

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004. (See end of Document for details)

ANNEX

The Annexes are hereby amended as follows:

- 1) Annex I shall be replaced by the following:

ANNEX I

List of support schemes fulfilling the criteria set out in Article 1

Sector	Legal base	Notes
Single payment	Title III of this Regulation	Decoupled payment (see Annex VI) ^a
Single area payment	Title IVa, Article 143b of this Regulation	Decoupled payment replacing all the direct payments referred to in this Annex
Durum wheat	Title IV, Chapter 1 of this Regulation	Area aid (quality premium)
Protein crop	Title IV, Chapter 2 of this Regulation	Area aid
Rice	Title IV, Chapter 3 of this Regulation	Area aid
Nuts	Title IV, Chapter 4 of this Regulation	Area aid
Energy crops	Title IV, Chapter 5 of this Regulation	Area aid
Starch potato	Title IV, Chapter 6 of this Regulation	Production aid
Milk and dairy Products	Title IV, Chapter 7 of this Regulation	Dairy premium and additional payment
Arable crop in Finland and in certain regions of Sweden	Title IV, Chapter 8 of this Regulation ^{be}	Specific regional aid for arable crops
Seeds	Title IV, Chapter 9 of this Regulation ^{be}	Production aid

a Starting from 1 January 2005 or later in the case of application of Article 71. For 2004, or later on in case of application of Article 71, the direct payments listed in Annex VI are included in Annex I except dried fodder and cotton.

b Where Article 70 is applied.

c Where Articles 66, 67, 68 or 68a are applied.

d Where Article 69 is applied.

e Where Article 71 is applied.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004. (See end of Document for details)

Arable crops	Title IV, Chapter 10 of this Regulation ^{ce}	Area aid, including set-aside payments, grass silage payments, supplementary amounts ^b , durum wheat supplement and special aid
Sheep and goats	Title IV, Chapter 11 of this Regulation ^{ce}	Ewe and she-goat premium, supplementary premium and certain additional payments
Beef and veal	Title IV, Chapter 12 of this Regulation ^e	Special premium ^c , deseasonalisation premium, suckler cow premium (including when paid for heifers and including the additional national suckler cow premium when co-financed) ^c , slaughter premium ^c , extensification payment, additional payments
Grain legumes	Title IV, Chapter 13 of this Regulation ^e	Area aid
Specific types of farming and quality production	Article 69 of this Regulation ^d	
Dried fodder	Article 71(2) second subparagraph of this Regulation ^e	
Small farmers' scheme	Article 2a Regulation (EC) No 1259/1999	Transitional area aid for farmers receiving less than EUR 1 250
Olive oil	Title IV, Chapter 10b of this Regulation	Area aid
Silkworms	Article 1 Regulation (EEC) No 845/72	Aid to encourage rearing
Bananas	Article 12 Regulation (EEC) No 404/93	Production aid

a Starting from 1 January 2005 or later in the case of application of Article 71. For 2004, or later on in case of application of Article 71, the direct payments listed in Annex VI are included in Annex I except dried fodder and cotton.

b Where Article 70 is applied.

c Where Articles 66, 67, 68 or 68a are applied.

d Where Article 69 is applied.

e Where Article 71 is applied.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004. (See end of Document for details)

Spain	56,9	76,5	95,5	95,5	95,5	95,5	95,5	95,5
France	51,4	68,7	85,9	85,9	85,9	85,9	85,9	85,9
Ireland	15,3	20,4	25,5	25,5	25,5	25,5	25,5	25,5
Italy	62,3	83,7	104,6	104,6	104,6	104,6	104,6	104,6
Luxembourg	0,2	0,3	0,4	0,4	0,4	0,4	0,4	0,4
Netherlands	6,8	9,2	11,5	11,5	11,5	11,5	11,5	11,5
Austria	12,4	17,1	21,3	21,3	21,3	21,3	21,3	21,3
Portugal	10,8	14,6	18,2	18,2	18,2	18,2	18,2	18,2
Finland	8,0	10,8	13,6	13,6	13,6	13,6	13,6	13,6
Sweden	6,6	8,8	11,0	11,0	11,0	11,0	11,0	11,0
United Kingdom	17,7	23,6	29,5	29,5	29,5	29,5	29,5	29,5;

2a) Annex IV shall be amended as follows:

The last two indents of the second column shall be replaced by the following:

- Retention of landscape features, including, where appropriate, the prohibition of the grubbing up of olive trees
- Avoiding the encroachment of unwanted vegetation on agricultural land
- Maintenance of olive groves in good vegetative condition.;

3) Annex V shall be replaced by the following:

ANNEX V

Compatible support schemes referred to in Article 26

Sector	Legal base	Notes
Dried grapes	Article 7(1) Regulation (EC) No 2201/96	Area-related aid
Agri-environment	Title II, chapter VI (Articles 22 to 24) and Article 55(3) Regulation (EC) No 1257/1999	Area-related aid
Forestry	Article 31 and Article 55(3) Regulation (EC) No 1257/1999	Area-related aid
Less-favoured areas and areas with environmental restrictions	Title II, chapter V (Articles 13 to 21) and Article 55(3)	Area-related aid

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004. (See end of Document for details)

	Regulation (EC) No 1257/1999	
Dried fodder	Articles 10 and 11 Regulation (EC) No 603/95	Production aid
Citrus for processing	Article 1 Regulation (EC) No 2202/96	Production aid
Tomatoes for processing	Article 2 Regulation (EC) No 2201/96	Production aid
Wine	Articles 11 to 15 Regulation (EC) No 1493/1999	Restructuring aid;

4) the following rows shall be added to Annex VI:

Cotton	Paragraph 3 of Protocol No 4 on cotton annexed to the Act of Accession of Greece	Support through the payment for unginned cotton
Olive oil	Article 5 Regulation 136/66/EEC	Production aid
Tobacco	Article 3 Regulation (EEC) No 2075/92	Production aid
Hops	Article 12 of Regulation (EEC) No 1696/71	Area aid
	Article 2 of Regulation (EC) No 1098/98	Temporary resting aid;

5) the following shall be added to Annex VII:

"G. Cotton

Where a farmer has declared areas sown under cotton, Member States shall calculate the amount to be included in the reference amount by multiplying the number of hectares, to two decimal places, which produced cotton that was granted aid pursuant to paragraph 3 of Protocol No 4 on cotton⁽¹⁾ in each year of the reference period, by the following amounts per hectare:

- EUR 966 for Greece,
- EUR 1 509 for Spain,
- EUR 1 202 for Portugal.

H. Olive oil

Where a farmer has received olive oil production aid, the amount shall be calculated by multiplying the number of tonnes for which such a payment has been granted in the reference period (i.e. respectively, in each of the marketing years 1999/2000,

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004. (See end of Document for details)

2000/2001, 2001/2002 and 2002/2003) by the corresponding unit amount of aid, expressed in EUR/tonne, as fixed in Commission Regulations (EC) No 1415/2001⁽²⁾, (EC) No 1271/2002⁽³⁾, (EC) No 1221/2003⁽⁴⁾ and (EC) No 1794/2003⁽⁵⁾, and multiplied by a 0,6 coefficient. However, Member States may decide by 1 August 2005 to increase this coefficient. This coefficient shall not be applied to farmers whose average number of olive GIS-ha during the reference period, excluding the number of olive GIS-ha corresponding to additional trees planted outside any approved planting scheme after 1 May 1998, is less than 0.3. The number of olive GIS-ha shall be calculated by a common method to be established in accordance with the procedure referred to in Article 144(2) and on the basis of data from the geographic information system for olive cultivation.

Where the aid payments during the reference period have been affected by application of the measures laid down in Article 2(3) of Regulation (EEC) No 1638/98⁽⁶⁾, the calculation mentioned in the third subparagraph shall be adjusted as follows:

- where the measures were applied to only one marketing year, the number of tonnes to be taken into account for the year concerned shall be equal to the number of tonnes for which aid would have been granted had the measures not been applied,
- where the measures were applied to two consecutive marketing years, the number of tonnes to be taken into account for the first year concerned shall be established in accordance with the first indent, and the number of tonnes to be taken into account for the following year shall be equal to the number of tonnes for which aid was granted in respect of the last marketing year before the reference period which has not been affected by an application of the said measures.

Member States shall calculate the number of hectares to be included in the calculation of the single payment as the number of olive GIS-ha obtained by a common method to be established in accordance with the procedure referred to in Article 144(2) and on the basis of data from the geographic information system for olive cultivation, excluding the number of olive GIS-ha of additional trees planted outside an approved planting scheme after 1 May 1998, except for Cyprus and Malta, for which the date shall be 31 December 2001.

I. Raw tobacco

Where a farmer has received a tobacco premium payment, the amount to be included in the reference amount shall be calculated by multiplying the three-year average number of kilograms from which such a payment was granted, by the weighted three-year average aid amount granted per kilogram, taking into account the total quantity of raw tobacco of all variety groups and multiplied by a 0.4 coefficient. Member States may decide to increase this coefficient.

As from 2010 the coefficient shall be 0.5.

The number of hectares to be included in calculation of the single payment shall correspond to the area indicated in the registered cultivation contracts for which the premium payment has been granted, respectively, in each year of the reference period, and within the limits of a base area to be fixed by the Commission on the basis of the total area as communicated to the Commission in accordance with Annex I, 1.3 of Commission Regulation (EC) No 2636/1999⁽⁷⁾.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004. (See end of Document for details)

Where the aid payments during the reference period have been affected by an application of the measures laid down in Article 50 of Regulation (EEC) No 2848/98, the calculation mentioned in the third subparagraph shall be adjusted as follows:

- where the premium has been partly or totally reduced, the amounts of payment to be taken into account for the year concerned shall be equal to the amounts which would have been granted without the reduction,
- where the production quota has been partly or totally reduced, the amounts of payment to be taken into account for the year concerned shall be equal to the premium amounts that would have been granted in the preceding year, without the reduction of the premium, provided that the production area indicated in the last cultivation contract was not used for the cultivation of a crop eligible under any other direct support scheme in the year concerned.

J. Hops

Where a farmer has received hops area aid or temporary resting aid, Member States shall calculate the amounts to be included in the reference amount by multiplying the number of hectares, to two decimal places, for which a payment has been granted, respectively, in each year of the reference period, by an amount of EUR 480 per hectare.;

- 6) Annex VIII shall be replaced by the following:

"ANNEX VIII

National ceilings referred to in Article 41

MIO EUR				
Member State	2005	2006	2007, 2008 and 2009	2010 and subsequent years
Belgium	411	413	530	530
Denmark	838	838	996	996
Germany	4489	4503	5492	5496
Greece	837	1700	1722	1760
Spain	3244	4043	4241	4253
France	7199	7231	8091	8099
Ireland	1 136	1 136	1322	1 322
Italy	2539	3112	3464	3497
Luxembourg	27	27	37	37
Netherlands	386	386	779	779
Austria	613	614	712	712
Portugal	452	493	559	561
Finland	467	467	552	552

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004. (See end of Document for details)

Sweden	612	612	729	729
United Kingdom	3 351	3 351	3869	3 869

"..

„

7) Annex VIIIA shall be replaced by the following:

"ANNEX VIIIA

National ceilings referred to in Article 71c

The ceilings have been calculated taking account of the schedule of increments provided for in Article 143a, and therefore do not require to be reduced.

(millions of euro)										
Calendar year	Czech Republic	Estonia	Cyprus	Latvia	Lithuania	Hungary	Malta	Poland	Slovenia	Slovakia
2005	228,8	23,4	8,9	33,9	92,0	350,8	0,67	724,6	35,8	97,7
2006	266,7	27,3	12,5	39,6	107,3	420,2	0,83	881,7	41,9	115,4
2007	343,6	40,4	16,3	55,6	146,9	508,3	1,64	1 140,8	56,1	146,6
2008	429,2	50,5	20,4	69,5	183,6	634,9	2,05	1 425,9	70,1	183,2
2009	514,9	60,5	24,5	83,4	220,3	761,6	2,46	1 711,0	84,1	219,7
2010	600,5	70,6	28,6	97,3	257,0	888,2	2,87	1 996,1	98,1	256,2
2011	686,2	80,7	32,7	111,2	293,7	1 014,9	3,28	2 281,1	112,1	292,8
2012	771,8	90,8	36,8	125,1	330,4	1 141,5	3,69	2 566,2	126,1	329,3
subsequent years	857,5	100,9	40,9	139,0	367,1	1 268,2	4,10	2 851,3	140,2	365,9

".

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004. (See end of Document for details)*

- (1) OJ L291, 19.11.1979, p. 174.
- (2) OJ L, 191, 13.7.2001, p. 10.
- (3) OJ L 184, 13.7.2002, p. 5.
- (4) OJ L 170, 9.7.2003, p. 8.
- (5) OJ L 262, 14.10.2003, p. 11.
- (6) OJ L 210, 28.7.1998, p. 32.
- (7) OJ L 323, 15.12.1999, p. 4.”;

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 864/2004.