

**Question for written answer E-000433/2015
to the Commission**

Rule 130

Bronis Ropé (Verts/ALE)

Subject: Validity of the application of modulation under Regulation (EC) No 73/2009

In reply to my question E-009050/2014 of 14 November 2014, the Commission provided information about the sum total paid in the old Member States in 2012 subject to the application of Article 7(1) of Regulation (EC) No 73/2009. In short it failed to give an answer about the relationship that it believes to exist between the total direct payments earmarked for the old Member States and the total paid to the new Member States, expressing the latter as a percentage of the former. Instead it merely specified the percentages of the net and gross amounts of direct payments actually made in the 27 Member States as a whole.

To my mind, the Commission has ignored the stipulation in Article 10 of the regulation, namely that modulation should be applied in the new Member States only if the levels of payments in the old and new Member States are equal.

It is common knowledge that the amounts of direct payments in the new and old Member States in 2012 were not equal. From that fact, and from the figures supplied by the Commission, it may be inferred that modulation was not possible to apply in 2012.

Bearing that point in mind, what steps will the Commission take to make good the harm caused by the misapplication of modulation?