

**Question for written answer E-009050/2014  
to the Commission**

Rule 130

**Bronis Ropé (Verts/ALE)**

Subject: Legality of applying Article 7 of Regulation (EC) No 73/2009: justification in the form of specific figures

In 2012 and 2013, under Commission decisions Nos C(2012)4391 and C(2013)4487, the complementary national direct payments (CNDPs) earmarked for the Lithuanian dairy production sector were reduced (not to say completely withheld).

There is reason to believe that Article 7 of Regulation (EC) No 73/2009 has been wrongly applied to Lithuania. The level of payments in the old Member States in 2012 was higher than the 90% laid down in Article 121 of the regulation (the level recorded in that year in Spain alone was 95% (Annexes IV and VIII)), and that fact suggests, taking into account the provisions of Articles 7 and 121, that Lithuania is not in a position to apply Article 7.

It should also be noted that the decision has been challenged in an appeal on behalf of Lithuanian milk producers, but the Commission, instead of going into the merits of the claim, has tried to avoid responding by adducing formal grounds – such as expiry of the time limit for bringing an action.

1. How much EU support in all was earmarked in the old Member States in 2012 for direct payments?
2. What was the sum total disbursed in the old Member States in 2012 under Article 7(1) of Regulation (EC) No 73/2009? Out of the total allocation for direct payments, for what percentage did that sum account?