoes, as determined by the Member States, which are supplied for processing.

2 In the case of application of Articles 68b(2) or 143bc(2) during the period referred to in those provisions, a transitional area aid may be granted, under the conditions laid down in this Chapter, to farmers producing certain fruit and vegetable products listed in the third subparagraph of Article 68b(2), as determined by the Member States, which are supplied for processing.

Article 110u

Amount of the aid and eligibility

1 Member States shall fix the aid per hectare on which tomatoes and each fruit and vegetable listed in the third subparagraph of Article 68b(2) is grown on the basis of objective and non-discriminatory criteria.

2 The total amount of payments shall in no case exceed the ceiling fixed in accordance with Article 64(2) or Article 143bc.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

3 The aid shall be granted only in respect of areas whose production is covered by a contract for processing into one of the products listed in Article 1(2) of Regulation (EC) No 2201/1996.

4 Member States may make the granting of Community aid subject to further objective and non-discriminatory criteria, including being conditional on farmers being members of a producer organisation or producer group recognised, respectively, under Articles 4 or 7 of Council Regulation (EC) No 1182/2007 of 26 September 2007 laying down specific rules as regards the fruit and vegetable sector⁽¹²⁾.

5 By 1 November 2007, Member States shall notify the Commission of their decision to apply Articles 68b or 143bc, the amount retained under those Articles and the criteria referred to in paragraph 1 of this Article.

Textual Amendments

F15 Inserted by Council Regulation (EC) No 1182/2007 of 26 September 2007 laying down specific rules as regards the fruit and vegetable sector, amending Directives 2001/112/EC and 2001/113/EC and Regulations (EEC) No 827/68, (EC) No 2200/96, (EC) No 2201/96, (EC) No 2826/2000, (EC) No 1782/2003 and (EC) No 318/2006 and repealing Regulation (EC) No 2202/96.

CHAPTER 10H

TRANSITIONAL SOFT FRUIT PAYMENT

Article 110v

Soft fruit payment

1 A transitional area aid shall apply during the period ending on 31 December 2012 in respect of strawberries falling within CN code 0810 10 00 and raspberries falling within CN code 0810 20 10 which are supplied for processing.

2 The aid shall be granted only in respect of areas whose production is covered by a contract for processing into one of the products listed in Article 1(2) of Regulation (EC) No 2201/1996.

3 The Community aid shall be EUR 230 per hectare per year.

4 Member States may grant national aid in addition to the Community aid. The total amount of Community and national aid paid shall not exceed EUR 400 per hectare per year.

5 The aid shall be paid only in respect of maximum national guaranteed areas allocated to Member States as follows:

Member State	National guaranteed area(hectares)
Bulgaria	2 400
Hungary	1 700
Latvia	400
Lithuania	600

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Poland	48 000
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If the eligible area in a given Member State and in a given year exceeds the maximum national guaranteed area, the aid amount referred to in paragraph 3 shall be reduced proportionately to the overrun of the maximum national guaranteed area.

6 Articles 143a and 143c shall not apply to the transitional soft fruit payment.]

CHAPTER 11

SHEEP AND GOAT PREMIUMS

Article 111

Scope of application

In case of application of Article 67, Member States shall grant, on a yearly basis, premiums or additional payments to farmers rearing sheep and goats under the conditions provided for in this Chapter, save as otherwise provided.

Article 112

Definitions

For the purposes of this Chapter the following definitions shall apply:

- (a) 'ewe' shall mean any female of the ovine species having lambed at least once or aged at least one year;
- (b) 'she-goat' shall mean any female of the caprine species having kidded at least once or aged at least one year.

Article 113

Ewe and goat premium

1 A farmer keeping ewes on his holding may qualify, on application for a premium for maintaining ewes (ewe premium).

2 A farmer keeping she-goats on his holding may qualify, on application for a premium for maintaining she-goats (goat premium). This premium shall be granted to farmers in specific areas where the production meets the following two criteria:

- a goat rearing is mainly directed towards the production of goatmeat;
- b goat and sheep rearing techniques are similar in nature.

A list of such areas shall be established following the procedure referred to in Article 144(2).

3 The ewe premium and the goat premium shall be granted in the form of an annual payment per eligible animal per calendar year and per farmer within the limits of individual ceilings. The minimum number of animals in respect of which an application for a premium

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

is lodged shall be determined by the Member State. This minimum shall not be less than 10 or greater than 50.

4 Per ewe, the amount of the premium shall be EUR 21. However for farmers marketing sheep's milk or products based on sheep's milk the premium per ewe shall be EUR 16,8.

5 Per she-goat the amount of the premium shall be EUR 16,8.

Article 114

Supplementary premium

1 A supplementary premium shall be paid to farmers in areas where sheep and goat production constitutes a traditional activity or contributes significantly to the rural economy. Member States shall define these areas. In any event the supplementary premium shall only be granted to a farmer whose holding has at least 50 % of its area used for agriculture situated in less-favoured areas defined pursuant to Regulation (EC) No 1257/1999.

2 The supplementary premium shall also be granted to a farmer practising transhumance provided that:

- a at least 90 % of the animals for which the premium is applied are grazed for at least 90 consecutive days in an eligible area established in accordance with paragraph 1, and
- b the seat of the holding is situated in a well-defined geographical area for which it has been established by the Member State that transhumance is a traditional practice of sheep and/or goat rearing and that these animal movements are necessary owing to the absence of forage in sufficient quantity during the transhumance period.

3 The amount of the supplementary premium shall be set at EUR 7 per ewe and per she-goat. The supplementary premium shall be granted under the same conditions as those laid down for the grant of the ewe and goat premium.

Article 115

Common provisions

1 Premiums shall be paid to recipient farmers on the basis of the number of ewes and/or she-goats kept on their holding over a minimum period to be determined in accordance with the procedure referred to in Article 144(2).

[^{F16}2 Once Council Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EEC) No 1782/2003 becomes applicable, to qualify for the premium an animal shall be identified and registered in accordance with these rules.]

Textual Amendments

- F16** Substituted by [Council Regulation \(EC\) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation \(EC\) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC.](#)

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 116

Individual limits

1 On 1 January 2005 the individual ceiling per farmer referred to in Article 113(3), shall be equal to the number of premium rights which he held on 31 December 2004 in accordance with the relevant Community rules.

[^{F42} Member States shall take the necessary measures to ensure that the sum of premium rights on their territory does not exceed the national ceilings set out in paragraph 4 and that the national reserves referred to in Article 118 may be maintained.

Except in cases where Article 143b is applied, the new Member States shall allocate individual ceilings to producers and shall set up the national reserves from the overall number of rights to the premium reserved for each of these new Member States as set out in paragraph 4, no later than one year after the date of accession.

After the end of the period of application of the single area payment scheme according to Article 143b and where Article 67 is applied, the allocation of the individual ceilings to producers and the setting up of the national reserve referred to in the second subparagraph shall take place no later than the end of the first year of the application of the single payment scheme.]

3 Premium rights, which have been withdrawn pursuant to the measure taken pursuant to paragraph 2 shall be abolished.

[^{F14} The following ceilings shall apply:

Member State	Rights (x 1 000)
Belgium	70
Bulgaria	2 058,483
Czech Republic	66,733
Denmark	104
Germany	2 432
Estonia	48
Greece	11 023
Spain	19 580
France	7 842
Ireland	4 956
Italy	9 575
Cyprus	472,401
Latvia	18,437
Lithuania	17,304
Luxembourg	4

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Hungary	1 146
Malta	8,485
Netherlands	930
Austria	206
Poland	335,88
Portugal	2 690
Romania	5 880,62
Slovenia	84,909
Slovakia	305,756
Finland	80
Sweden	180
United Kingdom	19 492
Total	89 607,008]

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded](#).
- F4** Substituted by [Council Regulation \(EC\) No 583/2004 of 22 March 2004 amending Regulations \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \(EC\) No 1786/2003 on the common organisation of the market in dried fodder and \(EC\) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund \(EAGGF\) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union](#).

Article 117

Transfer of premium rights

1 When a farmer sells or otherwise transfers his holding, he may transfer all his premium rights to the person who takes over his holding.

2 A farmer may also transfer, in whole or in part, his rights to other farmers without transferring his holding.

In the case of a transfer of rights without transfer of the holding, a part of the premium rights transferred, not exceeding 15 %, shall be surrendered, without compensation to the national reserve of the Member State where his holding is situated for redistribution free of charge.

Member States may acquire premium rights from farmers who agree, on a voluntary basis, to surrender their rights, in whole or in part. In this case payments for the acquisition of such rights may be made to such farmers either from national budgets or as provided for under Article 119(2), fifth indent.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

By way of derogation from paragraph 1 and in duly justified circumstances, Member States may provide that in the case of a sale or other transfer of the holding, the transfer of rights is carried out by the intermediary of the national reserve.

3 Member States may take the necessary measures to avoid premium rights being moved away from sensitive zones or regions where sheep production is especially important for the local economy.

4 Member States may authorise, before a date that they shall determine, temporary transfers of that part of the premium rights, which are not intended to be used by the farmer who holds them.

Article 118

National reserve

1 Each Member State shall maintain a national reserve of premium rights.

2 Any premium rights withdrawn pursuant to Article 117(2) or other Community provisions shall be added to the national reserve.

3 Member States may allocate premium rights to farmers, within the limits of their national reserves. When making the allocation they shall give precedence in particular to newcomers, young farmers or other priority farmers.

Article 119

Additional payments

1 In case of application of Article 71, Member States shall, on a yearly basis, make additional payments totalling the global amounts set out in paragraph 3 of this Article.

Member States may decide to supplement the global amounts set out in paragraph 3 of this Article by reducing the amounts of the payments referred to in Article 113. The reduction in the amounts, which may be applied on a regional basis, shall not exceed one euro.

The payments shall be made, on a yearly basis, according to objective criteria including, in particular, the relevant production structures and conditions, and in such a way as to ensure equal treatment between producers and to avoid market and competition distortions. Moreover, such payments shall not be linked to fluctuations of market prices. They may be made on a regional basis.

2 Payments may include, in particular, the following:

- payments to farmers engaged in specific types of production, in particular related to quality, which are important for the local economy or the protection of the environment;
- an increase in the premium set out in Article 113. The additional amounts may be subject to the application of stocking density requirements, to be determined by the Member State according to local conditions;
- support for restructuring of farmers' holdings or the development of producers' organisations;

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

- area payments to farmers, to be granted per hectare of forage area, which is available to a farmer during the calendar year concerned and in respect of which no payments are claimed for the same year under the support system for farmers producing certain arable crops, under the aid system for dried fodder and under Community aid schemes for other permanent or horticultural crops;
- payments to farmers who surrender their rights on a voluntary basis pursuant to Article 117(2);
- support for the improvement and rationalisation of processing and marketing of sheep and goatmeat.

[^{F43} The following global amounts shall apply:

(EUR 1 000)	
Belgium	64
Czech Republic	71
Denmark	79
Germany	1 793
Estonia	51
Greece	8 767
Spain	18 827
France	7 083
Ireland	4 875
Italy	6 920
Cyprus	441
Latvia	19
Lithuania	18
Luxembourg	4
Hungary	1 212
Malta	9
Netherlands	743
Austria	185
Poland	355
Portugal	2 275
Slovenia	86
Slovakia	323
Finland	61
Sweden	162
United Kingdom	20 162]

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

[^{F10}4 In the new Member States, the global amounts shall be applied in accordance with the schedule of increments as set out in Article 143a.]

Textual Amendments

- F4** Substituted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F10** Inserted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

Article 120

Ceilings

The sum of the amounts of each premium or additional payment claimed shall not exceed the limit of the ceiling, fixed by the Commission in accordance with Article 64(2).

When the total amount of aid claimed exceeds the fixed ceiling, the aid per farmer shall be reduced proportionately in that year.

CHAPTER 12

BEEF AND VEAL PAYMENTS

Article 121

Scope of application

In case of application of Article 68, Member States shall grant, under the conditions set out in this Chapter, save as otherwise provided, the aid or aids chosen by the Member State concerned according to that Article.

Article 122

Definitions

For the purposes of this Chapter:

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

- (a) 'region' shall mean a Member State or a region within a Member State, at the option of the Member State concerned,
- (b) 'bull' shall mean an uncastrated male bovine animal,
- (c) 'steer' shall mean a castrated male bovine animal,
- (d) 'suckler' cow shall mean a cow belonging to a meat breed or born of a cross with a meat breed, and belonging to a herd intended for rearing calves for meat production,
- (e) 'heifer' shall mean a female bovine animal from the age of eight months which has not yet calved.

Article 123

Special premium

1 A farmer holding male bovine animals on his holding may qualify, on application, for a special premium. It shall be granted in the form of an annual premium per calendar year and per holding within the limits of regional ceilings for not more than 90 animals for each of the age brackets referred to in paragraph 2.

- 2 The special premium shall be granted no more than:
- a once in the life of each bull from the age of nine months, or
 - b twice in the life of each steer:
 - the first time at the age of nine months,
 - the second time after it has reached the age of 21 months.

- 3 To qualify for the special premium:
- a any animal covered by an application shall be held by the farmer for fattening for a period to be determined,
 - b each animal shall be covered until slaughter or until export by an animal passport referred to in Article 6 of Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products⁽¹³⁾ containing all relevant information on its premium status or, if not available, an equivalent administrative document.

4 When in a given region the total number of bulls from the age of nine months and of steers from nine months to 20 months of age, for which an application has been made and which satisfy the conditions for granting the special premium exceeds the regional ceiling referred to in paragraph 8, the number of all eligible animals under paragraph 2(a) and (b) per farmer for the year in question shall be reduced proportionately.

Within the meaning of this Article, 'regional ceiling' shall mean the number of animals entitled to benefit, in a region and per calendar year, from the special premium.

- 5 By way of derogation from paragraphs 1 and 4, Member States may:
- on the basis of objective criteria that are part of a rural development policy and only on the condition that they take into account environmental as well as employment aspects, change or waive the headage limit of 90 animals per holding and age bracket, and,
 - where exercising this power, decide to apply paragraph 4 in such a way as to reach the level of reductions required to comply with the applicable regional ceiling, without applying such reductions to small farmers who, in respect of the year in question, did

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

not submit special premium applications for more than a minimum number of animals determined by the Member State concerned.

6 Member States may decide to grant the special premium at the time of slaughter. In this case, for bulls the age criterion referred to in paragraph 2(a) shall be replaced by a minimum carcass weight of 185 kilograms.

The premium shall be paid or passed back to the farmers.

The United Kingdom shall be authorised to apply in Northern Ireland a system for granting the special premium which differs from that applied in the remainder of its territory.

7 The amount of the special premium shall be set at:

- a EUR 210 per eligible bull;
- b EUR 150 per eligible steer and age bracket.

[^{F18} The following regional ceilings shall apply:

Belgium	235 149
Bulgaria	90 343
Czech Republic	244 349
Denmark	277 110
Germany	1 782 700
Estonia	18 800
Greece	143 134
Spain	713 999 ^a
France	1 754 732 ^b
Ireland	1 077 458
Italy	598 746
Cyprus	12 000
Latvia	70 200
Lithuania	150 000
Luxembourg	18 962
Hungary	94 620
Malta	3 201
Netherlands	157 932
Austria	373 400

a Without prejudice to the specific rules laid down in Regulation (EC) No 1454/2001.

b Without prejudice to the specific rules laid down in Regulation (EC) No 1452/2001.

c Without prejudice to the specific rules laid down in Regulation (EC) No 1453/2001.

d This ceiling shall be temporarily increased by 100 000 to 1 519 811 until such time as live animals under six months of age may be exported.]

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Poland	926 000
Portugal	175 075 ^c
Romania	452 000
Slovenia	92 276
Slovakia	78 348
Finland	250 000
Sweden	250 000
United Kingdom	1 419 811 ^d
a	Without prejudice to the specific rules laid down in Regulation (EC) No 1454/2001.
b	Without prejudice to the specific rules laid down in Regulation (EC) No 1452/2001.
c	Without prejudice to the specific rules laid down in Regulation (EC) No 1453/2001.
d	This ceiling shall be temporarily increased by 100 000 to 1 519 811 until such time as live animals under six months of age may be exported.]

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)

Article 124

Deseasonalisation premium

- 1 In case of application of Article 71 where, in a Member State the number of steers:
- a slaughtered in a given year exceeds 60 % of total annual slaughterings of male bovine animals, and
 - b slaughtered during the period 1 September to 30 November in a given year exceeds 35 % of total annual slaughterings of steers,

farmers may qualify, on application, for an additional premium to the special premium (deseasonalisation premium). However, if both triggering rates referred to above are reached in Ireland or in Northern Ireland, the premium shall apply in Ireland and in Northern Ireland.

For the purpose of applying this Article in the United Kingdom, Northern Ireland shall be regarded as a separate entity.

- 2 The amount of this premium shall be set at:
- EUR 72,45 per animal slaughtered during the first 15 weeks in a given year,
 - EUR 54,34 per animal slaughtered during the 16th and 17th weeks in a given year,
 - EUR 36,23 per animal slaughtered during the 18th to the 21st week in a given year, and
 - EUR 18,11 per animal slaughtered during the 22nd and 23rd weeks in a given year.

- 3 Where the rate referred to in paragraph 1(b) is not achieved, taking into account the penultimate sentence of paragraph 1, Member States whose farmers have previously received the deseasonalisation premium may decide to grant this premium at the rate of 60 % of the amounts set in paragraph 2.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

In such case, the Member State concerned:

- a may decide to grant this premium for the first two or three of the periods in question only,
- b shall ensure the measure is financially neutral in respect of the same budget year by accordingly reducing:
 - the amount of the second age bracket of the special premium applicable to steers granted in that Member State, and/or
 - the additional payments to be made under Section 2, and shall inform the Commission of the reduction measure applied.

For the purpose of applying this measure, Ireland and Northern Ireland shall be regarded as one entity for the calculation of the rate referred to in paragraph 1(a) and consequently for qualification for the premium.

4 In order to establish whether the percentages referred to in this Article have been exceeded, account shall be taken of slaughterings carried out during the second year preceding that in which the animal qualifying for the premium was slaughtered.

Article 125

Suckler cow premium

1 A farmer keeping suckler cows on his holding may qualify, on application, for a premium for maintaining suckler cows (suckler cow premium). It shall be granted in the form of an annual premium per calendar year and per farmer within the limits of individual ceilings.

2 The suckler cow premium shall be granted to any farmer:

- a not supplying milk or milk products from his farm for 12 months from the day on which the application is lodged.

The supply of milk or milk products directly from the holding to the consumer shall not, however, prevent grant of the premium,

- b supplying milk or milk products whose total individual reference quantity as referred to in Article 4 of Regulation (EEC) No 3950/92 does not exceed 120 000 kilograms. However, Member States may decide on the basis of objective criteria, which they determine, to change or waive this quantitative limit,

provided that the farmer keeps, for at least six consecutive months from the day on which the application is lodged a number of suckler cows at least equal to 60 % and of heifers at most equal to 40 % of the number for which the premium was requested.

For the purposes of determining the number of eligible animals under points (a) and (b) of the first paragraph of paragraph 2 of this Article, whether cows belong to a suckler herd or to a dairy herd shall be established on the basis of the beneficiary's individual reference quantity as defined in Article 95(2) and the average milk yield.

3 The farmers' entitlement to the premium shall be limited by the application of an individual ceiling as defined in Article 126.

4 Per eligible animal, the amount of the premium shall be set at EUR 200.

5 In case of application of Article 68(a)(i), Member States may grant an additional national suckler cow premium, up to a maximum of EUR 50 per animal, provided that no discrimination is caused between stockfarmers in the Member State concerned.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

In respect of holdings located in a region as defined in Articles 3 and 6 of Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds⁽¹⁴⁾, the first EUR 24,15 per animal of this additional premium shall be financed by the Guarantee Section of the European Guidance and Guarantee Fund (EAGGF).

In respect of holdings located throughout the territory of a Member State, if in the Member State concerned the cattle population has a high proportion of suckler cows, representing at least 30 % of the total number of cows, and if at least 30 % of male bovine animals slaughtered belong to conformation classes S and E, the Guarantee Section of EAGGF shall finance the additional premium in total. Any overshoot of these percentages is established on the basis of the average of the two years preceding that for which the premium is granted.

6 For the purposes of this Article, only heifers belonging to a meat breed or born of a cross with a meat breed and belonging to a herd intended for rearing calves for meat production shall be taken into account.

Article 126

Individual ceiling for suckler cow

[^{F41} An aid shall be granted to each farmer of suckler cows within the limit of the individual ceilings established in application of Article 7 of Regulation (EC) No 1254/1999 or of the second subparagraph of paragraph 2.]

[^{F42} Member States shall take the necessary steps to ensure that the sum of premium rights on their territory does not exceed the national ceilings set out in paragraph 5 and that the national reserves referred to in Article 128 may be maintained.

Except in cases where Article 143b is applied, the new Member States shall allocate individual ceilings to producers and shall set up the national reserves from the overall number of rights to the premium reserved for each of these Member States as set out in paragraph 5, no later than one year after the date of accession.

After the end of the period of application of the single area payment scheme according to Article 143b and where Article 68(2)(a)(i) is applied, the allocation of the individual ceilings to producers and the setting up of the national reserve referred to in the second subparagraph shall take place no later than the end of the first year of the application of the single payment scheme.]

3 Where the adjustment referred to in paragraph 2 requires a reduction of individual ceilings held by farmers, it shall be carried out without compensatory payment and decided on the basis of objective criteria, including, in particular:

- the rate at which farmers have used their individual ceilings during the three reference years prior to the year 2000,
- the implementation of an investment or extensification programme in the beef and veal sector,
- particular natural circumstances or the application of penalties, resulting in a non-payment or a reduced payment of the premium for at least one reference year,
- additional exceptional circumstances having the effect that the payments made for at least one reference year do not correspond to the actual situation as established during the previous years.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

4 Premium rights which have been withdrawn pursuant to the measure provided for in paragraph 2 shall be abolished.

[^{F15} The following national ceilings shall apply:

Belgium	394 253
Bulgaria	16 019
Czech Republic	90 300
Denmark	112 932
Germany	639 535
Estonia	13 416
Greece	138 005
Spain ^a	1 441 539
France ^b	3 779 866
Ireland	1 102 620
Italy	621 611
Cyprus	500
Latvia	19 368
Lithuania	47 232
Luxembourg	18 537
Hungary	117 000
Malta	454
Netherlands	63 236
Austria	375 000
Poland	325 581
Portugal ^c	416 539
Romania	150 000
Slovenia	86 384
Slovakia	28 080
Finland	55 000
Sweden	155 000
United Kingdom	1 699 511

^a Without prejudice to the specific rules laid down in Regulation (EC) No 1454/2001.

^b Without prejudice to the specific rules laid down in Regulation (EC) No 1452/2001.

^c Without prejudice to the specific rules laid down in Regulation (EC) No 1453/2001.]

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded](#).
- F4** Substituted by [Council Regulation \(EC\) No 583/2004 of 22 March 2004 amending Regulations \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \(EC\) No 1786/2003 on the common organisation of the market in dried fodder and \(EC\) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund \(EAGGF\) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union](#).

Article 127

Transfer of suckler cow premium rights

1 When a farmer sells or otherwise transfers his holding, he may transfer all his suckler cow premium rights to the person who takes over his holding. He may also transfer, in whole or in part, his rights to other farmers without transferring his holding.

In the case of transfer of premium rights without transfer of the holding a part of the transferred rights, which shall not exceed 15 %, shall be returned without compensatory payment to the national reserve of the Member State where the holding is situated for redistribution free of charge.

- 2 The Member States:
- a shall take the necessary measures to prevent premium rights being transferred outside sensitive areas or regions where beef and veal production is particularly important for the local economy;
 - b may provide either that the transfer of rights without transfer of the holding is carried out directly between farmers or that it is carried out through the intermediary of the national reserve.
- 3 Member States may authorise, before a date to be determined, temporary transfers of part of the premium rights which are not intended to be used by the farmer who holds them.

Article 128

National reserve of suckler cow premium rights

- 1 Each Member State shall maintain a national reserve of suckler cow premium rights.
- 2 Any premium rights withdrawn pursuant to Article 127(1) or other Community provisions shall be added to the national reserve, without prejudice to Article 126(4).
- 3 The Member States shall use their national reserves for allocating, within the limits of those reserves, premium rights in particular to newcomers, young farmers and other priority farmers.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 129

Heifers

1 By way of derogation from Article 125(3), Member States where more than 60 % of suckler cows and heifers are kept in mountain areas within the meaning of Article 18 of Council Regulation (EC) No 1257/1999 may decide to manage the granting of the suckler cow premium for heifers separately from that for suckler cows within the limits of a separate national ceiling to be set up by the Member State concerned.

Such separate national ceiling shall not exceed 40 % of the national ceiling of the Member State concerned set out in Article 126(5). That national ceiling shall be reduced by an amount equal to the separate national ceiling. When in a Member State exercising the power provided for in this paragraph, the total number of heifers, for which an application has been made, and which satisfy the conditions for granting the suckler cow premium, exceeds the separate national ceiling, the number of eligible heifers per farmer for the year in question shall be reduced proportionately.

2 For the purpose of this Article, only heifers belonging to a meat breed or born of a cross with a meat breed shall be taken into account.

Article 130

Slaughter premium

1 A farmer keeping bovine animals on his holding may qualify, on application, for a slaughter premium. It shall be granted on slaughter of eligible animals or their export to a third country and within national ceilings to be determined.

The following shall be eligible for the slaughter premium:

- a bulls, steers, cows and heifers from the age of eight months,
- b calves of more than one and less than eight months old and of carcass weight up to 185 kg,

provided they have been held by the farmer for a period to be determined.

2 The amount of the premium shall be set at:

- a EUR 80 per eligible animal as specified under paragraph 1(a);
- b EUR 50 per eligible animal as specified under paragraph 1(b).

3 The national ceilings referred to in paragraph 1 shall be established per Member State and separately for both groups of animals as specified in (a) and (b) thereof. Each ceiling shall be equal to the number of animals of each of these two groups which in 1995 were slaughtered in the Member State concerned to which are added those animals exported to third countries, according to Eurostat data or any other published official statistical information for that year accepted by the Commission.

[^{F1}For the new Member States the national ceilings shall be those contained in the following table.:

	Bulls, steers, cows and heifers	Calves more than 1 and less than 8 months old
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Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

		and of carcass weight up to 185 kg
Bulgaria	22 191	101 542
Czech Republic	483 382	27 380
Estonia	107 813	30 000
Cyprus	21 000	—
Latvia	124 320	53 280
Lithuania	367 484	244 200
Hungary	141 559	94 439
Malta	6 002	17
Poland	1 815 430	839 518
Romania	1 148 000	85 000
Slovenia	161 137	35 852
Slovakia	204 062	62 841]

4 When in a given Member State the total number of animals, for which an application has been made in respect of one of the two groups of animals specified in (a) or (b) of paragraph 1, and which satisfy the conditions for granting the slaughter premium exceeds the national ceiling laid down for that group, the number of all eligible animals under that group per farmer for the year in question shall be reduced proportionately.

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.](#)

Article 131

Stocking density

1 In case of application of Article 71, the total number of animals qualifying for the special premium and the suckler-cow premium shall be limited by the application of a stocking density on the holding of two livestock units (LU) per hectare and calendar year. The stocking density shall be 1,8 LU from 1 January 2003. This stocking density shall be expressed in LU per unit of forage area of the holding used for the animals carried on it. However, a farmer shall be exempt from the application of the stocking density if the number of animals held on his holding and to be taken into account for determining the stocking density is not more than 15 LU.

2 For determining the stocking density on the holding, account shall be taken of:

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

the male bovine animals, suckler cows and heifers, sheep and/or goats for which premium applications have been submitted, as well as the dairy cows needed to produce the total reference quantity of milk allocated to the farmer. The number of animals shall be converted to LU by reference to the following conversion table:

Male bovine animals and heifers older than 24 months, suckler cows, dairy cows	1,0 LU
Male bovine animals and heifers from six months to 24 months	0,6 LU
Sheep	0,15 LU
Goats	0,15 LU

- b the forage area, meaning the area of the holding available throughout the calendar year for rearing bovine animals and sheep and/or goats. The forage area shall not include:
- buildings, woods, ponds, paths,
 - areas used for other crops eligible for Community aid or for permanent crops or horticultural crops, except permanent pasture for which area payments are granted pursuant to Article 136 or, as the case may be, Article 96,
 - areas qualifying for the support system laid down for the farmers producing certain arable crops, used for the aid scheme for dried fodder or subject to a national or Community set-aside scheme.

Forage area shall include areas in shared use and areas which are subject to mixed cultivation.

Article 132

Extensification payment

1 In case of application of Article 71, farmers receiving the special premium and/or the suckler cow premium may qualify for an extensification payment.

2 The extensification payment shall be EUR 100 per special premium and suckler cow premium granted, provided that in respect of the calendar year concerned the stocking density on the holding concerned is less than or equal to 1,4 LU per hectare.

However, Member States may decide to grant the extensification payment at an amount of EUR 40 for a stocking density of 1,4 LU per hectare or more and less or equal to 1,8 LU per hectare, and at an amount of EUR 80 for a stocking density of less than 1,4 LU per hectare.

- 3 For the purposes of the application of paragraph 2:
- a by way of derogation from Article 131(2)(a), the stocking density of the holdings shall be determined by taking into account the male bovine animals, cows, and heifers present thereon during the calendar year concerned, as well as the sheep and/or goats for which premium applications have been submitted for the same calendar year. The number of animals shall be converted to LU by reference to the conversion table referred to in Article 131(2)(a);
 - b without prejudice to the third indent of Article 131(2)(b), areas used for the production of arable crops as defined in Annex IX shall not be taken as 'forage area';
 - c the forage area to be taken into account for the calculation of the stocking density shall consist of at least 50 % of pasture land.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

‘Pasture land’ shall be defined by Member States. The definition shall include at least the criterion that pasture land shall be grassland which, following the local farming practices is recognised as being destined for grazing bovine animals and/or sheep. However, this shall not exclude the mixed use of pasture land during the same year (pasture, hay, grass silage).

4 Without prejudice to the stocking density requirements set out in paragraph 2 of this Article, farmers in Member States where more than 50 % of milk production takes place in mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999 and whose holdings are located in such areas, may receive extensification payments as set out in that paragraph for the dairy cows kept thereon.

5 In accordance with the procedure referred to in Article 144(2), the Commission shall if necessary, adjust the amounts set out in paragraph 2 of this Article, taking account, in particular, of the number of animals qualifying for the payment for the preceding calendar year.

Article 133

Additional payments

1 In case of application of Article 71, Member States shall, on a yearly basis, make additional payments to farmers in their territory totalling the global amounts set out in paragraph 3 of this Article. Such payments shall be made according to objective criteria including, in particular, the relevant production structures and conditions, and in such a way as to ensure equal treatment between farmers and to avoid market and competition distortions. Moreover, such payments shall not be linked to fluctuations of market prices.

2 Additional payments may be made in the form of headage payments and/or area payments.

[^{F43} The following global amounts shall apply:

(EUR million)	
Belgium	39,4
Czech Republic	8,776017
Denmark	11,8
Germany	88,4
Estonia	1,13451
Greece	3,8
Spain	33,1
France	93,4
Ireland	31,4
Italy	65,6
Cyprus	0,308945
Latvia	1,33068
Lithuania	4,942267

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Luxembourg	3,4
Hungary	2,936076
Malta	0,0637
Netherlands	25,3
Austria	12,0
Poland	27,3
Portugal	6,2
Slovenia	2,96478
Slovakia	4,500535
Finland	6,2
Sweden	9,2
United Kingdom	63,8]

Textual Amendments

- F4** Substituted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

Article 134

Headage payments

- 1 Headage payments may be granted for:
 - a male bovine animals,
 - b suckler cows,
 - c dairy cows,
 - d heifers.
- 2 Headage payments may be granted as supplementary amounts per slaughter premium unit as set out in Article 130, except for calves. In the other cases, the grant of headage payments shall be subject:
 - a to the special conditions set out in Article 135,
 - b to specific stocking density requirements to be established by Member States.
- 3 The specific stocking density requirements shall be established:
 - on the basis of the forage area referred to in Article 131(2)(b), with the exception of areas for which area payments are granted in accordance with Article 136,
 - taking account of, in particular, the environmental impact of the type of production concerned, the environmental sensitivity of the land used for rearing cattle and the

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

measures which have been implemented with a view to stabilise or improve the environmental situation of this land.

Article 135

Conditions for the headage payment

- 1 Headage payments for male bovine animals may be granted per calendar year for no more than a number of animals in a Member State:
- equal to the regional ceiling of the Member State concerned set out in Article 123(8), or
 - equal to the number of male bovine animals for which premiums were granted in 1997, or
 - equal to the average number of slaughterings of male bovine animals during the years 1997, 1998 and 1999 deriving from Eurostat statistics for these years or any other published official statistical information for these years accepted by the Commission^[F4], or]
 - ^[F10]for the new Member States: equal to the ceilings set out in Article 123(8) or equal to the average number of slaughterings of male bovine animals during the years 2001, 2002 and 2003 deriving from Eurostat statistics for these years or any other published official statistical information for these years accepted by the Commission.]

Member States may also provide for a headage limit of number of male bovine animals per holding to be determined by the Member State on a national or regional basis.

Only male bovine animals from the age of eight months shall be eligible. If headage payments are made at the time of slaughter, Member States may decide to replace this condition by a minimum carcase weight of at least 180 kilograms.

2 Headage payments for suckler cows and heifers qualifying for suckler cow premium under Article 125(4) and Article 129 may only be granted as a supplementary amount per suckler cow premium unit as set out in Article 125(4).

3 Headage payments for dairy cows may only be granted as amount per tonne of reference quantity eligible for premium available on the holding to be established in accordance with Article 95(2).

Article 134(2)(b) shall not apply.

4 Headage payments for heifers other than those referred to in paragraph 2 may be granted per Member State and calendar year for no more than a number of heifers equal to the average number of slaughterings of heifers during the years 1997, 1998 and 1999 deriving from Eurostat statistics for these years or any other published official statistical information for these years accepted by the Commission.^[F10]For the new Member States the reference years shall be 2001, 2002 and 2003.]

Textual Amendments

- F4** Substituted by [Council Regulation \(EC\) No 583/2004 of 22 March 2004 amending Regulations \(EC\) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, \(EC\) No 1786/2003 on the common organisation of the market in dried fodder and \(EC\) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund \(EAGGF\) by reason of the accession](#)

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

F10 Inserted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

Article 136

Area payments

- 1 Area payments shall be granted per hectare of permanent pasture:
 - a which is available to a farmer during the calendar year concerned,
 - b which is not used to comply with the specific stocking density requirements referred to in Article 134(3), and
 - c in respect of which no payments under the support system laid down for farmers producing certain arable crops, under the aid system for dried fodder and under Community aid schemes for other permanent or horticultural crops are claimed for the same year.
- 2 The area of permanent pasture in a region for which area payments may be granted shall not exceed the relevant regional base area.

Regional base areas shall be established by Member States as the average number of hectares of permanent pasture available for rearing bovine animals during the years 1995, 1996 and 1997.^[F10] For the new Member States the reference years shall be 1999, 2000 and 2001.]

- 3 The maximum area payment per hectare which may be granted, including, as the case may be, area payments pursuant to Article 96 shall not exceed EUR 350.

Textual Amendments

F10 Inserted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

^[F10] Article 136a

Conditions of application in the new Member States

In the new Member States, the global amounts referred to in Article 133(3) and the maximum area payment per hectare at EUR 350 referred to in Article 136(3) shall be applied in accordance with the schedule of increments as set out in Article 143a.]

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Textual Amendments

F10 Inserted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

Article 137

Transmission of information

Any changes of national arrangements concerning the granting of additional payments shall be communicated to the Commission not later than one month after their adoption.

Article 138

Common provisions

To qualify for direct payments under this chapter, an animal shall be identified and registered in accordance with Regulation (EC) No 1760/2000.

Article 139

Ceilings

The sum of the amounts of each direct payment claimed under this chapter shall not exceed a ceiling, fixed by the Commission in accordance with Article 64(2) corresponding to the component of each of these direct payments in the ceiling referred to in Article 41.^[F10] However, for the new Member States, the ceiling fixed by the Commission in accordance with Article 64(2) shall correspond to the component of each of the direct payments concerned in the ceiling referred to in Article 71c.]

When the total amount of aid claimed exceeds the fixed ceiling, the aid per farmer shall be reduced proportionately in that year.

Textual Amendments

F10 Inserted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

Article 140

Substances prohibited under Directive 96/22/EC

1 Where residues of substances prohibited under Directive 96/22/EC⁽¹⁵⁾, or residues of substances authorised under the aforementioned act but used illegally, are detected pursuant to the relevant provisions of Directive 96/23/EC⁽¹⁶⁾, in an animal belonging to the bovine herd of a farmer, or where a non-authorised substance or product, or a substance or product authorised under Directive 96/22/EC but held illegally is found on the farmer's holding in any form, the farmer shall be excluded, for the calendar year of that discovery, from receiving the amounts provided for under this Chapter.

In the event of a repeated infringement, the length of the exclusion period may, according to the seriousness of the offence, be extended to five years as from the year in which the repeated infringement was discovered.

2 In the event of obstruction on the part of the owner or holder of the animals when inspections are being carried out and when the samples are being taken which are necessary for the application of national residue-monitoring plans or when the investigations and checks provided for under Directive 96/23/EC are being carried out, the penalties provided for in paragraph 1 of this Article shall apply.

CHAPTER 13

GRAIN LEGUMES AID

Article 141

Scope of application

In case of application of Article 71, Member States concerned, shall grant an aid for the production of the following grain legumes:

- (a) lentils other than for sowing covered by CN code ex 0713 40 00;
- (b) chick peas other than for sowing covered by CN code ex 0713 20 00;
- (c) vetches of the species *Vicia sativa L.* and *Vicia ervilla Willd.* covered by CN code ex 0713 90 90 (other).

Article 142

Aid

1 The aid shall be granted by marketing year for the production of the grain legumes covered by Article 141. The marketing year shall run from 1 July to 30 June.

An arable plot which is the subject of an application for aid per hectare under a system financed in accordance with Article 1(2)(b) of Regulation (EC) No 1258/1999 shall be excluded from eligibility for payment of the aid provided for by this system.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

2 Without prejudice to Article 143, the aid per hectare of area sown and harvested shall be EUR 181 per hectare.

F⁴ Article 143

Ceiling

The sum of the aid claimed shall not be higher than a ceiling fixed by the Commission in accordance with Article 64(2), corresponding to the component of grain legumes area payments referred to in Annex VI in the national ceiling referred to in Article 41. However, for the new Member States, the ceiling fixed by the Commission in accordance with Article 64(2) shall correspond to the component of grain legumes area payments referred to in Annex VI in the national ceiling referred to in Article 71c.

When the total amount of aid claimed exceeds the fixed ceiling, the aid per farmer shall be reduced proportionately in that year.]

Textual Amendments

- F4** Substituted by Council Regulation (EC) No 583/2004 of 22 March 2004 amending Regulations (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, (EC) No 1786/2003 on the common organisation of the market in dried fodder and (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.

Status: Point in time view as at 01/01/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV. (See end of Document for details)

- (1) [OJ L 118, 20.5.1972, p. 1](#). Regulation as last amended by Commission Regulation (EC) No 1363/95 ([OJ L 132, 16.6.1995, p. 8](#)).
- (2) [OJ L 123, 17.5.2003, p. 42](#).
- (3) [OJ L 405, 31.12.1992, p. 1](#). Regulation as last amended by Commission Regulation (EC) No 572/2003 ([OJ L 82, 29.3.2003, p. 20](#)).
- (4) See page 123 of this Official Journal.
- (5) [^{F6}[OJ L 270, 21.10.2003, p. 123](#).]
- (6) Commission Regulation (EC) No 2316/1999 of 22 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1251/1999 establishing a support system for producers of certain arable crops ([OJ L 280, 30.10.1999, p. 43](#)). Regulation as last amended by Regulation (EC) No 1035/2003 ([OJ L 150, 18.6.2003, p. 24](#)).
- (7) [^{F11}See page 97 of this Official Journal.
- (8) [OJ L 358, 31.12.1998, p. 17](#). Regulation as last amended by Commission Regulation (EC) No 1983/2002 ([OJ L 306, 8.11.2002, p. 8](#)).
- (9) [OJ L 200, 8.8.1977, p. 1](#). Regulation as last amended by the 2003 Act of Accession.]
- (10) [^{F14}[OJ L 58, 28.2.2006, p. 42](#).
- (11) [OJ L 58, 28.2.2006, p. 1](#).]
- (12) [^{F15}[OJ L 273, 17.10.2007, p. 1](#)]
- (13) [OJ L 204, 11.8.2000, p. 1](#).
- (14) [OJ L 161, 26.6.1999, p. 1](#). Regulation as last amended by Regulation (EC) No 1105/2003 ([OJ L 158, 27.6.2003, p. 3](#)).
- (15) Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of β -agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC ([OJ L 125, 23.5.1996, p. 3](#)).
- (16) Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC ([OJ L 125, 23.5.1996, p. 10](#)). Directive as amended by Regulation (EC) No 806/2003 ([OJ L 122, 16.5.2003, p. 1](#)).

Textual Amendments

- F6** Inserted by Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.
- F11** Inserted by Council Regulation (EC) No 864/2004 of 29 April 2004 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and adapting it by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F14** Inserted by Council Regulation (EC) No 319/2006 of 20 February 2006 amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers.
- F15** Inserted by Council Regulation (EC) No 1182/2007 of 26 September 2007 laying down specific rules as regards the fruit and vegetable sector, amending Directives 2001/112/EC and 2001/113/EC and Regulations (EEC) No 827/68, (EC) No 2200/96, (EC) No 2201/96, (EC) No 2826/2000, (EC) No 1782/2003 and (EC) No 318/2006 and repealing Regulation (EC) No 2202/96.

Status:

Point in time view as at 01/01/2008.

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 1782/2003 (repealed), TITLE IV.