

*Status: Point in time view as at 03/07/2017.*

*Changes to legislation: There are currently no known outstanding effects for the  
Commission Delegated Regulation (EU) No 639/2014. (See end of Document for details)*

## ANNEX I

Content of the information to be submitted to the Commission pursuant to Article 67(1)

The information shall include:

- (1) the total amount fixed for the coupled support and the related percentage of the national ceiling referred to in Article 53 of Regulation (EU) No 1307/2013 for each year until 2020;
- (2) the title of each support measure;
- (3) a description of each support measure, including at least:
  - (a) the region or sector targeted;
  - (b) [<sup>F1</sup>the specific types of farming and/or the specific agricultural sectors selected as well as a description of the difficulties encountered and, where applicable, the criteria fixed by Member States to define the regions referred to in Article 52(1) of this Regulation;]
  - (c) the related economic, social or environmental importance;
  - (d) [<sup>F2</sup> . . . . .]
  - (e) any implementation of the derogation laid down in Article 52(4) of Regulation (EU) No 1307/2013;
  - (f) its duration;
  - (g) the applicable eligibility conditions;
  - (ga) [<sup>F3</sup>for Member States applying the third subparagraph of Article 53(2) of this Regulation, the criteria applied for the establishment of each modulated per unit amount in accordance with that subparagraph;]
  - (h) [<sup>F1</sup>the estimated per unit amount(s) of support calculated in accordance with the second and third subparagraphs of Article 53(2) of this Regulation;]
  - (i) the amount fixed for the financing;
  - (j) the applicable quantitative limit, i.e. the fixed areas and yields or the fixed number of animals in accordance with Article 52(6) of Regulation (EU) No 1307/2013;
  - (k) where appropriate, the maximum area fixed for the purpose of implementing the support for those oilseeds referred to in Article 53(3) of this Regulation;
  - (l) any existing measures applied under other Union support schemes or under measures financed by state aids in the same region or sector as the coupled support measure and, where applicable, the criteria and administrative rules for ensuring that support aiming at the objective referred to in Article 52(5) of Regulation (EU) No 1307/2013 is not also granted under other Union support schemes in accordance with Article 52(9) of that Regulation;
- (4) where appropriate, the detailed description of the particular situation in the region or sector targeted and the characteristics of the specific types of farming or specific agricultural sectors, which make the percentage referred to in Article 53(1) of

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Regulation (EU) No 1307/2013 insufficient to address the difficulties identified and which justify an increased level of support according to Article 54(2) of that Regulation;

- (5) where appropriate, the demonstration of the existence of one of the needs referred to in Article 55(1)(a),(b),(c) or (d) of Regulation (EU) No 1307/2013.

#### Textual Amendments

- F1** Substituted by Commission Delegated Regulation (EU) 2016/141 of 30 November 2015 amending Delegated Regulation (EU) No 639/2014 as regards certain provisions on the payment for young farmers and on voluntary coupled support and derogating from Article 53(6) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council.
- F2** Deleted by Commission Delegated Regulation (EU) 2016/141 of 30 November 2015 amending Delegated Regulation (EU) No 639/2014 as regards certain provisions on the payment for young farmers and on voluntary coupled support and derogating from Article 53(6) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council.
- F3** Inserted by Commission Delegated Regulation (EU) 2016/141 of 30 November 2015 amending Delegated Regulation (EU) No 639/2014 as regards certain provisions on the payment for young farmers and on voluntary coupled support and derogating from Article 53(6) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council.

## ANNEX II

## ANNEX X

### Conversion and weighting factors referred to in Article 46(3)<sup>(1)</sup>

Features	Conversion factor(m/ tree to m <sup>2</sup> )	Weighting factor	Ecological focus area(if both factors are applied)
Land lying fallow (per 1 m <sup>2</sup> )	n.a.	1	1 m <sup>2</sup>
Terraces (per 1 m)	2	1	2 m <sup>2</sup>
Landscape features:			
Hedges/wooded strips (per 1 m)	5	2	10 m <sup>2</sup>
Isolated tree (per tree)	20	1,5	30 m <sup>2</sup>
Trees in line (per 1 m)	5	2	10 m <sup>2</sup>
Group of trees/Field copses (per 1 m <sup>2</sup> )	n.a.	1,5	1,5 m <sup>2</sup>
Field margin (per 1 m)	6	1,5	9 m <sup>2</sup>
Ponds (per 1 m <sup>2</sup> )	n.a.	1,5	1,5 m <sup>2</sup>

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	Ditches (per 1 m)	3	2	6 m <sup>2</sup>
	Traditional stone walls (per 1 m)	1	1	1 m <sup>2</sup>
	Other features not listed above but protected under GAEC7, SMR 2 or SMR 3 (per 1 m <sup>2</sup> )	n.a.	1	1 m <sup>2</sup>
	Buffer strips (per 1 m)	6	1,5	9 m <sup>2</sup>
	Hectares of agro-forestry (per 1 m <sup>2</sup> )	n.a.	1	1 m <sup>2</sup>
	Strips of eligible hectares along forest edges (per 1 m)			
		Without production 6 With production 6	1,5 0,3	9 m <sup>2</sup> 1,8 m <sup>2</sup>
	Areas with short rotation coppice (per 1 m <sup>2</sup> )	n.a.	0,3	0,3 m <sup>2</sup>
	Afforested areas as referred to in Article 32(2)(b)(ii) (per m <sup>2</sup> )	n.a.	1	1 m <sup>2</sup>
	Areas with catch crops or green cover (per 1 m <sup>2</sup> )	n.a.	0,3	0,3 m <sup>2</sup>
	Areas with nitrogen fixing crops (per 1 m <sup>2</sup> )	n.a.	0,3	0,3 m <sup>2</sup>

## [<sup>F4</sup> ANNEX III

### Union method for the quantitative determination of the $\Delta$ 9-tetrahydrocannabinol content in hemp varieties

#### Textual Amendments

**F4** Inserted by Commission Delegated Regulation (EU) 2017/1155 of 15 February 2017 amending Delegated Regulation (EU) No 639/2014 as regards the control measures relating to the cultivation of hemp, certain provisions on the greening payment, the payment for young farmers in control of a legal person, the calculation of the per unit amount in the framework of voluntary coupled support, the fractions of payment entitlements and certain notification requirements relating to the single area payment scheme and the voluntary coupled support, and amending Annex X to Regulation (EU) No 1307/2013 of the European Parliament and of the Council.

#### 1. Scope

The method set out in this Annex seeks to determine the  $\Delta$ 9-tetrahydrocannabinol (hereinafter referred to as THC) content of varieties of hemp (*Cannabis sativa* L.). As appropriate, the method involves applying procedure A or B as described in this Annex.

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The method is based on the quantitative determination of THC by gas chromatography (GC) after extraction with a suitable solvent.

#### 1.1. *Procedure A*

Procedure A shall be used for checks on the production of hemp as referred to in Article 32(6) of Regulation (EU) No 1307/2013 and Article 30(g) of Commission Implementing Regulation (EU) No 809/2014<sup>(2)</sup>.

#### 1.2. *Procedure B*

Procedure B shall be used in cases as referred to in Article 36(6) of Implementing Regulation (EU) No 809/2014.

### 2. **Sampling**

#### 2.1. *Samples*

The samples shall be taken during the day following a systematic pattern to ensure that the sample is representative of the field, but excluding the edges of the crop.

2.1.1. Procedure A: in a standing crop of a given variety of hemp, a 30 cm part containing at least one female inflorescence of each plant selected shall be taken. Sampling shall be carried out during the period running from 20 days after the start of flowering to 10 days after the end of flowering.

Member States may authorise sampling to be carried out during the period from the start of flowering to 20 days after the start of flowering provided that, for each variety grown, other representative samples are taken in accordance with the first subparagraph during the period from 20 days after the start of flowering to 10 days after the end of flowering.

For hemp cultivated as catch crop, in the absence of female inflorescences, the top 30 cm of the plant stem shall be taken. In that case sampling shall be carried out just before the end of the vegetation period, once the leaves begin presenting the first signs of yellowing, however no later than the onset of a forecast period of frost.

2.1.2. Procedure B: in a standing crop of a given variety of hemp, the upper third of each plant selected shall be taken. Sampling shall be carried out during the 10 days following the end of flowering or, for hemp cultivated as catch crop, in the absence of female inflorescences, just before the end of the vegetation period, once the leaves begin presenting the first sign of yellowing, but no later than the onset of a forecast period of frost. In the case of dioecious varieties, only female plants shall be taken.

#### 2.2. *Sample size*

Procedure A: the sample shall comprise parts of 50 plants per field.

Procedure B: the sample shall comprise parts of 200 plants per field.

Each sample shall be placed in a fabric or paper bag, without crushing it, and be sent to the laboratory for analysis.

The Member State may provide for a second sample to be collected for counteranalysis, if required, to be kept either by the producer or by the body responsible for the analysis.

#### 2.3. *Drying and storage of the sample*

Drying of the samples shall begin as soon as possible and, in any case, within 48 hours using any method below 70 °C.

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Samples shall be dried to a constant weight and to a moisture content of between 8 % and 13 %.

After drying, the samples shall be stored without crushing them at below 25 °C in a dark place.

### 3. **Determination of THC content**

#### 3.1. *Preparation of the test sample*

Stems and seeds over 2 mm in size shall be removed from the dried samples.

The dried samples shall be grinded to obtain a semi-fine powder (passing through a 1 mm mesh sieve).

The powder may be stored for 10 weeks at below 25 °C in a dark, dry place.

#### 3.2. *Reagents and extraction solution*

##### Reagents

- $\Delta^9$ -tetrahydrocannabinol, pure for chromatographic purposes,
- squalane, pure for chromatographic purposes, as an internal standard.

##### Extraction solution

- 35 mg of squalane per 100 ml hexane.

#### 3.3. *Extraction of THC*

100 mg of the powdered test sample shall be weighed, be placed in a centrifuge tube and 5 ml of extraction solution shall be added containing the internal standard.

The sample shall be placed in an ultrasound bath and be left for 20 minutes. It shall be centrifuged for 5 minutes at 3 000 r.p.m. and then the supernatant THC solution shall be removed. The solution shall be injected into the chromatograph and a quantitative analysis shall be carried out.

#### 3.4. *Gas chromatography*

##### (a) Apparatus

- gas chromatograph with a flame ionisation detector and a split/splitless injector,
- column allowing good separation of cannabinoids, for example a glass capillary column 25 m long and 0,22 mm in diameter impregnated with a 5 % non-polar phenyl-methyl-siloxane phase.

##### (b) Calibration ranges

At least three points for procedure A and five points for procedure B, including points 0,04 and 0,50 mg/ml THC in extraction solution.

##### (c) Experimental conditions

The following conditions are given as an example for the column referred to in (a):

- oven temperature 260 °C,
- injector temperature 300 °C,
- detector temperature 300 °C.

##### (d) Volume injected: 1 $\mu$ l.

### 4. **Results**

The findings shall be expressed to two decimal places in grams of THC per 100 grams of analytical sample dried to constant weight. A tolerance of 0,03 g per 100 g shall apply.

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— Procedure A: one determination per test sample.

However, where the result obtained is above the limit laid down in Article 32(6) of Regulation (EU) No 1307/2013, a second determination shall be carried out per analysis sample and the mean value of the two determinations shall be taken as the result.

— Procedure B: the result shall correspond to the mean value of two determinations per test sample.]

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- (1) The conversion and weighting factors shall also apply to features included in the equivalent practices as listed in Section III of Annex IX that are the same as the features listed in this Annex and as specified in Article 45 of Commission Delegated Regulation (EU) No 639/2014 of 11 March 2014 supplementing Regulation (EU) No 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and amending Annex X to that Regulation ([OJ L 181, 20.6.2014, p. 1](#)) for the sole purpose of the calculation of the ecological focus area of the holding as referred to in Article 46(1) of this Regulation.’
- (2) [<sup>F4</sup>Commission Implementing Regulation (EU) No 809/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance ([OJ L 227, 31.7.2014, p. 69](#)).]

#### **Textual Amendments**

- F4** Inserted by [Commission Delegated Regulation \(EU\) 2017/1155 of 15 February 2017 amending Delegated Regulation \(EU\) No 639/2014 as regards the control measures relating to the cultivation of hemp, certain provisions on the greening payment, the payment for young farmers in control of a legal person, the calculation of the per unit amount in the framework of voluntary coupled support, the fractions of payment entitlements and certain notification requirements relating to the single area payment scheme and the voluntary coupled support, and amending Annex X to Regulation \(EU\) No 1307/2013 of the European Parliament and of the Council.](#)

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