

Council Regulation (EC) No 2011/2006 of 19 December 2006 adapting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, Regulation (EC) No 318/2006 on the common organisation of the markets in the sugar sector and Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community, by reason of the accession of Bulgaria and Romania to the European Union

COUNCIL REGULATION (EC) No 2011/2006

of 19 December 2006

adapting Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, Regulation (EC) No 318/2006 on the common organisation of the markets in the sugar sector and Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community, by reason of the accession of Bulgaria and Romania to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania (hereinafter referred to as ‘2005 Act of Accession’), and in particular Article 20 in conjunction with Annex IV, and Article 56, thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas:

- (1) 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⁽¹⁾ amended *inter alia* the provisions on seed aid ceilings by reason of the 2004 accession and introduced direct support schemes for farmers in the sugar sector. Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector⁽²⁾ introduced common rules governing the common organisation of the markets in the sugar sector from the marketing year 2006/2007. Regulation (EC) No 320/2006⁽³⁾ established a temporary scheme for the restructuring of the sugar industry in the Community.
- (2) Those general rules and measures should be adapted to allow their implementation in Bulgaria and Romania as from the date of accession of those countries to the European Union.

Status: This is the original version as it was originally adopted in the EU. This legislation may since have been updated - see the latest available (revised) version

- (3) With a view to allowing Bulgaria and Romania to benefit from the support measures in the sugar sector provided for under Regulation (EC) No 1782/2003, it is appropriate to amend the national ceilings for Bulgaria and Romania, taking into account the additional amount of aid. In order to provide Bulgaria and Romania with the possibility of granting the sugar direct payment in the form of a separate direct payment, it is appropriate to amend the national ceilings on the sugar reference amounts. In order to apply the provisions on the separate sugar payment in Bulgaria and Romania it is appropriate to adjust the periods for implementation accordingly.
- (4) With a view to allowing Bulgaria and Romania to integrate seed aid into the support schemes provided for under Regulation (EC) No 1782/2003, it is appropriate to add Bulgaria and Romania to the list of countries concerned by that measure.
- (5) The 2005 Act of Accession and this Regulation both amend Regulation (EC) No 1782/2003 and those amendments should come into force on the same day. In the interest of legal certainty, the order in which those amendments are to be applied should be specified.
- (6) With a view to applying in Bulgaria and Romania the mechanisms on a production quota system for sugar, isoglucose and inulin syrup, as well as a traditional supply need of sugar for refining as provided for in Regulation (EC) No 318/2006, both countries should be added to the list of countries benefiting from these measures. Further adaptations should also be made to that Regulation to take account the specific situation of Bulgaria and Romania.
- (7) With a view to allowing operators in Bulgaria and Romania to participate in the restructuring scheme provided for in Regulation (EC) No 320/2006, that Regulation needs to be adapted.
- (8) Regulations (EC) No 1782/2003, (EC) No 318/2006 and (EC) No 320/2006 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1782/2003 as amended, including by the 2005 Act of Accession, is hereby amended as follows:

1. in Article 71c, the following paragraph shall be inserted after the first paragraph:

In the case of Bulgaria and Romania, the schedule of increments provided for under Article 143a shall apply for sugar and chicory.;
2. Article 143ba shall be amended as follows:
 - (a) in paragraph 1, the text after the first sentence is shall be replaced by the following:

It shall be granted 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

Status: This is the original version as it was originally adopted in the EU. This legislation may since have been updated - see the latest available (revised) version

before 30 April 2006, and 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 or Article 6 of Regulation (EC) No 318/2006 as appropriate,
- the quantities of sugar or inulin syrup produced in accordance with Regulation (EC) No 1260/2001 or Regulation (EC) No 318/2006 as appropriate,
- 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 or Article 6 of Regulation (EC) No 318/2006 as appropriate.

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 by a renunciation of quota in the marketing year 2006/2007 as provided for in Article 3 of Regulation (EC) No 320/2006.

In the case of Bulgaria and Romania:

- (a) the date of 30 April 2006 referred to in the first subparagraph shall be replaced by 15 February 2007;
- (b) the separate sugar payment may be granted in respect of the years from 2007 until 2011;
- (c) the representative period referred to in the first subparagraph may be different for each product of one or more of the marketing years 2004/2005, 2005/2006, 2006/2007 and 2007/2008;
- (d) where the representative period includes the marketing year 2007/2008, this marketing year shall be replaced by the marketing year 2006/2007 for farmers affected by a renunciation of quota in the marketing year 2007/2008 as provided for in Article 3 of Regulation (EC) No 320/2006.;

(b) the following paragraph shall be added after paragraph 3:

3a. For 2007, for Bulgaria and Romania, the date of 31 March referred to in the paragraph 3 shall be replaced by 15 February 2007.;

3. Annexes VII, VIIIa and XIa shall be amended in accordance with Annex I to this Regulation.

Article 2

Regulation (EC) No 318/2006 is hereby amended as follows:

1. in Article 7(2), the following subparagraph shall be added:

For the purposes of this paragraph, in the case of Bulgaria and Romania the marketing year shall be that of 2006/2007.;

2. Article 9(1) shall be replaced by the following:

Status: This is the original version as it was originally adopted in the EU. This legislation may since have been updated - see the latest available (revised) version

1. In the marketing year 2006/2007 an isoglucose quota of 100 000 tonnes shall be added to the total of isoglucose quota fixed in Annex III. In each of the marketing years 2007/2008 and 2008/2009 a further isoglucose quota of 100 000 tonnes shall be added to the quota of the preceding marketing year. This increase shall not concern Bulgaria and Romania.

In each of the marketing years 2007/2008 and 2008/2009 a further isoglucose quota of 11 045 tonnes for Bulgaria and of 1 966 tonnes for Romania shall be added to the quota of the preceding marketing year.

Member States shall allocate the additional quotas to undertakings, proportionately to the isoglucose quotas that have been allocated in accordance with Article 7(2).;

3. Article 29(1) shall be replaced by the following:

1. Notwithstanding Article 19(1), a traditional supply need of sugar for refining is fixed for the Community at 2 324 735 tonnes per marketing year, expressed in white sugar.

During the marketing years 2006/2007, 2007/2008 and 2008/2009, the traditional supply need shall be distributed as follows:

- 198 748 tonnes for Bulgaria,
- 296 627 tonnes for France,
- 291 633 tonnes for Portugal,
- 329 636 tonnes for Romania,
- 19 585 tonnes for Slovenia,
- 59 925 tonnes for Finland,
- 1 128 581 tonnes for the United Kingdom.

4. Annex III shall be replaced by the text in Annex II to this Regulation.

Article 3

In Article 3(1) of Regulation (EC) No 320/2006, the introductory words of the first subparagraph shall be replaced by the following:

Any undertaking producing sugar, isoglucose or inulin syrup to which a quota has been allocated by 1 July 2006, or by 31 January 2007 in the case of Bulgaria and Romania, shall be entitled to a restructuring aid per tonne of quota renounced, provided that during one of the marketing years 2006/2007, 2007/2008, 2008/2009 and 2009/2010 it:

Article 4

This Regulation shall enter into force on 1 January 2007 subject to the entry into force of the Treaty of Accession of Bulgaria and Romania.

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

Status: This is the original version as it was originally adopted in the EU. This
legislation may since have been updated - see the latest available (revised) version

Done at Brussels, 19 December 2006.

For the Council

The President

J. KORKEAOJA

Status: This is the original version as it was originally adopted in the EU. This legislation may since have been updated - see the latest available (revised) version

Poland	99 135	122 906	146 677	159 392	159 392	159 392	159 392	159 392	159 392	159 392	159 392
Portugal	1 940	4 931	5 922	6 452	6 452	6 452	6 452	6 452	6 452	6 452	6 452
Romania	1 930	2 781	3 536	4 041	5 051	6 062	7 072	8 082	9 093	10 103	
Slovenia	2 284	3 858	3 433	3 740	3 740	3 740	3 740	3 740	3 740	3 740	3 740
Slovakia	14 813	17 762	19 712	19 289	19 289	19 289	19 289	19 289	19 289	19 289	19 289
Finland	8 255	10 332	12 409	13 520	13 520	13 520	13 520	13 520	13 520	13 520	13 520
Sweden	20 809	26 045	31 281	34 082	34 082	34 082	34 082	34 082	34 082	34 082	34 082
United Kingdom	64 340	80 528	96 717	105 376	105 376	105 376	105 376	105 376	105 376	105 376	105 376

2. Annex VIIIa is replaced by the following:

ANNEX National ceilings referred to in Article 71c(EUR '000)Calendar
 VIIIa yearBulgariaCzech

RepublicEstoniaCyprusLatviaLithuaniaHungaryMaltaPolandRomaniaSloveniaSlovakia2005
 —228 80023 4008 90033 90092 000350 800670724 600—35 80097
 7002006—294 55127 30012 50043 819113 847446 305830980 835—44
 184127 2132007200 384377 91940 40016 30060 764154 912540 2861
 6401 263 706441 93058 958161 3622008240 521469 98650 50020 40075
 610193 076672 7652 0501 572 577530 68173 533200 9122009281 154559
 14560 50024 50090 016230 560802 6102 4601 870 392621 63687 840238
 9892010321 376644 74570 60028 600103 916267 260929 2102 8702 155
 492710 441101 840275 4892011401 620730 44580 70032 700117 816303
 9601 055 9103 2802 440 492888 051115 840312 0892012481 964816 04590
 80036 800131 716340 6601 182 5103 6902 725 5921 065 662129 840348
 5892013562 308901 745100 90040 900145 616377 3601 309 2104 1003
 010 6921 243 272143 940385 1892014642 652901 745100 90040 900145
 616377 3601 309 2104 1003 010 6921 420 882143 940385 1892015722
 996901 745100 90040 900145 616377 3601 309 2104 1003 010 6921 598
 493143 940385 1892016 and subsequent years803 340901 745100 90040
 900145 616377 3601 309 2104 1003 010 6921 776 103143 940385 189

3. Annex XIa is replaced by the following:

ANNEX Seed aid ceilings in the new Member States referred
 XIa to in Article 99(3)(EUR million)Calendar yearBulgariaCzech

RepublicEstoniaCyprusLatviaLithuaniaHungaryMaltaPolandRomaniaSloveniaSlovakia2005
 —0,870,040,030,10,10,780,030,56—0,080,042006—
 1,020,040,030,120,120,90,030,65—
 0,10,0420070,111,170,050,040,140,141,030,040,740,190,110,0520080,131,460,060,050,170,17
 years0,432,910,120,10,350,352,590,11,850,750,280,12

Status: This is the original version as it was originally adopted in the EU. This legislation may since have been updated - see the latest available (revised) version

ANNEX II

ANNEX NATIONAL AND REGIONAL QUOTAS(tonnes)	Member States or regions					
(1) Sugar	(2) Isoglucose	(3) Inulin syrup	(4) Belgium	819 81285 6940	Bulgaria	475267 108
	Czech Republic	454 862	Denmark	420 746	Germany	3 655 45642 360
	Greece	317 50215 433	Spain	903 84398 845	France (metropolitan)	3 552 22123 7550
	French overseas departments	480 245	Ireland	0	Italy	778 70624 301
	Latvia	66 505	Lithuania	103 010	Hungary	401 684164 736
	Netherlands	864 56010 8910	Austria	387 326	Poland	1 671 92632 056
	Portugal (mainland)	34 50011 870	The autonomous region of the Azores	9 953	Romania	109 16411 947
	Slovakia	207 43250 928	Slovenia	52 973	Finland	146 08714 210
	Sweden	325 700	United Kingdom	1 138 62732 602	Total	16 907 591686 7360

Status: This is the original version as it was originally adopted in the EU. This legislation may since have been updated - see the latest available (revised) version

- (1) [OJ L 270, 21.10.2003, p. 1](#). Regulation as last amended by Regulation (EC) No 1405/2006 ([OJ L 265, 26.9.2006, p. 1](#)).
- (2) [OJ L 58, 28.2.2006, p. 1](#). Regulation as amended by Commission Regulation (EC) No 1585/2006 ([OJ L 294, 25.10.2006, p. 19](#)).
- (3) [OJ L 58, 28.2.2006, p. 42](#).