

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

CHAPTER 1

SCOPE AND GENERAL PROVISIONS

SECTION 1

Scope and general principles

- Article 1 Scope
- Article 2 General principles
- Article 3 Reductions due to financial discipline

SECTION 2

Provisions related to definitions in Regulation (EU) No 1307/2013

- Article 4 Framework for criteria on maintaining the agricultural area in a state suitable for grazing or cultivation
- Article 5 Framework for minimum activities on agricultural areas naturally kept in a state suitable for grazing or cultivation
- Article 6 Predominance of grasses and other herbaceous forage in case of permanent grassland
- Article 7 Established local practices in case of permanent grassland
- Article 8 Reduction coefficient according to Article 32(5) of Regulation (EU) No 1307/2013
- Article 9 Hemp

SECTION 3

Active farmer

- Article 10 Cases where agricultural areas are mainly areas naturally kept in a state suitable for grazing or cultivation
- Article 11 Receipts obtained from non-agricultural activities
- Article 12 Amount of direct payments referred to in Article 9(2) and (4) of Regulation (EU) No 1307/2013 and in Article 13(2) of this Regulation
- Article 13 Criteria for proving that agricultural activities are not insignificant and that the principal business or company objects consist of exercising an agricultural activity

Status: Point in time view as at 08/06/2020.

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)

CHAPTER 2

BASIC PAYMENT SCHEME AND SINGLE AREA PAYMENT SCHEME

SECTION 1

Rules for the implementation of the basic payment scheme provided for in Sections 1, 2, 3 and 5 of Chapter 1 of Title III of Regulation (EU) No 1307/2013

Subsection 1

First allocation of payment entitlements

- Article 14 Cases of inheritance, changes in legal status or denomination and mergers and scissions
- Article 15 Establishment of eligible hectares for the purposes of Articles 24(2) and 39(2) of Regulation (EU) No 1307/2013
- Article 16 Limitation under Article 24(6) of Regulation (EU) No 1307/2013
- Article 17 Determination of the value of payment entitlements under Articles 26 and 40 of Regulation (EU) No 1307/2013
- Article 18 Definitive establishment of the value and number of payment entitlements
- Article 19 Establishment of the value of payment entitlements in hardship cases
- Article 20 Private contract clause in the case of sale
- Article 21 Private contract clause in the case of lease
- Article 22 Beneficiaries pursuant to Article 24(1) of Regulation (EU) No 1307/2013

Subsection 2

Activation and transfer of entitlements

- Article 23 Calculation of the value of payment entitlements
- Article 24 Requirements for activation of payment entitlements
- Article 25 Transfer of entitlements

Subsection 3

National or regional reserves

- Article 26 Reversion to the national or regional reserve due to retention on transfer of payment entitlements
- Article 27 Application of the windfall profit clause
- Article 28 Establishment of payment entitlements from the national or regional reserve under Article 30(6) of Regulation (EU) No 1307/2013
- Article 29 Establishment of payment entitlements from the national or regional reserve under Article 30(7) of Regulation (EU) No 1307/2013
- Article 30 Further rules on the establishment of payment entitlements from the national or regional reserve
- Article 31 Hardship cases

Status: Point in time view as at 08/06/2020.

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)

Subsection 4

Member States applying Article 21(3) of Regulation (EU) No 1307/2013

- Article 32 Implementation in Member States applying Article 21(3) of Regulation (EU) No 1307/2013
- Article 33 Application of Article 21(4) of Regulation (EU) No 1307/2013
- Article 34 Determination of the value of payment entitlements under Article 26 of Regulation (EU) No 1307/2013 for Member States applying Article 21(3) of that Regulation

SECTION 2

Single area payment scheme

- Article 35 Eligible hectares in Member States applying the single area payment scheme
- Article 36 Application of Article 36(3) of Regulation (EU) No 1307/2013
- Article 37 Production of hemp under the single area payment scheme

CHAPTER 3

GREENING

SECTION 1

Equivalence

- Article 38 Requirements applicable to the national or regional certification schemes
- Article 39 Calculation of the amount referred to in Article 28(6) of Regulation (EU) No 1305/2013

SECTION 2

Crop diversification

- Article 40 Calculation of shares of different crops for crop diversification

SECTION 3

Permanent grassland

- Article 41 Framework for the designation of further environmentally sensitive permanent grassland areas outside of Natura 2000 areas
- Article 42 Reconversion in case of non-respect of the obligation on environmentally sensitive permanent grassland areas
- Article 43 Calculation of the ratio of permanent grassland
- Article 44 Maintenance of the ratio of permanent grassland

Status: Point in time view as at 08/06/2020.

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)

SECTION 4

Ecological focus area

- Article 45 Further criteria for the types of ecological focus area
- Article 46 Rules for the regional implementation of ecological focus areas
- Article 47 Rules for the collective implementation and the criteria to be met by holdings to be considered to be in close proximity
- Article 48 Determination of the ratio of forest to agricultural land

CHAPTER 4

PAYMENT FOR YOUNG FARMERS

- Article 49 Access of legal persons to the payment for young farmers
- Article 50 Access of a group of natural persons to the payment for young farmers

CHAPTER 5

COUPLED SUPPORT

SECTION 1

Voluntary coupled support

- Article 51 Definitions
- Article 52 General principles
- Article 53 Conditions for granting the support
- Article 53a Transfer of funds between measures
- Article 54 Consistency and cumulation of support
- Article 55 Criteria for approval by the Commission

SECTION 2

Crop specific payment for cotton

- Article 56 Authorisation of agricultural land for cotton production
- Article 57 Authorisation of varieties for sowing
- Article 58 Eligibility requirements
- Article 59 Agronomic practices
- Article 60 Approval of inter-branch organisations
- Article 61 Producers' obligations

CHAPTER 6

NOTIFICATIONS

- Article 62 Notifications relating to definitions and related provisions
- Article 63 Notifications relating to the reduction coefficient according to Article 32(5) of Regulation (EU) No 1307/2013
- Article 64 Notifications relating to the basic payment
- Article 65 Notifications relating to greening

Status: Point in time view as at 08/06/2020.

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)

Article 66	Notifications relating to the payment for young farmers
Article 67	Notifications relating to the voluntary coupled support
Article 68	Notifications concerning the minimum requirements for receiving direct payments
Article 69	Notifications concerning the redistributive payment
Article 70	Notifications concerning the payment for areas with natural constraints
Article 71	Notifications concerning the small farmers scheme
Article 72	Application of Article 8(1), 41(4) or 52(6) of Regulation (EU) No 1307/2013 to members of legal persons or groups
Article 73	Linear reductions of the payments
Article 74	Request for information on measures taken by the Member States
Article 75	Reports
Article 76	Notification of decision resulting from a review

CHAPTER 7

AMENDMENT, REPEAL AND ENTRY INTO FORCE

Article 77	Amendment of Regulation (EU) No 1307/2013
Article 78	Repeal
Article 79	Entry into force and application
	Signature

ANNEX I

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

ANNEX II

ANNEX X Conversion and weighting factors referred to in Article...

ANNEX III

Union method for the quantitative determination of the Δ^9 -tetrahydrocannabinol content in hemp varieties

1. Scope
 - 1.1. Procedure A
 - 1.2. Procedure B
2. Sampling
 - 2.1. Samples
 - 2.1.1. Procedure A: in a standing crop of a given variety...
 - 2.1.2. Procedure B: in a standing crop of a given variety...
 - 2.2. Sample size
 - 2.3. Drying and storage of the sample

Status: Point in time view as at 08/06/2020.

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)

3. Determination of THC content
 - 3.1. Preparation of the test sample
 - 3.2. Reagents and extraction solution
 - Reagents
 - Extraction solution
 - 3.3. Extraction of THC
 - 3.4. Gas chromatography
 - (a) Apparatus
 - (b) Calibration ranges
 - (c) Experimental conditions
 - (d) Volume injected: 1 µl.
4. Results

ANNEX IV

Permitted Hemp Varieties

Status: Point in time view as at 08/06/2020.

*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)*

- (1) [OJ L 347, 20.12.2013, p. 608.](#)
- (2) Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 ([OJ L 30, 31.1.2009, p. 16](#)).
- (3) Commission Regulation (EC) No 1120/2009 of 29 October 2009 laying down detailed rules for the implementation of the single payment scheme provided for in Title III of Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers ([OJ L 316, 2.12.2009, p. 1](#)).
- (4) Commission Regulation (EC) No 1121/2009 of 29 October 2009 laying down detailed rules for the application of Council Regulation (EC) No 73/2009 as regards the support schemes for farmers provided for in Titles IV and V thereof ([OJ L 316, 2.12.2009, p. 27](#)).
- (5) Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 ([OJ L 347, 20.12.2013, p. 549](#)).
- (6) See judgement of the Court of 25 November 1986 in joint Cases 201/85 and 202/85, *Klensch*, [1986] ECR 3477, paragraph 10.
- (7) [OJ L 336, 23.12.1994, p. 22.](#)
- (8) Commission Delegated Regulation (EU) No 640/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the integrated administration and control system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross compliance. (See page 48 of this Official Journal).
- (9) See judgement of the Court of 14 October 2010 in Case C-61/09, *Landkreis Bad Dürkheim* [2010] ECR I-09763, paragraph 50 et seq.
- (10) Commission Regulation (EC) No 1122/2009 of 30 November 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 73/2009 as regards cross-compliance, modulation and the integrated administration and control system, under the direct support schemes for farmers provided for that Regulation, as well as for the implementation of Council Regulation (EC) No 1234/2007 as regards cross-compliance under the support scheme provided for the wine sector ([OJ L 316, 2.12.2009, p. 65](#)).
- (11) Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 ([OJ L 347, 20.12.2013, p. 487](#)).
- (12) Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources ([OJ L 375, 31.12.1991, p. 1](#)).
- (13) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy ([OJ L 327, 22.12.2000, p. 1](#)).
- (14) Green Infrastructure (GI) — Enhancing Europe’s Natural Capital. COM(2013) 249 final, 6.5.2013.
- (15) See judgement of the Court of 25 October 2012 in Case C-592/11, *Anssi Ketelae*, not yet published in the ECR, paragraph 56.
- (16) [OJ L 147, 18.6.1993, p. 26.](#)

Status:

Point in time view as at 08/06/2020.

Changes to legislation:

There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 639/2014.