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Committee on Agriculture and Rural Development

2011/0288(COD)

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AMENDMENTS

425 - 769

Draft report
Giovanni La Via
(PE483.834v01-00)

Proposal for a Regulation of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy

Proposal for a regulation
(COM(2011) 0628 final/2 – C7-0000-0000 – 2011/0288(COD))

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United in diversity

EN

Amendment 425

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 61 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

In preparing samples for checks, the responsible authority shall consider the scope of risk to be covering risk to public funds in the EU budget, and shall include risk to the environment, risk to public health and associated costs, as referred to in article 60.

Or. en

Justification

The principles of budgetary efficiency in public funding mean that risk to the Funds/EU budget would include costs to the environment and public health, inter alia: associated costs of clean up, environmental rehabilitation, disposal of dangerous/harmful material, possible compensation to victims, including farmers, of crises/contaminations. The EU should not fund damaging agriculture: damage to environment and public health is paid for twice: once via CAP subsidies and once via public funds.

Amendment 426

Bas Eickhout

Proposal for a regulation

Article 61 – paragraph 2 – subparagraph 2 (new)

Text proposed by the Commission

Amendment

When drawing up the risk based inspection samples of farms to be controlled, Member States may take into consideration that organic farming has an intrinsically lower risk of environmental pollution, therefore lower risk to the

public funds and the EU budget.

Or. en

Justification

Paying agencies draw up samples of farms to be inspected for cross compliance (and/or greening in the future). Sampling for inspections based on environmental risk should take into consideration that due to the agro-ecological techniques used, organic farming has an intrinsically lower risk (of environmental costs) to the EU budget.

Amendment 427

Wojciech Michał Olejniczak

Proposal for a regulation

Article 61 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States may reduce the number of on-the-spot checks where the error rate is at an acceptable level and the management and control systems in place work properly. The Commission shall adopt delegated acts, in accordance with Article 111, laying down the precise conditions and rules that Member States are to apply. In addition, the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of reducing the level of on-the-spot checks carried out each year to 3% of all farmers submitting aid applications or payment claims.

Or. pl

Justification

The Member States should have the option of reducing the number of on-the-spot checks when there is a downward trend in the level of infringements. This particularly applies in the case of changes to the provisions applying to the integrated administration and control system.

Amendment 428

Julie Girling, Richard Ashworth, James Nicholson, Anthea McIntyre, Kay Swinburne

Proposal for a regulation

Article 61 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States may reduce checks where the error rates are at an acceptable level.

Or. en

Amendment 429

George Lyon, Sylvie Goulard, Liam Aylward

Proposal for a regulation

Article 61 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States may reduce the level of on-the-spot checks where the error rate is at an acceptable level. The precise applicable conditions and rules shall be determined in delegated acts according to Article 64 of this regulation.

Or. en

Justification

Rapporteur's amendment 63 keeps the wording 'management and control systems in place work properly' which is unclear as to what is meant and could lead to a lot of additional requirements that could jeopardise the opportunity of reducing the number of checks.

Amendment 430

Alfreds Rubiks

Proposal for a regulation

Article 64 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to ensure correct and efficient application of the checks and that the verification of the eligibility conditions is carried out in an efficient, coherent and non-discriminatory way which protects the financial interest of the Union, the Commission shall be empowered to adopt delegated acts in accordance with Article 111 concerning the situations where beneficiaries or their representatives prevent checks from being carried out. *deleted*

Or. lv

Amendment 431
Hans-Peter Mayer

Proposal for a regulation
Article 64 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

The Commission shall, **by means of implementing** acts, adopt **the necessary rules** aiming at reaching a uniform application of this Chapter in the Union. Those rules may, in particular, relate to the following:

Those rules may, in particular, relate to the following:

Or. de

Justification

.The decisions in question are more than merely technical decisions.

Amendment 432
Julie Girling, James Nicholson, Anthea McIntyre

Proposal for a regulation
Article 64 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

(b) the rules on the minimum level of on-the-spot checks necessary for an effective management of the risks, as well as the conditions under which Member States have to increase such checks, or may reduce them where the **management and control systems function properly and the error rates are at an acceptable level;**

Amendment

(b) the rules on the minimum level of on-the-spot checks, **which shall be set at the rate of 1% for schemes covered by a operational IACS or, in other cases, at the minimum rate** necessary for an effective management of the risks, as well as the conditions under which Member States have to increase such checks, or may reduce them where the error rates are at an acceptable level, **including time limits by which the Commission should respond to an indication that the MS intends to reduce its on-the-spot checks**

Or. en

Justification

An acceptable error rate should be sufficient grounds for an assessment of whether a Member State can reduce its checks. There should be a time limit 'mechanism' for a Commission veto once a Member State announces its intention to reduce its checks.

Amendment 433

George Lyon, Sylvie Goulard, Britta Reimers, Liam Aylward

Proposal for a regulation

Article 64 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In order to ensure correct and efficient application of the checks and that the verification of the eligibility conditions is carried out in an efficient, coherent and non-discriminatory way which protects the financial interest of the Union, the Commission shall be empowered to adopt delegated acts in accordance with Article 111, concerning the rules on the minimum level of on-the-spot checks necessary for an effective, proportionate and risk-based management of the risks,

as well as the conditions under which Member States have to increase such checks, or may reduce them where the error rates are at an acceptable level including time limits by which the Commission shall respond to an indication that the Member State intends to reduce its on-the-spot checks;

Or. en

Justification

Rapporteur's amendment 63 keeps the wording 'management and control systems in place work properly' which could lead to a lot of additional requirements that could jeopardise the opportunity of reducing the number of checks. In addition, there should be a time limit on when the Commission shall respond to the Member State intending to reduce the number of checks. However, this amendment should be put in line with the method for implementation chosen by the Rapporteur and defended by the European Parliament (i.e.: it should be moved to delegated acts).

Amendment 434

George Lyon, Sylvie Goulard, Britta Reimers, Liam Aylward

Proposal for a regulation

Article 64 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) the rules on the minimum level of on-the-spot checks necessary for an effective management of the risks, as well as the conditions under which Member States have to increase such checks, or may reduce them where the management and control systems function properly and the error rates are at an acceptable level;

deleted

Or. en

Justification

Rapporteur's amendment 63 keeps the wording 'management and control systems in place

work properly' which could lead to a lot of additional requirements that could jeopardise the opportunity of reducing the number of checks. In addition, there should be a time limit on when the Commission shall respond to the Member State intending to reduce the number of checks. However, this amendment should be put in line with the method for implementation chosen by the Rapporteur and defended by the European Parliament (i.e.: it should be moved to delegated acts).

Amendment 435
Monika Hohlmeier

Proposal for a regulation
Article 64 – paragraph 2 – subparagraph 1 – point b – point i (new)

Text proposed by the Commission

Amendment

(i) if the financial impact of the errors (error rate) detected during the random on-the-spot checks was less than 2% in each of the two previous years, Member States may reduce the number of on-the-spot checks by up to 50%.

Or. de

Justification

The statements made by the Commission in relation to the lowering / raising of the check rates are very vague. The basic act must further specify when the check rate should be increased or decreased.

Amendment 436
Monika Hohlmeier

Proposal for a regulation
Article 64 – paragraph 2 – subparagraph 1 – point b – point ii (new)

Text proposed by the Commission

Amendment

(ii) if the financial impact of the errors (error rate) detected during the random on-the-spot checks was more than 5% in each of the two previous years, Member States shall increase the number of on-

the-spot checks by up to 50%.

Or. de

Justification

The statements made by the Commission in relation to the lowering / raising of the check rates are very vague. The basic act must further specify when the check rate should be increased or decreased.

Amendment 437
Monika Hohlmeier

Proposal for a regulation
Article 64 – paragraph 2 – subparagraph 1 – point b – point iii (new)

Text proposed by the Commission

Amendment

(iii) if the financial impact of the errors (error rate) detected during the random on-the-spot checks was less than 1% in each of the two previous years, the Member States concerned may reduce the number of on-the-spot checks to 25% of the normal rate.

Or. de

Justification

The statements made by the Commission in relation to the lowering / raising of the check rates are very vague. The basic act must further specify when the check rate should be increased or decreased.

Amendment 438
Alfreds Rubiks

Proposal for a regulation
Article 65 – paragraph 1

Text proposed by the Commission

1. Where it is found that a beneficiary does not comply with the eligibility criteria or the commitments relating to the conditions for granting the aid as provided for in the sectoral agricultural legislation the aid shall be withdrawn in full *or in part*.

Amendment

1. Where it is found that a beneficiary does not comply with the eligibility criteria or the commitments relating to the conditions for granting the aid as provided for in the sectoral agricultural legislation the aid shall be withdrawn in full *and payments for the non-compliant part shall be reduced for the next two years*.

Or. lv

Amendment 439
Rareş-Lucian Niculescu

Proposal for a regulation
Article 65 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Where Union law so provides, Member States shall also impose penalties by way of reductions or exclusions of the payment or part of the payment granted or to be granted in respect of which the eligibility criteria or the commitments have been met.

Amendment

deleted

Or. en

Amendment 440
Radvilė Morkūnaitė-Mikulėnienė

Proposal for a regulation
Article 65 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Where Union law so provides, Member States shall also impose penalties by way of reductions or exclusions of the payment or part of the payment granted or to be

Amendment

Where Union law so provides, *where relevant, subject to further details laid down in implementing acts*, Member States shall also impose penalties by way

granted in respect of which the eligibility criteria or the commitments have been met.

of reductions or exclusions of the payment or part of the payment granted or to be granted in respect of which the eligibility criteria or the commitments have been met.

Or. en

Amendment 441
Albert Deß

Proposal for a regulation
Article 65 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The amount of the reduction of aid shall be graduated according to the severity, extent, duration and reoccurrence of the non compliance found *and* may go as far as total exclusion from one or several aid schemes or support measures for one or more calendar years.

Amendment

According to the severity, extent, duration and reoccurrence of the non compliance found, *the administrative penalties imposed* may go as far as total exclusion from one or several aid schemes or support measures for one or more calendar years.

Or. de

Amendment 442
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 65 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The amount of the reduction of aid shall be graduated according to the severity, extent, duration and reoccurrence of the non compliance found and may go as far as total exclusion from one or several aid schemes or support measures for one or more calendar years.

Amendment

The amount of the reduction of aid shall be graduated according to the severity, extent, duration and reoccurrence of the non compliance found and may go as far as total exclusion from one or several aid schemes or support measures for one or more calendar years. *When evaluating the risk to public funds in a proportionate*

way and calculating reduction of aid due to an applicant breaching the terms of agreement for the granting of that aid, authorities responsible shall ensure that the rate of reduction reflects the real costs to society generated by the breach, taking into account article 60.

Or. en

Justification

In evaluating size of reductions of aid for cross compliance breaches (as opposed to sanctions applied to eligibility conditions), severity (serious/not), extent (of the effects), and duration (how long will it take for a system to recover/ for a breach to stop posing an environmental/public health risk) are already used to judge reduction rates but occasionally these rates are not realistic. Calls for proportionality mean that if costs to society are high, then reductions should also be high.

Amendment 443

George Lyon, Sylvie Goulard, Britta Reimers, Liam Aylward

Proposal for a regulation

Article 65 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The amount of the reduction of aid shall be graduated according to the severity, extent, duration and reoccurrence of the non compliance found and may go as far as total exclusion from one or several aid schemes or support measures for one or more calendar years.

Amendment

The amount of the reduction of aid shall be graduated ***proportionately to the gravity and nature of the infringement found***, according to the severity, extent, duration and reoccurrence of the non compliance found and may go as far as total exclusion from one or several aid schemes or support measures for one or more calendar years.

Or. en

Justification

The word 'gravity' seems more appropriate than the word 'size' here for reasons of consistency of the wording used throughout the Regulation.

Amendment 444
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 65 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

When assessing the severity of the non-compliance the authorities responsible for applying reductions shall take into account that, due to the nature of pollution events or public health crises, with some types of non-compliance the initial area upon which the breach is found may be small but the consequences can cover much more area or span many years.

Or. en

Amendment 445
Monika Hohlmeier

Proposal for a regulation
Article 65 – paragraph 3

Text proposed by the Commission

Amendment

(3) The amounts concerned by the withdrawal referred to in paragraph 1 and by the penalties referred to in paragraph 2 shall be recovered in full.

(3) The amounts concerned by the withdrawal referred to in paragraph 1 and by the penalties referred to in paragraph 2 shall be recovered in full, ***without prejudice to Article 56, paragraph 3.***

Or. de

Justification

The recovery of very small amounts represents a significant administrative burden. Amounts below a certain minimum level should therefore not be collected, so that the cost-benefit relationship is maintained.

Amendment 446

George Lyon, Sylvie Goulard, Britta Reimers, Liam Aylward

Proposal for a regulation

Article 65 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The amounts concerned by the withdrawal referred to in paragraph 1a and by the administrative penalties referred to in paragraph 2 shall be graduated proportionately to the gravity and nature of the infringement found, according to the severity, extent, duration and reoccurrence of the non compliance found.

Or. en

Justification

The word 'gravity' seems more appropriate than 'size' here for reasons of wording consistency throughout the Regulation.

Amendment 447

Esther de Lange, Marianne Thyssen, Ivo Belet

Proposal for a regulation

Article 65 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Withdrawals and reductions resulting from non-compliance with the obligations referred to in Chapter 2 of Title III of Regulation (EU) No DP/2012 and shall not exceed the amount of the payment referred to in that Chapter.

The amounts concerned by the withdrawal referred to in this paragraph shall be made available as Union support under rural development programming financed under the EAFRD as specified in Regulation (EU) No [...] [RDR] and

shall be granted to farmers or groups of farmers taking up measures fostering sustainable development.

Or. en

Amendment 448

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 65 a (new)

Text proposed by the Commission

Amendment

Article 65a

Withdrawals and reductions as regards payment for agricultural practices beneficial for the climate and the environment

Notwithstanding Article 65, the sum of the withdrawals and reductions applied in accordance with that Article as a result of non-compliance with the obligations referred to in Title III of Chapter 2 of Regulation ... (Direct Payments) may exceed the amount of the payment referred to in that Chapter.

Or. en

Amendment 449

Jens Rohde

Proposal for a regulation

Article 65 a (new)

Text proposed by the Commission

Amendment

Article 65a

Withdrawals and reductions as regards payment for agricultural payment for agricultural practices beneficial for the

climate and the environment.

Notwithstanding Article 65, the sum of the withdrawals and reductions applied in accordance with that Article as a result of non-compliance with the obligations referred to in Title III of Chapter 2 of Regulation XXX (DP) shall not exceed the amount of the payment referred to in that chapter.

Or. en

Justification

Sanctions for non-compliance with the greening measures should be limited to the actual greening payment submitted to the farmer

Amendment 450
Hans-Peter Mayer

Proposal for a regulation
Article 66 – paragraph 1 — subparagraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) the procedures and technical criteria related to the measures and penalties referred to in paragraph 1 where non-compliance with any of the obligations resulting from the application of the relevant legislation is found;

Or. de

Amendment 451
Hans-Peter Mayer

Proposal for a regulation
Article 66 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the procedures and technical criteria *deleted*

related to the measures and penalties referred to in paragraph 1 where non-compliance with any of the obligations resulting from the application of the relevant legislation is found;

Or. de

Justification

This is not a purely technical decision.

Amendment 452
Mairead McGuinness

Proposal for a regulation
Title V chapter 1a (new)

Text proposed by the Commission

Amendment

Chapter 1a

"Control system and administrative penalties in relation to greening"

Or. en

Amendment 453
Mairead McGuinness

Proposal for a regulation
Article 67 a (new)

Text proposed by the Commission

Amendment

Article 67a

"Checks in relation to greening"

1. Member States shall make use, where appropriate, of the integrated system laid down in Chapter II of Title V and in particular of elements referred to in Article 69(1) points (a), (b), (d), (e) and (f).

2. Member States shall carry out on-the-spot checks to verify that beneficiaries comply with the obligations laid down in Chapter II of Title III in DPxxx.

Depending on the measures within greening, Member States may decide to carry out administrative checks when it can be shown that these are as effective.

3. For the purpose of on-the-spot checks, Member States shall draw up a sampling plan of agricultural holdings and/or beneficiaries, which could be the same as the sample for on-the-spots checks required in Article 75.

4. The on-the-spot checks shall be carried out in a way that verifies compliance with all relevant greening measures on the holding.

5. The Commission shall be empowered to adopt delegated acts in accordance with Article 111 on the carrying out of checks in order to verify compliance with the obligations referred to in Chapter II of Title III in DPxxx.

Or. en

Amendment 454
Mairead McGuinness

Proposal for a regulation
Article 67 b (new)

Text proposed by the Commission

Amendment

Article 67b

"Application of the administrative penalty as regards greening"

1. Where it is found that a beneficiary does not comply with the obligations laid down in Chapter II of Title III in DPxxx, the corresponding aid shall be withdrawn in full or in part.

2. The amount of the reduction of aid shall be graduated according to the severity, extent, duration and re-occurrence of the non-compliance found.

Or. en

Amendment 455
Mairead McGuinness

Proposal for a regulation
Article 67 c (new)

Text proposed by the Commission

Amendment

Article 67c

"Delegated powers"

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 111 laying down detailed rules concerning the establishment of a harmonised basis for calculation of the administrative penalties referred to in Article 67b, taking into account reductions due to financial discipline and the calculation and application of penalties referred to in Article 67b.

Or. en

Amendment 456
Julie Girling, James Nicholson, Anthea McIntyre

Proposal for a regulation
Article 68 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States may make appropriate use of technology when setting up their 'integrated system'.

Or. en

Amendment 457
George Lyon, Sylvie Goulard, Liam Aylward

Proposal for a regulation
Article 68 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall make appropriate use of technology when setting up their integrated system.

Or. en

Justification

The Rapporteur's amendment 78 is too prescriptive and could lead to unnecessary burden, the word 'appropriate' is preferable to the word 'maximum' in this context.

Amendment 458
Julie Girling, James Nicholson, Anthea McIntyre

Proposal for a regulation
Article 69 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) a **single** system to record the identity of each beneficiary of the support referred to in Article 68(2) who submits an aid application or a payment claim.

(f) a system to record the identity of each beneficiary of the support referred to in Article 68(2) who submits an aid application or a payment claim.

Or. en

Justification

Systems should focus on outcomes rather than specified administrative procedures, thereby allowing Member states to tailor systems to suit their needs.

Amendment 459
George Lyon

Proposal for a regulation
Article 69 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) a **single** system to record the identity of each beneficiary of the support referred to in Article 68(2) who submits an aid application or a payment claim.

(f) a system to record the identity of each beneficiary of the support referred to in Article 68(2) who submits an aid application or a payment claim.

Or. en

Justification

Member States should be free to administer the system as they wish as long as it works.

Amendment 460
Jim Higgins, Seán Kelly

Proposal for a regulation
Article 69 – paragraph 2

Text proposed by the Commission

Amendment

2. Where applicable, the integrated system shall incorporate a system for the identification and registration of animals set up in accordance with Regulations (EC) No 1760/2000 of the European Parliament and of the Council⁴² and Council Regulation (EC) No 21/2004⁴³. *deleted*

Or. en

Justification

Given the complications of the implementation of Regulation (EC) No 21/2004 it should not form part of the integrated administration and control system.

Amendment 461
Julie Girling, James Nicholson

Proposal for a regulation
Article 70 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This database shall in particular allow consultation through the competent authority of the Member State, of the data relating to the calendar and/or marketing years, starting from **2000**. It shall **also** allow direct and immediate consultation of the data relating to at least the previous **five** consecutive calendar years.

Amendment

This database shall in particular allow consultation through the competent authority of the Member State, of the data relating to the calendar and/or marketing years, starting from **2010**. ***This does not apply for those Member States who have a unit value of payment entitlements calculated in accordance with Article 22(1) of Regulation (EU) No xxx/xxx [DP]. For all Member States the database shall allow direct and immediate consultation of the data relating to at least the previous four consecutive calendar years.***

Or. en

Justification

The year from which data should be stored for consultation should be updated from 2000 to 2010. Similarly, increasing the number of years that data must be stored for direct and immediate consultation would increase costs for paying agencies and is not justified. Therefore this should remain at 4 years.

Amendment 462
Juozas Imbrasas

Proposal for a regulation
Article 70 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This database shall in particular allow consultation through the competent authority of the Member State, of the data relating to the calendar and/or marketing years, starting from 2000. It shall also allow direct and immediate consultation of the data relating to at least the previous five consecutive calendar years.

Amendment

This database shall in particular allow consultation through the competent authority of the Member State, of the data relating to the calendar and/or marketing years, starting from 2000. ***However, the Member States which acceded to the EU in 2004 can ensure consultation of the data only from 2004.*** It shall also allow

direct and immediate consultation of the data relating to at least the previous five consecutive calendar years.

Or. It

Amendment 463

Julie Girling, James Nicholson, Richard Ashworth, Anthea McIntyre

Proposal for a regulation

Article 70 – paragraph 2

Text proposed by the Commission

2. Member States may set up decentralised databases on condition that these, and the administrative procedures for recording and accessing data, are designed **homogeneously** throughout the territory of the Member State and **are compatible with one another in order** to allow for cross-checks.

Amendment

2. Member States may set up decentralised databases on condition that these, and the administrative procedures for recording and accessing data, are designed throughout the territory of the Member State and in **such a way as** to allow for cross-checks.

Or. en

Justification

This is a simplification which focuses on outcomes rather than specified administrative procedures allowing Member States to tailor systems to suit their needs.

Amendment 464

George Lyon, Sylvie Goulard, Britta Reimers

Proposal for a regulation

Article 70 – paragraph 2

Text proposed by the Commission

2. Member States may set up decentralised databases on condition that these, and the administrative procedures for recording and accessing data, are designed **homogeneously** throughout the territory of

Amendment

2. Member States may set up decentralised databases on condition that these, and the administrative procedures for recording and accessing data, are designed throughout the territory of the Member

the Member State *and are compatible with one another in order* to allow for cross-checks.

State in *such a way as* to allow for cross-checks.

Or. en

Justification

This provides simplification, which focuses on outcomes rather than specified administrative procedures, thereby allowing Member States to tailor systems to suit their needs.

Amendment 465

Julie Girling, James Nicholson, Richard Ashworth, Anthea McIntyre

Proposal for a regulation

Article 71 – paragraph 1

Text proposed by the Commission

The identification system for agricultural parcels shall be established on the basis of maps or land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of **1:5000**.

Amendment

The identification system for agricultural parcels shall be established on the basis of maps or land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of **1:10,000**.

Or. en

Justification

The current accuracy of maps is already very high, the proposed change to 1:5000 would mean substantial re-mapping work and cause disruption to farmers.

Amendment 466

George Lyon, Marit Paulsen

Proposal for a regulation

Article 71 – paragraph 1

Text proposed by the Commission

The identification system for agricultural parcels shall be established on the basis of maps or land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of 1:**5000**.

Amendment

The identification system for agricultural parcels shall be established on the basis of maps or land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of 1:**10000**.

Or. en

Justification

The level of precision achieved with the current scale of 1:10000 is sufficient and more precision is not needed. A change to the scale of 1:5000 would therefore represent unnecessary administrative costs

Amendment 467
Juozas Imbrasas

Proposal for a regulation
Article 71 – paragraph 1

Text proposed by the Commission

The identification system for agricultural parcels shall be established on the basis of maps or land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of 1:**5000**.

Amendment

The identification system for agricultural parcels shall be established on the basis of maps or land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of 1:**1000**.

Or. It

Amendment 468
Esther de Lange

Proposal for a regulation
Article 71 – paragraph 1

Text proposed by the Commission

The identification system for agricultural parcels shall be established on the basis of maps or land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of 1:5000.

Amendment

The identification system for agricultural parcels shall be established on the basis of maps or land registry documents or other cartographic references. Use shall be made of computerised geographical information system techniques, including aerial or spatial orthoimagery, with a homogenous standard guaranteeing accuracy at least equivalent to cartography at a scale of 1:5000, **while taking into account a boundary delineation margin of no more than 1.5 metres.**

Or. en

Amendment 469
Jens Rohde

Proposal for a regulation
Article 71 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States may decide not to include those agricultural parcels with landscape features or buffer strips in the identification system for agricultural parcels

Or. en

Justification

Will significantly reduce administration costs.

Amendment 470

Åsa Westlund, Göran Färm, Marita Ulvskog

Proposal for a regulation

Article 73 – paragraph 1 — point a (new)

Text proposed by the Commission

Amendment

aa. particulars permitting identification of all agricultural parcels on the holding, their area expressed in hectares to one decimal, their location and, where applicable, their use and whether the agricultural parcel is irrigated;

Or. en

Justification

The current precision cause administrative burden associated with measuring and mapping of the parcel. The precision level of 0.01 ha means that non-eligible areas larger than 100 m² has to be withdrawn from a parcel. Withdrawing small areas result in a fragmentation of agricultural parcels. These areas are typically constituted by trees, bushes or impediments, and often have environmental values. Furthermore, researchers consider it impossible to draw such fine lines.

Amendment 471

George Lyon

Proposal for a regulation

Article 73 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) all the agricultural parcels on the holding, as well as the non-agricultural area for which support referred to in Article 68(2) is claimed;

(a) all the agricultural parcels on the holding, as well as the non-agricultural area for which support referred to in Article 68(2) is claimed, ***however, agricultural parcels with landscape features or buffer strips do not have to be declared; the beneficiary shall however indicate in his application that he has these agricultural parcels at his disposal and shall, at the request of the competent authorities, indicate their location;***

Justification

This would result in a reduction in the burden for farmers and paying agencies, particularly given the complexity of administering the new payment system.

Amendment 472

Julie Girling, James Nicholson, Richard Ashworth, Anthea McIntyre

Proposal for a regulation

Article 73 – paragraph 1 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) a farmer does not have to declare his agricultural parcels with landscape features or buffer strips. That farmer shall however indicate in his application that he has these agricultural parcels at his disposal and shall, at the request of the competent authorities, indicate their location.

Justification

This aims to reduce the burden for farmers and paying agencies particularly given the complexity of the greening payment.

Amendment 473

Brian Simpson

Proposal for a regulation

Article 73 – paragraph 1 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

Where the beneficiary referred to in the first subparagraph is a legally registered non-profit organisation whose primary legal constitutional purpose is to actively

protect and manage land and/or the historic environment for conservation and public benefit, a Member State may choose to recognise their holdings or a group of their holdings as individual and separate businesses for the purposes of this article.

Or. en

Justification

Certain types of non-profit organisations manage multiple agricultural holdings with the objective of securing a more sustainable and environmentally friendly farming approach. It is therefore sensible to allow Member States to treat multiple holdings of this type of organisation as individual and separate businesses for the purposes of submitting aid applications and payment claims in order to simplify complex administrative requirements and reduce the associated disproportionate cost to the beneficiary and national paying agencies.

Amendment 474
Wojciech Michał Olejniczak

Proposal for a regulation
Article 73 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may decide that an aid application or a payment claim that fulfils the requirements laid down in paragraph 1 is to remain valid for a number of years, in particular if the proportion of individual units of agricultural area that are part of a beneficiary's holding or of other areas for which aid is granted under Regulation (EU) No xxx/xxx [DP] or Regulation (EU) No xxx/xxx [RD] does not change during the validity of an application. The beneficiaries concerned are under the obligation to report any change to the information they previously submitted and to provide annual confirmation in the form of a statement of participation.

Justification

It is essential that the system via which farmers apply for payments be simplified. For this to happen, it needs to be possible for Member States to take decisions on applications for several years at a time. This should apply in particular to farmers using traditional or pre-planned methods of agricultural production.

Amendment 475

Herbert Dorfmann, Petri Sarvamaa

Proposal for a regulation

Article 73 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may decide that an aid application or a payment claim that fulfils the requirements laid down in paragraph 1 is to remain valid for the full period of the commitment taken on, provided that the beneficiaries concerned are under the obligation to report annually any change to the information they first submitted.

Or. it

Amendment 476

Julie Girling, James Nicholson, Richard Ashworth, Anthea McIntyre

Proposal for a regulation

Article 73 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may decide that an aid application or a payment claim that fulfils the requirements laid down in Paragraph 1 is to remain valid for a number of years provided that beneficiaries concerned are under the obligation to report any change to the information they first submitted.

Justification

Currently once an application for an agri-environment scheme agreement has been submitted and approved by May 15, there is no need for agreement holders to lodge a physical payment claim for all the subsequent years of the agreement, therefore it beneficial that this provision is retained.

Amendment 477

George Lyon, Sylvie Goulard, Anne E. Jensen, Marit Paulsen

Proposal for a regulation

Article 73 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may decide that an aid application or a payment claim that fulfils the requirements laid down in paragraph 1 is to remain valid for a number of years provided that beneficiaries concerned are under the obligation to report any change to the information they first submitted. The multiannual application shall however be conditional upon annual confirmation by the beneficiary.

Justification

The very end part of Rapporteur's Amendment 79 is of implementing nature.

Amendment 478

Herbert Dorfmann, Petri Sarvamaa

Proposal for a regulation

Article 73 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. An aid application or payment claim

for agri-environmental premiums that fulfils the requirements laid down in paragraph 1 shall remain valid for the full period of the commitment taken on, provided that the beneficiaries concerned are under the obligation to report annually any change to the information they first submitted.

Or. it

Amendment 479
Wojciech Michał Olejniczak

Proposal for a regulation
Article 73 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. A Member State may decide to use information from applications received for the purposes of agricultural production forecasting.

Or. pl

Justification

Enabling Member States to use data from applications to forecast agricultural production might make them better able to take action when crises occur on the agricultural markets.

Amendment 480
Monika Hohlmeier

Proposal for a regulation
Article 73 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) Notwithstanding paragraph 1, in the case of direct payments and multiannual area and animal-related rural development measures, a Member State may decide to dispense with the filing of

annual payment applications, providing it introduces effective alternative procedures for implementing the proposed administrative controls and there are no changes compared to the original payment application.

Or. de

Justification

By dispensing with annual payment applications, the burden on applicants can be significantly reduced. This scheme is based on the existing rules set out in Article 3 of Commission Regulation (EU) No 65/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005 as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures.

Amendment 481

Julie Girling, James Nicholson, Richard Ashworth, Anthea McIntyre

**Proposal for a regulation
Article 74 – paragraph 1**

Text proposed by the Commission

The *single* system to record the identity of each beneficiary of support referred to in Article 68(2) shall guarantee that all aid applications and payment claims submitted by the same beneficiary can be identified as such.

Amendment

The system to record the identity of each beneficiary of support referred to in Article 68(2) shall guarantee that all aid applications and payment claims submitted by the same beneficiary can be identified as such.

Or. en

Justification

Systems should focus on outcomes rather than specified administrative procedures, thereby allowing Member states to tailor systems to suit their needs.

Amendment 482

George Lyon

Proposal for a regulation
Article 74 – paragraph 1

Text proposed by the Commission

The *single* system to record the identity of each beneficiary of support referred to in Article 68(2) shall guarantee that all aid applications and payment claims submitted by the same beneficiary can be identified as such.

Amendment

The system to record the identity of each beneficiary of support referred to in Article 68(2) shall guarantee that all aid applications and payment claims submitted by the same beneficiary can be identified as such.

Or. en

Justification

Member States should be free to administer the system as they wish as long as it works.

Amendment 483

Julie Girling, James Nicholson, Richard Ashworth, Anthea McIntyre

Proposal for a regulation
Article 75 – paragraph 1

Text proposed by the Commission

1. In accordance with Article 61, Member States, through the paying agencies or the bodies delegated by them, shall carry out administrative checks on the aid application to verify the eligibility conditions for the aid. Those checks shall be supplemented by on-the-spot checks.

Amendment

1. In accordance with Article 61, Member States, through the paying agencies or the bodies delegated by them, shall carry out administrative checks on the aid application to verify the eligibility conditions for the aid. Those checks shall be supplemented by on-the-spot checks ***whose purpose shall be to monitor compliance with the provisions of the aid schemes and the level of inherent risk and whose number shall be adjusted in the light of inherent and control risks.***

Or. en

Justification

This clarifies the need for and purpose of random on-the-spot checks.

Amendment 484
George Lyon, Sylvie Goulard

Proposal for a regulation
Article 75 – paragraph 1

Text proposed by the Commission

1. In accordance with Article 61, Member States, through the paying agencies or the bodies delegated by them, shall carry out administrative checks on the aid application to verify the eligibility conditions for the aid. Those checks shall be supplemented by on-the-spot checks.

Amendment

1. In accordance with Article 61, Member States, through the paying agencies or the bodies delegated by them, shall carry out administrative checks on the aid application to verify the eligibility conditions for the aid. Those checks shall be supplemented by on-the-spot checks ***whose purpose shall be to monitor compliance with the provisions of the aid schemes and the level of inherent risk and whose number shall be adjusted in the light of the inherent and control risks.***

Or. en

Justification

This provides clarification to Rapporteur's amendment 80

Amendment 485
Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation
Article 75 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Each Member State shall designate an authority responsible for coordinating the controls and checks provided for in this Chapter.

Or. es

Justification

The Commission left out the passage relating to the designation of an authority responsible for coordinating controls. It is vital that this passage be kept, especially for those countries in which a number of paying agencies need to be coordinated.

Amendment 486

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation

Article 75 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Each Member State shall designate an authority responsible for coordinating the controls and checks provided for in this Chapter.

Or. es

Justification

This passage needs to be kept for those Member States with regional bodies, since they need to coordinate several paying agencies within the same territory.

Amendment 487

George Lyon, Sylvie Goulard

Proposal for a regulation

Article 75 – paragraph 2

Text proposed by the Commission

Amendment

2. For the purpose of on the spot checks Member States shall draw up a sampling plan of agricultural holdings and/or beneficiaries.

2. For the purpose of on the spot checks Member States shall draw up a sampling plan of agricultural holdings and/or beneficiaries ***comprising a random part in order to obtain a representative error rate and a risk-based part enabling a primary focus on high-risk claims.***

Or. en

Justification

This provides a necessary correction to Rapporteur's amendment 81.

Amendment 488

Robert Dušek

Proposal for a regulation

Article 75 – paragraph 3

Text proposed by the Commission

3. Member States may use remote sensing and Global Navigation Satellite System (GNSS) techniques as a means of carrying out on-the-spot checks on agricultural parcels.

Amendment

3. Member States may use remote sensing, ***photogrammetry, geodetic survey methods*** and Global Navigation Satellite System (GNSS) techniques as a means of carrying out on-the-spot checks on agricultural parcels.

Or. en

Amendment 489

Hynek Fajmon

Proposal for a regulation

Article 75 – paragraph 3

Text proposed by the Commission

3. Member States may use remote sensing and Global Navigation Satellite System (GNSS) techniques as a means of carrying out on-the-spot checks on agricultural parcels.

Amendment

3. Member States may use remote sensing, ***photogrammetry, geodetic survey methods*** and Global Navigation Satellite System (GNSS) techniques as a means of carrying out on-the-spot checks on agricultural parcels.

Or. en

Amendment 490

Petri Sarvamaa

Proposal for a regulation
Article 75 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. If greening measures can only be controlled by means of classical on-the-spot checks, the control rate shall be limited to 1 %.

Or. en

Amendment 491
Riikka Manner, Hannu Takkula, Sari Essayah, Anneli Jäätteenmäki

Proposal for a regulation
Article 75 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. A measurement tolerance shall be defined for the area measurement by a buffer of [1.25] m applied to the perimeter of the agricultural parcel independent of the measurement procedure.

Or. en

Justification

It is vital that this regulation takes into consideration that all measurement procedures have the same level of tolerance. Technical tolerance for on-the-spot checks is currently too small. The same levels of tolerance, independent of the measurement procedure, would help to simplify procedures and to help achieve results that are more consistent with each other.

Amendment 492
Riikka Manner, Hannu Takkula, Sari Essayah, Anneli Jäätteenmäki

Proposal for a regulation
Article 75 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. If greening measures can only be controlled by means of classical on-the-spot checks, the control rate shall be 1 %.

Or. en

Justification

The control rate of greening measures controls should be limited to 1 % as it is in cross-compliance controls.

Amendment 493
Robert Dušek

Proposal for a regulation
Article 76 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

The payments under the support schemes and measures referred to in Article 68(2) shall be made within the period from **1 December** to **30 June** of the following calendar year. Payments shall be made in up to two instalments within that period.

The payments under the support schemes and measures referred to in Article 68(2) shall be made within the period from **16 October** to **15 October** of the following calendar year. Payments shall be made in up to two instalments within that period.

Or. en

Amendment 494
Hynek Fajmon

Proposal for a regulation
Article 76 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

The payments under the support schemes and measures referred to in Article 68(2) shall be made within the period from **1 December** to **30 June** of the following calendar year. Payments shall be made in

The payments under the support schemes and measures referred to in Article 68(2) shall be made within the period from **16 October** to **15 October** of the following calendar year. Payments shall be made in

up to two instalments within that period.

up to two instalments within that period.

Or. en

Amendment 495

Robert Dušek

Proposal for a regulation

Article 76 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

However Member States may pay advances up to 50% as regards direct payments and 75% for the support granted under rural development as referred to in Article 68(2) prior to 1 December and not before 16 October.

deleted

Or. en

Amendment 496

Hynek Fajmon

Proposal for a regulation

Article 76 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

However Member States may pay advances up to 50 % as regards direct payments and 75% for the support granted under rural development as referred to in Article 68(2) prior to 1 December and not before 16 October.

deleted

Or. en

Amendment 497

Eric Andrieu

Proposal for a regulation
Article 76 – paragraph 1 – subparagraph 2

Text proposed by the Commission

However Member States may pay advances up to 50 % as regards direct payments and 75% for the support granted under rural development as referred to in Article 68(2) prior to 1 December and not before 16 October.

Amendment

However Member States may pay advances up to 50 % as regards direct payments and 75% for the support granted under rural development as referred to in Article 68(2) prior to 1 December and not before 16 October, ***or 15 September for the support referred to in Article 32 of Regulation (EU) No ... [RDR].***

Or. fr

Amendment 498

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation
Article 76 – paragraph 1 – subparagraph 3

Text proposed by the Commission

However Member States may pay advances up to 50 % as regards direct payments and 75% for the support granted under rural development as referred to in Article 68(2) prior to 1 December and not before 16 October.

Amendment

However, Member States may pay advances up to 50% as regards direct payments and ***up to*** 75% for the support granted under rural development as referred to in Article 68(2) prior to 1 December and not before 16 October.

Or. es

Amendment 499

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation
Article 76 – paragraph 1 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

The Commission may, by means of delegated acts pursuant to Article 111,

authorise the Member States to increase the percentages referred to in subparagraph 3 to 80% in exceptional and duly justified conditions.

Or. es

Justification

The possibility of increasing the percentage of advances needs to be included here. It is already provided for in Article 29(4) of Regulation (EC) No 73/2009.

Amendment 500

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation

Article 76 – paragraph 1 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

Without prejudice to the application of the previous subparagraph, the Commission may, by means of implementing acts, authorise the Member States to increase the percentage of advances to 80% in regions in which farmers face serious financial difficulties due to exceptional conditions. The implementing acts shall be adopted in accordance with the examination procedure provided for in Article 112(3).

Or. es

Justification

The possibility of increasing the percentage of advances needs to be included here. It is already provided for in Article 29(4) of Regulation (EC) No 73/2009.

Amendment 501

Diane Dodds

Proposal for a regulation
Article 76 – paragraph 2

Text proposed by the Commission

2. Payments referred to in the paragraph 1 shall not be made before the verification of eligibility conditions, to be carried out by the Member States pursuant to Article 75, has been finalised.

Amendment

2. Payments ***on an individual application*** referred to in the paragraph 1 shall not be made before the verification of eligibility conditions, to be carried out by the Member States pursuant to Article 75, has been finalised ***in respect of that application***.

Or. en

Amendment 502

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation
Article 76 – paragraph 2

Text proposed by the Commission

2. Payments referred to in *the* paragraph 1 shall not be made before the ***verification of eligibility*** conditions, ***to be carried out by the Member States pursuant to Article 75, has been finalised***.

Amendment

2. Payments referred to in paragraph 1 shall not be made before the ***Member States have verified, pursuant to Article 75, that the conditions of eligibility for applications for which advances are to be paid have been met***.

Or. es

Amendment 503

Jim Higgins, Seán Kelly

Proposal for a regulation
Article 76 – paragraph 2

Text proposed by the Commission

2. Payments ***referred to in the paragraph 1*** shall not be made before the verification of eligibility conditions, to be carried out by

Amendment

2. Payments ***on an individual payment*** shall not be made before the verification of eligibility conditions, to be carried out by

the Member States pursuant to Article 75,
has been finalised.

the Member States pursuant to Article 75,
has been finalised *in respect of that
payment.*

Or. en

Amendment 504
Petri Sarvamaa

Proposal for a regulation
Article 76 – paragraph 2 – point a (new)

Text proposed by the Commission

Amendment

(a) By the way of derogation from paragraph 2, Member States may decide, taking into account the risk of overpayment, to pay up to 50% as regards of the payment referred to in Title III of Chapter 2 of Regulation ... (Direct payments) direct payments and 75% for the support granted under rural development as referred to in Article 68(2) after finalisation of the administrative checks provided for in Article 61(1). The percentage of payment shall be the same for all beneficiaries of the measure or set of operations.

Or. en

Amendment 505
George Lyon

Proposal for a regulation
Article 76 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By way of derogation from paragraph 2, Member States may decide, taking into account the risk of overpayment, to pay up to 75 % for the support granted under rural development as referred to in Article

68(2) after finalisation of the administrative checks provided for in Article 61(1). The percentage of payment shall be the same for all beneficiaries of the measure or set of operations.

Or. en

Justification

Currently, advances can be paid once all administrative checks have been finalised for rural development measures. This situation should remain unchanged. However, the same should not apply to the 'greening' component under Pillar I as this would risk overcomplexifying the checks system for Pillar I (advances rules would differ between the basic payment scheme and the 'greening' payments).

Amendment 506

Anneli Jäätteenmäki, Sari Essayah, Liisa Jaakonsaari, Riikka Manner, Nils Torvalds, Eija-Riitta Korhola, Hannu Takkula

Proposal for a regulation

Article 76 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By way of derogation from paragraph 2, Member States may decide, taking into account the risk of overpayment, to pay up to 50 % as regards of the payment referred to in Title III of Chapter 2 of Regulation ...(Direct payments) direct payments and 75 % for the support granted under rural development as referred to in Article 68(2) after finalisation of the administrative checks provided for in Article 61(1). The percentage of payment shall be the same for all beneficiaries of the measure or set of operations. The direct payments shall not be paid before the 16th of October.

Or. en

Justification

Because of the climatic conditions the farmers in northern countries often have to make late changes to their sowing plans. This means that sometimes the controls get started quite late, and they may also be finished quite late. Late payments create serious difficulties for the beneficiaries. Article 76 tightens significantly the current rules concerning advances under rural development.

Amendment 507
Julie Girling

Proposal for a regulation
Article 76 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By way of derogation from paragraph 2, Member States may decide, taking into account the risk of overpayment, to pay up to 75 % for the support granted under rural development as referred to in Article 68(2) after finalisation of the administrative checks provided for in Article 61(1). The percentage of payment shall be the same for all beneficiaries of the measure or set of operations.

Or. en

Amendment 508
Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation
Article 76 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By way of derogation from paragraph 1, the Commission may, by means of implementing acts, authorise the Member States, subject to the budgetary situation, to pay, prior to 16 October, advances of up to 50% of the payments in

regions in which farmers face serious financial difficulties due to exceptional conditions. The implementing acts shall be adopted in accordance with the examination procedure provided for in Article 112(3).

Or. es

Amendment 509
Brian Simpson

Proposal for a regulation
Article 76 a (new)

Text proposed by the Commission

Amendment

Article 76a

Transparency

Member States shall make available, in an appropriate and timely manner, information on the recipients of funds under the support schemes listed in Annex I of Regulation (EU) No xxx/xxx [DP] and support granted in accordance with Regulation xxx/xxx [RD].

This information shall be made available with due observance of the requirements of confidentiality and security. Where natural persons are concerned, the publication shall be limited to the name of the contractor or the beneficiary, its localisation, the amount awarded and the scheme under which the award was made. The Commission shall, by means of implementing act, set down the criteria for disclosure of awards.

Or. en

Justification

Tax payers have the right to know how public money is being spent, therefore greater transparency of the CAP is crucial and will act as a powerful safeguard against waste, fraud

and abuse of EU funds.

Amendment 510
Giovanni La Via

Proposal for a regulation
Article 77 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the basic features, definitions and quality requirements for the computerised database provided for in Article 70;

Or. en

Amendment 511
Giovanni La Via

Proposal for a regulation
Article 77 – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) the basic features, definitions and quality requirements for the identification system for agricultural parcels provided for in Article 71 and for the identification of the beneficiaries as provided for in Article 74;

Or. en

Amendment 512
Giovanni La Via

Proposal for a regulation
Article 77 – paragraph 1 – point b c (new)

Text proposed by the Commission

Amendment

(bc) the basic features, definitions and

quality requirements for the system for the identification and registration of payment entitlements provided for in Article 72;

Or. en

Amendment 513
Giovanni La Via

Proposal for a regulation
Article 77 – paragraph 1 – point b d (new)

Text proposed by the Commission

Amendment

(bd) rules on the aid application and payments claims provided for in Article 73, and the application for payment entitlements, including the final date for submission of applications, the requirements as to the minimum amount of information to be included in the application, provisions for amendments to or the withdrawal of aid applications, exemption from the requirement to submit an aid application and provisions which allow Member States to apply simplified procedures or to correct obvious errors;

Or. en

Amendment 514
Giovanni La Via

Proposal for a regulation
Article 77 – paragraph 1 – point b e (new)

Text proposed by the Commission

Amendment

(be) rules on the carrying out of checks in order to verify compliance with obligations, and the correctness and completeness of the information provided in the aid application or payment claim;

Amendment 515
Peter Jahr, Britta Reimers

Proposal for a regulation
Article 77 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) provisions required for a harmonised definition of the basis for calculation of aid, including rules on how to deal with certain cases where eligible areas contain landscape features or trees;

deleted

Or. de

Amendment 516
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 77 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) provisions required for a harmonised definition of the basis for calculation of aid, including rules on how to deal with certain cases where eligible areas contain landscape features or trees;

(b) provisions required for a harmonised definition of the basis for calculation of aid, including rules on how to deal with certain cases where eligible areas contain landscape features or trees; ***eligibility rules against which beneficiaries are controlled shall be coherent with meeting the challenges of climate change, biodiversity loss and a shift to sustainable farming, and so should not penalise high nature value farming or extensive agroforestry systems, or cause decreases in environmental quality or biodiversity. Flexibility should be allowed on the basis of the customary standards of the Member State or region concerned and such exceptions, justified beforehand, are***

envisaged on agronomic, ecological or environmental grounds.

Or. en

*(Regulation now in force: Art.34(2, 3, 4) of R.1122/2009 and the current Commission Guidance documents
http://marswiki.jrc.ec.europa.eu/wikicap/index.php/Category_art_34_content)*

Justification

Presence of trees in agricultural systems can actually increase agro-ecological functionality: well-designed agroforestry systems are significantly more productive than monocultures. Member States should be allowed flexibility, as in the regulation and the Commission Guidance documents now in force. This subsidiarity-based flexibility should be maintained post-reform, to enable High Nature Value production systems to be duly recognised as eligible land, which provide public goods to society.

Amendment 517

Albert Deß

Proposal for a regulation

Article 77 – paragraph 2 – point b

Text proposed by the Commission

(b) provisions required for a harmonised definition of the basis for calculation of aid, ***including rules on how to deal with certain cases where eligible areas contain landscape features or trees;***

Amendment

(b) provisions required for a harmonised definition of the basis for calculation of aid;

Or. de

Amendment 518

Monika Hohlmeier

Proposal for a regulation

Article 77 – paragraph 2 – point b

Text proposed by the Commission

(b) provisions required for a harmonised definition of the basis for calculation of

Amendment

(b) provisions required for a harmonised definition of the basis for calculation of

aid, *including rules on how to deal with certain cases where eligible areas contain landscape features or trees*;

aid;

Or. de

Justification

Essential provisions with politically relevant content may not be regulated in the context of delegated acts, but must be set out in the basic act. Factoring out these often numerous and very small areas creates a disproportionately heavy administrative burden. A less bureaucratic solution should therefore be found in future. Moreover, landscape features have a positive impact on nature and the conservation of fertile soils.

Amendment 519
Hans-Peter Mayer

Proposal for a regulation

Article 77 – paragraph 2 – subparagraph 1 — point d a (new)

Text proposed by the Commission

Amendment

(da) rules on the carrying out of checks in order to verify compliance with obligations, and the correctness and completeness of the information provided in the aid application or payment claim;

Or. de

Amendment 520
Juozas Imbrasas

Proposal for a regulation

Article 77 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) provisions to ensure a harmonised and proportionate treatment of *intentional* irregularities, situations of minor errors, accumulation of reductions and simultaneous application of different

(b) provisions to ensure a harmonised and proportionate treatment of *grave* irregularities, situations of minor errors, accumulation of reductions and simultaneous application of different

reductions;

reductions;

Or. It

Amendment 521
Giovanni La Via

Proposal for a regulation
Article 78 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the basic features, definitions and quality requirements for the computerised database provided for in Article 70;

deleted

Or. en

Amendment 522
Giovanni La Via

Proposal for a regulation
Article 78 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the basic features, definitions and quality requirements for the identification system for agricultural parcels provided for in Article 71 and for the identification of the beneficiaries as provided for in Article 74;

deleted

Or. en

Amendment 523
Giovanni La Via

Proposal for a regulation
Article 78 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the basic features, definitions and quality requirements for the system for the identification and registration of payment entitlements provided for in Article 72; *deleted*

Or. en

Amendment 524
Giovanni La Via

Proposal for a regulation
Article 78 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) rules on the aid application and payments claims provided for in Article 73, and the application for payment entitlements, including the final date for submission of applications, the requirements as to the minimum amount of information to be included in the application, provisions for amendments to or the withdrawal of aid applications, exemption from the requirement to submit an aid application and provisions which allow Member States to apply simplified procedures or to correct obvious errors; *deleted*

Or. en

Amendment 525
Hans-Peter Mayer

Proposal for a regulation
Article 78 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) rules on the carrying out of checks in *deleted*

order to verify compliance with obligations, and the correctness and completeness of the information provided in the aid application or payment claim;

Or. de

Amendment 526
Giovanni La Via

Proposal for a regulation
Article 78 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) rules on the carrying out of checks in order to verify compliance with obligations, and the correctness and completeness of the information provided in the aid application or payment claim; *deleted*

Or. en

Amendment 527
Giovanni La Via

Proposal for a regulation
Article 78 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) technical definitions needed for the purpose of the uniform implementation of this Chapter; *deleted*

Or. en

Amendment 528
Marian Harkin

Proposal for a regulation
Article 88

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 529
Hans-Peter Mayer

Proposal for a regulation
Article 88 – paragraph 1 — subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission is also empowered to adopt delegated acts in accordance with Article 111 on rules for the performance of the scrutiny referred to in Article 80 as regards the selection of undertakings, rate and calendar of scrutiny;

Or. de

Amendment 530
Giovanni La Via

Proposal for a regulation
Article 88 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

The Commission shall, where necessary, by means of implementing acts adopt the provisions aiming at reaching a uniform application of this **Regulation** in the Union, in particular relating to the following:

The Commission shall, where necessary, by means of implementing acts adopt the provisions aiming at reaching a uniform application of this **Chapter** in the Union, in particular relating to the following:

Or. en

Amendment 531
Hans-Peter Mayer

Proposal for a regulation
Article 88 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the performance of the scrutiny referred to in Article 80 as regards the selection of undertakings, rate and calendar of scrutiny; ***deleted***

Or. de

Amendment 532
Marian Harkin

Proposal for a regulation
Article 89

Text proposed by the Commission

Amendment

Article 89 ***deleted***

Other checks related to market measures

1. Member States shall take measures to ensure that the products referred to in Annex I to Regulation (EU) xxx/xxx [sCMO] which are not labelled in conformity with the provisions of that Regulation are not placed on, or is withdrawn from, the market.

2. Without prejudice to any specific provisions which may be adopted by the Commission, imports into the Union of the products specified in paragraph 1(a) and (b) of Article 129 of Regulation (EU) No xxx/xxx [sCMO] shall be subject to checks to determine whether the conditions provided for in paragraph 1 of that Article are met.

3. Member States shall carry out checks, based on a risk analysis, in order to verify whether products referred to in Annex I to

*Regulation (EU) xxx/xxx [sCMO]
conform to the rules laid down in Section
I of Chapter I of Title II of Part II of
Regulation (EU) No xxx/xxx[sCMO] and
shall apply administrative penalties as
appropriate.*

*4. In order to protect Union funds and the
identity, provenance and quality of Union
wine, the Commission shall be empowered
to adopt delegated acts in accordance with
Article 111 pertaining to:*

*(a) the establishment of an analytical
databank of isotopic data that will help
detect fraud to be constructed on the basis
of samples collected by Member States;
and for rules on the Member States' own
databanks;*

*(b) rules on control bodies and the mutual
assistance between them;*

*(c) rules on the common use of Member
States' findings;*

*(d) rules on the application of penalties in
the case of exceptional circumstances.*

Or. en

Amendment 533
Hans-Peter Mayer

Proposal for a regulation
Article 90 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

*(3a) The Commission shall be empowered
to adopt delegated acts in accordance with
Article 111 in respect of the following:*

*a) the actions to be implemented by the
Member States to prevent the unlawful
use of protected designations of origin
and protected geographical indications;*

b) checks and verification to be carried out by the Member States, including testing.

Or. de

Justification

.The decisions in question are not merely technical decisions.

Amendment 534
Hans-Peter Mayer

Proposal for a regulation
Article 90 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) the actions to be implemented by the Member States to prevent the unlawful use of protected designations of origin and protected geographical indications; ***deleted***

Or. de

Amendment 535
Hans-Peter Mayer

Proposal for a regulation
Article 90 – paragraph 4 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

(d) checks and verification to be carried out by the Member States, including testing. ***deleted***

Or. de

Amendment 536
Daciana Octavia Sârbu, Vasilica Viorica Dăncilă

Proposal for a regulation
Article 91 – paragraph 1

Text proposed by the Commission

1. When a beneficiary referred to in Article 92 does not comply, on the holding, with the rules on cross compliance as laid down in Article 93 a penalty shall be applied to that beneficiary.

Amendment

1. When a beneficiary referred to in Article 92 does not comply, on the holding, with the rules on cross compliance as laid down in Article 93 a **financial** penalty shall be applied to that beneficiary.

Or. ro

Justification

Linguistic amendment applicable to the whole document.

Amendment 537
George Lyon, Britta Reimers

Proposal for a regulation
Article 91 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

(b) the non-compliance is related to the agricultural activity of the beneficiary; **and**

Amendment

(b) the non-compliance is related to the agricultural activity of the beneficiary; **or**

Or. en

Justification

These elements are not cumulative; the original text must therefore be amended.

Amendment 538
George Lyon, Brian Simpson, Britta Reimers

Proposal for a regulation
Article 91 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Without prejudice to Article 97, non-compliance due to technical failure of the systems for identification and registration of animals shall not be considered as resulting from 'an act or omission directly attributable to the beneficiary concerned'.

Or. en

Justification

It needs to be made crystal-clear in the Regulation that technical failures of the readers when implementing the rules on animal identification and registration should not count as being of the farmer's responsibility.

Amendment 539

Rareş-Lucian Niculescu

Proposal for a regulation

Article 91 – paragraph 2

Text proposed by the Commission

Amendment

However, for forest areas this penalty shall not apply in so far as no support is claimed for the concerned area in accordance with Articles 22(1)(a), 31 and 35 of Regulation (EU) No xxx/xxx[RD].

However, for forest areas this penalty shall not apply in so far as no support is claimed for the concerned area in accordance with Articles 22(1)(a), 31 and 35 of Regulation (EU) No xxx/xxx[RD]. ***Furthermore, this penalty shall not apply when the non-compliance is due to a technical failure of the systems for identification and registration of animals.***

Or. en

Amendment 540

Peter Jahr, Albert Deß, Britta Reimers

Proposal for a regulation

Article 91 – paragraph 2 – subparagraph 2

Text proposed by the Commission

However, for forest areas this penalty shall not apply ***in so far as no support is claimed for the concerned area in accordance with Articles 22(1)(a), 31 and 35 of Regulation (EU) No xxx/xxx[RD]***.

Amendment

However, for forest areas this penalty shall not apply.

Or. de

Amendment 541

George Lyon, Sylvie Goulard, Britta Reimers, Liam Aylward

Proposal for a regulation

Article 91 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may set up a warning system to allow non-compliant beneficiaries to remedy the irregularity before any administrative penalty is imposed. Where a Member State decides to make use of this option, the competent authority shall send an initial letter of warning to the beneficiary, notifying the finding and the obligation to take remedial action. The competent authority shall also take, in the following year, the actions necessary to verify that the beneficiary has remedied the findings of non-compliance concerned.

Such warning system shall only be applicable in cases of first non-compliance which are not considered 'severe' and whose 'extent' is strictly limited to the farm of the beneficiary responsible for the non-compliance, according to the criteria as defined in Article 99a.

Or. en

Justification

This provides clarification to Rapporteur's amendment 86. Such a system would provide a better acceptance of the cross-compliance system by farmers.

Amendment 542

Ulrike Rodust, Åsa Westlund

Proposal for a regulation

Article 91 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States may set up a warning system in case of non-compliance. Beneficiaries would receive a warning in order to adjust the irregularity, in a certain period of time before any penalty would be given. Severe irregularities would still be sanctioned immediately.

Or. en

Amendment 543

Julie Girling, James Nicholson, Richard Ashworth, Anthea McIntyre

Proposal for a regulation

Article 91 – paragraph 3

Text proposed by the Commission

Amendment

3. For the purpose of this Title ‘holding’ means all the production units and areas managed by the beneficiary referred to in Article 92 situated within the territory of the same Member State.

deleted

Or. en

Justification

This is to be consistent with the Direct Payments Regulation, where there are no references to production units.

Amendment 544
Julie Girling

Proposal for a regulation
Article 91 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Where a beneficiary referred to in Article 92 is a legally registered non-profit organisation whose primary legal constitutional purpose is to actively protect and manage land and/or the historic environment for conservation and public benefit, a Member State may choose to recognise their holdings or a group of their holdings as individual and separate businesses for the purposes of this Title.

Or. en

Justification

Certain types of non-profit organisations manage multiple agricultural holdings with the objective of securing a more sustainable and environmentally friendly farming approach. It is therefore is sensible to allow Member States to treat multiple holdings of this type of organisation as individual and separate businesses for the purposes of monitoring compliance in order to simplify administrative requirements and avoid disproportionate costs faced by the beneficiary and national paying agencies.

Amendment 545
Esther de Lange

Proposal for a regulation
Article 92 – paragraph 1

Text proposed by the Commission

Amendment

Article 91 shall apply to beneficiaries receiving direct payments under Regulation (EU) No xxx/xxx[DP], payments under Articles 44 and 45 of Regulation (EU) No xxx/xxx[sCMO] **and**

Article 91 shall apply to beneficiaries receiving direct payments under Regulation (EU) No xxx/xxx[DP] **and the** payments under Articles 44 and 45 of

the annual premia under Articles 22(1)(a) and (b), 29 to 32, 34 and 35 of Regulation (EU) No xxx/xxx[RD].

Regulation (EU) No xxx/xxx[sCMO].

Or. en

Amendment 546

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 92 – paragraph 1

Text proposed by the Commission

Article 91 shall apply to beneficiaries receiving direct payments under Regulation (EU) No xxx/xxx[DP], payments under Articles 44 and 45 of Regulation (EU) No xxx/xxx[sCMO] and the annual premia under **Articles 22(1)(a) and (b), 29 to 32, 34 and 35 of Regulation (EU) No xxx/xxx[RD].**

Amendment

Article 91 shall apply to beneficiaries receiving direct payments under Regulation (EU) No xxx/xxx[DP], payments under Articles 44 and 45 of Regulation (EU) No xxx/xxx[sCMO] and the annual premia under Regulation (EU) No xxx/xxx[RD].

Or. en

Justification

Cross compliance should be applicable to all farmers receiving money under the CAP, regardless whether that money comes from Pillar 1 or Pillar 2. There is no real reason why cross compliance should be applicable for agri-environment-climate payments (article 29) or animal welfare payments (article 34) but not to other payments such as farm and business development (article 20) or investments in physical assets (article 18).

Amendment 547

Peter Jahr, Albert Deß, Britta Reimers

Proposal for a regulation

Article 92 – paragraph 1

Text proposed by the Commission

Article 91 shall apply to beneficiaries

Amendment

Article 91 shall apply to beneficiaries

receiving direct payments under Regulation (EU) No xxx/xxx[DP], **payments under Articles 44 and 45 of Regulation (EU) No xxx/xxx[sCMO]** and the annual premia under Articles 22(1)(a) **and (b), 29 to 32, 34 and 35** of Regulation (EU) No xxx/xxx[RD].

receiving direct payments under Regulation (EU) No xxx/xxx[DP] and the annual premia under Articles 22(1) (a), **29 and 30, 31 in so far as it is concerned with agricultural areas, 32 and 34** of Regulation (EU) No xxx/xxx[RD].

Or. de

Amendment 548
Monika Hohlmeier

Proposal for a regulation
Article 92 – paragraph 1

Text proposed by the Commission

Article 91 shall apply to beneficiaries receiving direct payments under Regulation (EU) No xxx/xxx[DP], **payments under Articles 44 and 45 of Regulation (EU) No xxx/xxx[sCMO]** and the annual premia under Articles 22(1)(a) **and (b), 29 to 32, 34 and 35** of Regulation (EU) No xxx/xxx[RD].

Amendment

Article 91 shall apply to beneficiaries receiving direct payments under Regulation (EU) No xxx/xxx[DP] and the annual premia under Articles 22(1)(b), **29 and 30, 31 in so far as it is concerned with agricultural areas, 32 and 34** of Regulation (EU) No xxx/xxx[RD].

Or. de

Justification

Cross Compliance should focus on the core areas of agriculture and the cost should be proportionate to the benefits. This is why forest areas should be excluded here.

Amendment 549
Janusz Wojciechowski

Proposal for a regulation
Article 92 – paragraph 1

Text proposed by the Commission

Article 91 shall apply to beneficiaries

Amendment

Article 91 shall apply to beneficiaries

receiving direct payments under Regulation (EU) No xxx/xxx[DP], payments under Articles 44 and 45 of Regulation (EU) No xxx/xxx[sCMO] and the annual premia under Articles 22(1)(a) and (b), 29 to 32, 34 and 35 of Regulation (EU) No xxx/xxx[RD].

receiving direct payments under Regulation (EU) No xxx/xxx[DP], payments under Articles 44 and 45 of Regulation (EU) No xxx/xxx[sCMO] and the annual premia under Articles **18**, 22(1)(a) and (b), 29 to 32, 34 and 35 of Regulation (EU) No xxx/xxx[RD].

Or. en

Amendment 550

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 92 – paragraph 2

Text proposed by the Commission

Amendment

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

deleted

Or. en

((See amendment on art.61(2) HZR on organic farming and environmental risk factors))

Justification

All farms should be obliged to respect cross compliance; e.g. the SMRs (statutory management requirements) of cross compliance are based on EU law applicable to all, without exception. Paying agencies may choose to attribute small farms with a lower level of risk for the appropriate risk factors, due to their smaller surface area. Indeed, small farmers have been taken into consideration with more lenient rules for greening measures due to the area based thresholds on rotation/diversification.

Amendment 551

Janusz Wojciechowski

Proposal for a regulation
Article 92 – paragraph 2

Text proposed by the Commission

Amendment

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

deleted

Or. en

Amendment 552
Peter Jahr, Albert Deß, Britta Reimers

Proposal for a regulation
Article 92 – paragraph 2

Text proposed by the Commission

Amendment

However, Article 91 shall not apply *to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP]* and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

However, Article 91 shall not apply to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Or. de

Amendment 553
Julie Girling, James Nicholson, Richard Ashworth, Anthea McIntyre, Robert Sturdy

Proposal for a regulation
Article 92 – paragraph 2

Text proposed by the Commission

Amendment

However, Article 91 shall not apply *to beneficiaries participating in the small farmers scheme referred to in Title V of*

However, Article 91 shall not apply the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Regulation (EU) No xxx/xxx[DP] and to
the beneficiaries receiving aid under
Article 29(9) of Regulation (EU) No
RD/xxx.

Or. en

Justification

Small farmers should not be exempted from cross compliance on both competitiveness and consistency grounds.

Amendment 554

Ulrike Rodust, Brian Simpson, Åsa Westlund

Proposal for a regulation

Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply *to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the* beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Amendment

However, Article 91 shall not apply to beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Or. en

Amendment 555

Brian Simpson

Proposal for a regulation

Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply *to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to* the beneficiaries receiving aid under

Amendment

However, Article 91 shall not apply to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Article 29(9) of Regulation (EU) No RD/xxx.

Or. en

Justification

Cross compliance should apply to small farmers, as it is important that all farmers in receipt of EU funds, regardless of the size of their holdings, adhere to minimum environmental standards.

Amendment 556
Monika Hohlmeier

Proposal for a regulation
Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply *to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP]* and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Amendment

However, Article 91 shall not apply to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Or. de

Amendment 557
Wojciech Michał Olejniczak

Proposal for a regulation
Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply to beneficiaries *participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP]* and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No

Amendment

However, Article 91 shall not apply to beneficiaries *farming a surface area of no more than 10 hectares* or to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Justification

Brings the text into line with the change proposed in Title V of Regulation (EU) No xxx/xxx [DP]. Given that the small farmers' scheme is to be voluntary, and that the definition of small farmers can vary from one Member State to another, an objective criterion needs to be established to determine the conditions for exclusion from the scope of Article 91 of this Regulation.

Amendment 558

Esther de Lange

Proposal for a regulation

Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under **Article 29(9) of** Regulation (EU) No RD/xxx.

Amendment

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under Regulation (EU) No RD/xxx.

Amendment 559

Mairead McGuinness

Proposal for a regulation

Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under

Amendment

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP], **save, in cases of recognised breaches of national**

Article 29(9) of Regulation (EU) No RD/xxx.

environmental legislation, and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Or. en

Amendment 560
Robert Dušek

Proposal for a regulation
Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] **and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.**

Amendment

However, Article 91 shall not apply to beneficiaries **receiving aid under Article 29(9) of Regulation (EU) No RD/xxx and to the beneficiaries** participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] **unless the Member State provides otherwise.**

Or. en

Amendment 561
Hynek Fajmon

Proposal for a regulation
Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Amendment

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx **unless the Member State provides otherwise.**

Or. en

Amendment 562
George Lyon, Sylvie Goulard, Britta Reimers

Proposal for a regulation
Article 92 – paragraph 2

Text proposed by the Commission

However, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Amendment

Without prejudice to paragraph 2a, Article 91 shall not apply to beneficiaries participating in the small farmers scheme referred to in Title V of Regulation (EU) No xxx/xxx[DP] and to the beneficiaries receiving aid under Article 29(9) of Regulation (EU) No RD/xxx.

Or. en

Amendment 563
George Lyon, Sylvie Goulard, Britta Reimers

Proposal for a regulation
Article 92 – paragraph 2 a (new)

Text proposed by the Commission

Member States shall however ensure that beneficiaries participating in the small farmers scheme as referred to in Title V of Regulation (EU) No xxx/xxx[DP] who are found in severe breach of their obligations under sectoral legislation related to their agricultural activity following national controls lose their right of participation in the small farmers scheme.

Amendment

Or. en

Justification

Small farmers should remain exempted from cross compliance controls and sanctions, however, to avoid that this exemption leads to abuses, it should be made clear that they

remain under the obligation of respecting SMRs as implemented under national law. If they are found in severe breach of their obligations under sectoral legislation related to their agricultural activity, they should be sanctioned.

Amendment 564
Rareş-Lucian Niculescu

Proposal for a regulation
Article 93 – paragraph 2

Text proposed by the Commission

Amendment

The acts referred to in Annex II in relation to the statutory management requirements shall apply as in force and, in case of Directives, as implemented by the Member States.

deleted

Or. en

Amendment 565
George Lyon, Britta Reimers

Proposal for a regulation
Article 93 – paragraph 2

Text proposed by the Commission

Amendment

The acts referred to in Annex II in relation to the statutory management requirements shall apply as in force and, in case of Directives, as implemented by the Member States.

The acts referred to in Annex II in relation to the statutory management requirements shall apply as in force and, in case of Directives, as implemented by the Member States, ***following legislative proposals from the Commission.***

Or. en

Justification

To ensure that the obligations introduced are proportionate, directly applicable to farmers and regularly controllable, the power to adopt delegated acts conferred to the Commission should be replaced by an obligation to review the Regulation

Amendment 566
Rareș-Lucian Niculescu

Proposal for a regulation
Article 93 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

By means of an implementing act, a set of common requirements for the good agricultural and environmental condition (GAEC) listed in Annex II should be defined.

Or. en

Amendment 567
Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation
Article 93 – paragraph 3

Text proposed by the Commission

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.

deleted

Or. es

Justification

These paragraphs should not be included until the framework directives on water and pesticides have been applied by all the Member States and it is possible to identify exactly which obligations are directly applicable to farmers. Once these directives are in force, it will be possible to amend Annex II and include the relevant requirements.

Amendment 568

Peter Jahr, Albert Deß, Britta Reimers

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission. *deleted*

Or. de

Amendment 569

Julie Girling, James Nicholson, Anthea McIntyre

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community *deleted*

action in the field of water policy will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.

Or. en

Justification

It is inappropriate to include the Water Framework Directive as a cross compliance requirement as the WFD objectives are set in terms of the status of water bodies, not in terms of measures which farmers (or others) are required to take. It would be unusual for a WFD problem in a water body to be attributable to a single farmer.

Amendment 570
Ivari Padar

Proposal for a regulation
Article 93 – paragraph 3

Text proposed by the Commission

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last

deleted

Member State has notified the implementation of the Directive to the Commission.

Or. et

Justification

It is not appropriate to link the Water Framework Directive (WFD) to this legislation, because, as worded, the reference made to the WFD both restricts Member States' freedom to act in drawing up and implementing agri-environmental measures under the second pillar and hinders the application of the measures provided for in the WFD. At the time of formulation of the measures, all the requirements which cannot be compensated for should be clear. The application of the WFD has reached different stages in the Member States, placing farmers in unequal positions in the various countries.

Amendment 571
Jens Rohde, Anne E. Jensen

Proposal for a regulation
Article 93 – paragraph 3

Text proposed by the Commission

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.

deleted

Or. en

Justification

The cross compliance system should be simplified with fewer and more targeted requirements. Therefore it makes no sense to extend the system even further by including the water framework directive.

Amendment 572

Rareş-Lucian Niculescu

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.

deleted

Or. en

Amendment 573

Esther de Lange

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be

deleted

considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.

Or. en

Amendment 574

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II ***once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.***

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II ***as from 2014.***

Or. en

(art.11 Dir. 2000/60/EC)

Justification

Water pollution costs the taxpayer / the public purse, impacting heavily on other sectors such as water supply, public/animal health, fisheries, tourism, etc. The status quo is budgetarily not efficient. The deadline for Member States to make their WFD programmes operational at farm level is 22.12.2012(art.11 WFD 2000/60/EC), therefore there is no need for delegated acts, as the requirement on the level of the Member States will already exist by the entry into force of the new post-reform CAP.

Amendment 575

Chris Davies, Gerben-Jan Gerbrandy, Corinne Lepage

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy **will** be considered as being part of Annex II **once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.**

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy **shall** be considered as being part of Annex II **as from 2014.**

Or. en

Justification

The Water Framework Directive should be included in cross compliance by 2014 at the very latest, at the same time as when the CAP comes into force. Implementation of the Water Framework Directive should not be dependant on all Member States implementing the Directive, as this would cause delay.

Amendment 576

Satu Hassi, Bas Eickhout, Dan Jørgensen, Nessa Childers, Jutta Haug

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II ***once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.***

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II ***as from 2014.***

Or. en

Justification

Most of Europe's waters are currently not in the good ecological status the WFD is calling for. Agriculture is amongst the most significant pressures jeopardizing fresh waters; therefore the WFD must be included in the Cross Compliance standards. The deadline for Member States to make their WFD programmes operational is December 2012 (Art. 11 of Dir. 2000/60/EC). Therefore, there is no need for delegated acts, as the requirement will already exist by the entry into force of the new CAP.

Amendment 577

Nessa Childers

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Directive 2000/60/EC of 23 October 2000

Amendment

Directive 2000/60/EC of 23 October 2000

establishing a framework for Community action in the field of water policy **will** be considered as being part of Annex II **once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.**

establishing a framework for Community action in the field of water policy **shall** be considered as being part of Annex II **as from 2014.**

Or. en

Amendment 578
George Lyon, Britta Reimers

Proposal for a regulation
Article 93 – paragraph 3

Text proposed by the Commission

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy **will** be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of **those** elements the Commission shall **be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.**

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy **may** be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of **these** elements the Commission shall **present a legislative proposal to review the cross compliance rules to the European Parliament and the Council at the latest by 31 December 2018.**

Or. en

Justification

To ensure that the obligations introduced are proportionate, directly applicable to farmers and regularly controllable, the power to adopt delegated acts conferred to the Commission should be replaced by an obligation to review the Regulation by a date in line with the implementation phases of the two Directives concerned.

Amendment 579

Michel Dantin

Proposal for a regulation

Article 93 – paragraph 3

Text proposed by the Commission

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission.

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified ***the Commission of*** implementation of Directive ***2000/60/EC***.

Or. fr

Amendment 580

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation

Article 93 – paragraph 4

Text proposed by the Commission

Directive 2009/128/EC of the European Parliament and of the Council of 21

Amendment

deleted

October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management.

Or. es

Justification

These paragraphs should not be included until the framework directives on water and pesticides have been applied by all the Member States and it is possible to identify exactly which obligations are directly applicable to farmers. Once these directives are in force, it will be possible to amend Annex II and include the relevant requirements.

Amendment 581
Peter Jahr, Albert Deß, Britta Reimers

Proposal for a regulation
Article 93 – paragraph 4

Text proposed by the Commission

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of ***deleted***

those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management.

Or. de

Amendment 582
Jens Rohde

Proposal for a regulation
Article 93 – paragraph 4

Text proposed by the Commission

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management.

deleted

Or. en

Justification

The cross compliance system should be simplified with fewer and more targeted

requirements. Therefore it makes no sense to extend the system even further by including the pesticides directive.

Amendment 583
Rareş-Lucian Niculescu

Proposal for a regulation
Article 93 – paragraph 4

Text proposed by the Commission

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management. *deleted*

Or. en

Amendment 584
Esther de Lange

Proposal for a regulation
Article 93 – paragraph 4

Text proposed by the Commission

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework *deleted*

for Community action to achieve the sustainable use of pesticides will be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management.

Or. en

Amendment 585

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 93 – paragraph 4

Text proposed by the Commission

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides *will* be considered as being part of Annex II *once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission*, including the obligations

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides *shall* be considered as being part of Annex II *as from 2014*, including the obligations relating to integrated pest management.

relating to integrated pest management.

Or. en

Justification

The Sustainable Use of Pesticides Directive 2009/128/EC is already EU law. According to that law, Member States should have presented their national action plans by December 14 2012, so this is well in time for entry into force of the post reform CAP in 2014; there is no need for delegated acts. 2009/128/EC can help reduce dependency on external, non-renewable, costly inputs with significant externalised costs of toxicity for public health (especially farmers' health) and the environment.

Amendment 586

Chris Davies, Gerben-Jan Gerbrandy, Corinne Lepage

Proposal for a regulation

Article 93 – paragraph 4

Text proposed by the Commission

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides *will* be considered as being part of Annex II *once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management.*

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides *shall* be considered as being part of Annex II *as from 2014*

Or. en

Justification

The Sustainable Use of Pesticides Directive should be included in cross compliance by 2014 at the very latest, at the same time as when the CAP comes into force. Implementation of the Sustainable Use of Pesticides Directive should not be dependant on all Member States implementing the Directive, as this would cause delay.

Amendment 587

George Lyon, Britta Reimers

Proposal for a regulation

Article 93 – paragraph 4

Text proposed by the Commission

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides *will* be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of *those* elements the Commission shall *be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management.*

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides *may* be considered as being part of Annex II once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of *these* elements the Commission shall *present a legislative proposal to review the cross-compliance rules to the European Parliament and the Council at the latest by 31 December 2015.*

Or. en

Justification

To ensure that the obligations introduced are proportionate, directly applicable to farmers and regularly controllable, the power to adopt delegated acts conferred to the Commission should be replaced by an obligation to review the Regulation by a date in line with the implementation phases of the two Directives concerned.

Amendment 588

Satu Hassi, Bas Eickhout, Dan Jørgensen, Nessa Childers, Jutta Haug

Proposal for a regulation

Article 93 – paragraph 4

Text proposed by the Commission

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides will be considered as being part of Annex II ***once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management.***

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides will be considered as being part of Annex II ***as from 2014.***

Or. en

Justification

The Sustainable Use of Pesticides Directive 2009/128/EC helps reducing externalised costs of toxicity for public health and the environment and contributes towards more sustainable farming practices. To this end it should be included in cross compliance as soon as possible. According to Dir 2009/128/EC, Member States should have presented their national action plans by end of 2012. This is well in time for the entry into force of the post reform CAP; there is no need for delegated acts.

Amendment 589

Nessa Childers

Proposal for a regulation

Article 93 – paragraph 4

Text proposed by the Commission

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides *will* be considered as being part of Annex II ***once this Directive is implemented by all Member States and the obligations directly applicable to farmers have been identified. In order to take account of those elements the Commission shall be empowered to adopt delegated acts in accordance with Article 111 for the purpose of amending the Annex II within 12 months starting at the moment the last Member State has notified the implementation of the Directive to the Commission, including the obligations relating to integrated pest management.***

Amendment

Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides ***shall*** be considered as being part of Annex II ***as from 2014.***

Or. en

Amendment 590
Michel Dantin

Proposal for a regulation
Article 93 – paragraph 5

Text proposed by the Commission

In addition, as regards the years 2014 and 2015, the rules on cross compliance shall also comprise the maintenance of permanent grassland. The Member States which were Member of the Union at 1 January 2004 shall ensure that land which was under permanent grassland at the date provided for the area aid applications for 2003 is maintained under permanent grassland within defined limits. The Member States which became Member of the Union in 2004 shall ensure that land which was under

Amendment

deleted

permanent grassland on 1 May 2004 is maintained under permanent grassland within defined limits. Bulgaria and Romania shall ensure that land which was under permanent grassland on 1 January 2007 is maintained under permanent grassland within defined limits.

Or. fr

Amendment 591
Rareş-Lucian Niculescu

Proposal for a regulation
Article 93 – paragraph 5

Text proposed by the Commission

*In addition, as regards the years 2014 and 2015, the rules on cross compliance shall also comprise the maintenance of permanent grassland. **The Member States which were Member of the Union at 1 January 2004 shall ensure that land which was under permanent grassland at the date provided for the area aid applications for 2003 is maintained under permanent grassland within defined limits.** The Member States **which became Member of the Union in 2004** shall ensure that land which was **under permanent grassland on 1 May 2004 is maintained under permanent grassland within defined limits.** **Bulgaria and Romania shall ensure that land which was under permanent grassland on 1 January 2007 is maintained** under permanent grassland **within defined limits.***

Amendment

*The rules on cross compliance shall also comprise the maintenance of permanent grassland **as defined in article 4.1(h) Regulation (EU) No DP/2012.** The Member States shall ensure that land which was **used as grassland without interruption from 1 January 2007 onwards** is **classified as permanent grassland.** **Farmers shall maintain as permanent grassland the areas of their holdings declared as such in the application made pursuant to Article 73(1) of Reg. (EU) N° HZR/2012 for the claim year 2014, hereinafter referred to as 'reference areas under permanent grassland'.***

Or. en

Amendment 592
Esther de Lange

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Proposal for a regulation
Article 93 – paragraph 5

Text proposed by the Commission

In addition, as regards the years 2014 and 2015, the rules on cross compliance shall also comprise the maintenance of permanent grassland. The Member States which were Member of the Union at 1 January 2004 shall ensure that land which was under permanent grassland at the date provided for the area aid applications for 2003 is maintained under permanent grassland within defined limits. The Member States which became Member of the Union in 2004 shall ensure that land which was under permanent grassland on 1 May 2004 is maintained under permanent grassland within defined limits. Bulgaria and Romania shall ensure that land which was under permanent grassland on 1 January 2007 is maintained under permanent grassland within defined limits.

Amendment

In addition, as regards the years 2014 and 2015, the rules on cross compliance shall also comprise the maintenance of permanent grassland. The Member States which were Member of the Union at 1 January 2004 shall ensure that land which was under permanent grassland at the date provided for the area aid applications for 2003 is maintained under permanent grassland within defined limits ***set by the Member State***. The Member States which became Member of the Union in 2004 shall ensure that land which was under permanent grassland on 1 May 2004 is maintained under permanent grassland within defined limits ***set by the Member State***. Bulgaria and Romania shall ensure that land which was under permanent grassland on 1 January 2007 is maintained under permanent grassland within defined limits ***set by the Member State***.

Or. en

Amendment 593
Michel Dantin

Proposal for a regulation
Article 93 – paragraph 6

Text proposed by the Commission

The preceding subparagraph shall not apply to land under permanent grassland to be afforested, if such afforestation is compatible with the environment and with the exclusion of plantations of Christmas trees and fast growing species cultivated in the short term.

Amendment

deleted

Amendment 594
Rareș-Lucian Niculescu

Proposal for a regulation
Article 93 – paragraph 6

Text proposed by the Commission

The preceding subparagraph shall not apply to land under permanent grassland to be afforested, if such afforestation is compatible with the environment and with the exclusion of plantations of Christmas trees *and fast growing species cultivated in the short term.*

Amendment

The preceding subparagraph shall not apply to land under permanent grassland to be afforested, if such afforestation is compatible with the environment and with the exclusion of plantations of Christmas trees.

Amendment 595
Michel Dantin

Proposal for a regulation
Article 93 – paragraph 7

Text proposed by the Commission

In order to take account of the elements in the two preceding paragraphs the Commission shall be empowered to adopt delegated acts in accordance with Article 111 containing the rules on maintenance of permanent grassland, in particular to ensure that measures are taken to maintain the land under permanent grassland at the level of farmers, including individual obligations to be respected such as obligation to reconvert areas into permanent grassland where it is established that the ratio of land under permanent grassland is decreasing.

Amendment

deleted

Amendment 596
Esther de Lange

Proposal for a regulation
Article 93 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

By way of derogation, farmers shall be allowed to convert a maximum of 10 % of their reference areas they are required to maintain. That limit shall not apply in the case of force majeure or exceptional circumstances.

Or. en

Amendment 597
Michel Dantin

Proposal for a regulation
Article 93 – paragraph 8

Text proposed by the Commission

Amendment

Furthermore, the Commission shall, by means of implementing acts, adopt the methods for the determination of the ratio of permanent grassland and agricultural land that has to be maintained. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

deleted

Or. fr

Amendment 598
Rareş-Lucian Niculescu

Proposal for a regulation
Article 93 – paragraph 8

Text proposed by the Commission

Amendment

Furthermore, the Commission shall, by means of implementing acts, adopt the methods for the determination of the ratio of permanent grassland and agricultural land that has to be maintained. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

deleted

Or. en

Amendment 599
Hans-Peter Mayer

Proposal for a regulation
Article 93 – paragraph 8

Text proposed by the Commission

Amendment

Furthermore, the Commission shall, **by means of implementing** acts, adopt **the** methods for the determination of the ratio of permanent grassland and agricultural land that has to be maintained. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).**

Furthermore, the Commission shall **be empowered to adopt delegated** acts **in accordance with Article 111 in order to** adopt **the** methods for the determination of the ratio of permanent grassland and agricultural land that has to be maintained.

Or. de

Amendment 600
Rareş-Lucian Niculescu

Proposal for a regulation
Article 93 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

By way of derogation farmers who have at least 70% of the area of their holding in 2014 in 'permanent grassland' and

'grasses or other forage' as defined in article 4.1 (h) Regulation (EU) No DP/2012, hereinafter referred to as 'reference areas under total grassland', shall maintain at least the same number of hectares under grassland as their reference area under total grassland. Farmers shall be allowed to convert a maximum of 5 % of their reference areas they are required to maintain. That limit shall not apply in the case of force majeure or exceptional circumstances.

Or. en

Amendment 601
Jens Rohde

Proposal for a regulation
Article 93 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

In order to ensure a simpler cross compliance system with fewer and more targeted requirements, the Commission shall no later than by the end of 2013 present a report to the Parliament and the Council accompanied by the necessary proposals to reduce the number of rules in annex II by 25 %. The remaining rules should be evaluated in relation to relevance, importance and measurability.

Or. en

Justification

The cross compliance system continues to frustrate farmers. This is the case both in terms of the number of rules, but also in terms of relevance and importance, both for farmers and the society. Furthermore as a consequence of the many different rules it can be difficult for the individual farmer to know if he is in breach of a rule or not. In order to have a more credible cross compliance system, the Commission should be required to put forward proposals to limit the number of rules, but also to evaluate the remaining rules in terms of relevance, importance and measurability.

Amendment 602

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 94 – paragraph 1

Text proposed by the Commission

Member States shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. Member States shall define, at national or regional level, minimum standards for beneficiaries for good agricultural and environmental condition of land on the basis of Annex II, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures. ***Member States shall not define minimum requirements which are not established in Annex II.***

Amendment

Member States shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. Member States shall define, at national or regional level, minimum standards for beneficiaries for good agricultural and environmental condition of land on the basis of Annex II, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures.

Or. en

Justification

MS/regions should be able to add rules that fit their agricultural systems, in the spirit of subsidiarity and the right to demand a clean and safe environment following the forerunner principle: there should not be a race to the bottom.

Amendment 603

Wojciech Michał Olejniczak

Proposal for a regulation

Article 94 – paragraph 1

Text proposed by the Commission

Member States shall ensure that all

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Amendment

Member States shall ensure that all

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agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. Member States shall define, at national or regional level, minimum standards for beneficiaries for good agricultural and environmental condition of land on the basis of Annex II, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures. Member States shall not define minimum requirements which are not established in Annex II.

agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. ***Member States shall, in particular, promote the creation of woodland and agro-forestry systems in areas which are not already used for production.*** Member States shall define, at national or regional level, minimum standards for beneficiaries for good agricultural and environmental condition of land on the basis of Annex II, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures. Member States shall not define minimum requirements which are not established in Annex II.

Or. pl

Amendment 604
Brian Simpson

Proposal for a regulation
Article 94 – paragraph 1

Text proposed by the Commission

Member States shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. Member States shall define, at national or regional level, minimum standards for beneficiaries for good agricultural and environmental condition of land on the basis of Annex II, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures. Member States shall not define

Amendment

Member States shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. Member States shall define, at national or regional level, minimum standards for beneficiaries for good agricultural and environmental condition of land on the basis of Annex II, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures. Member States shall not define

minimum requirements which are not established in Annex II.

minimum requirements which are not established in Annex II *unless the combined effect of these minimum requirements and the agricultural practices beneficial for the climate and the environment as laid down in Chapter 2 of Title III of Regulation (EU) No xxx/xxx [DP] are insufficient to encompass the minimum requirements previously defined by a Member State before 1 January 2014. In such cases, a Member State concerned shall be required to define such standards as are necessary to ensure no regression of requirements.*

Or. en

Justification

As with the previous Health Check reform, a safeguard provision is required to ensure that changes to the environmental conditions attached to Pillar 1 payments do not risk standards slipping back to a lower level than that which is currently applied in any Member State, thereby effectively lowering the baseline above which agri-environment-climate payments can be made, rather than the intended objective of raising it.

Amendment 605 **Jens Rohde**

Proposal for a regulation **Article 94 – paragraph 1**

Text proposed by the Commission

Member States shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. Member States shall define, at national or regional level, minimum standards for beneficiaries for good agricultural and environmental condition of land on the basis of Annex II, taking into account the specific characteristics of the areas concerned, including soil and climatic condition,

Amendment

Member States shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition.

existing farming systems, land use, crop rotation, farming practices, and farm structures. Member States shall not define minimum requirements which are not established in Annex II.

Agricultural area, in which for the basic premium has not been applied for, because it has grown into a more natural state with higher level of biodiversity should only be kept in a condition as demanded by national regulation and should be exempted from the requirements of maintaining the area in good agricultural and environmental condition

Areas set aside in accordance with Articles 22, 23 and 24 of Regulation (EC) No 1257/1999, with Article 39 of Regulation (EC) No 1698/2005 and with Article 29 of Regulation (EU) No [...] [RDR] are considered as maintained in good agricultural and environmental condition if the obligations in the agri-environmental agreement are fulfilled. To avoid double sanctioning, negligence of the obligations in the agri-environmental agreement cannot lead to reduction of support due to the current article (94) in the way laid out in article 99 of this regulation.

Member States shall define, at national or regional level, minimum standards for beneficiaries for good agricultural and environmental condition of land on the basis of Annex II, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures. Member States shall not define minimum requirements which are not established in Annex II.

Or. en

Justification

Areas ineligible for basic payment should not be subject to demands on good agricultural and environmental condition.

Amendment 606
Rareş-Lucian Niculescu

Proposal for a regulation
Article 94 – paragraph 1

Text proposed by the Commission

Member States shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. Member States shall *define*, at national or regional level, *minimum* standards for *beneficiaries for* good agricultural and environmental condition of land *on the basis of Annex II*, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures. Member States shall not define minimum requirements which are not established in Annex II.

Amendment

Member States shall ensure that all agricultural area, including land which is no longer used for production purposes, is maintained in good agricultural and environmental condition. Member States shall *specify*, at national or regional level, *the scope of the controls of beneficiaries based on the set of common requirements for* standards for good agricultural and environmental condition of land *as laid down in article 93*, taking into account the specific characteristics of the areas concerned, including soil and climatic condition, existing farming systems, land use, crop rotation, farming practices, and farm structures. Member States shall not define minimum requirements which are not established in Annex II.

Or. en

Amendment 607
Jim Higgins, Seán Kelly

Proposal for a regulation
Article 96 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Those systems, and notably the system for the identification and registration of

Amendment

deleted

animals set up in accordance with Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs⁴⁶ and Regulations (EC) No 1760/2000 and (EC) No 21/2004, shall be compatible with the integrated system referred to in Chapter II of Title V of this Regulation.

Or. en

Justification

Given the complications of the implementation of Regulation (EC) No 21/2004 it should not form part of the integrated administration and control system.

Amendment 608

Michel Dantin

Proposal for a regulation

Article 96 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Checks of requirements, standards, acts or areas of cross compliance may take account of the following factors:

- farmers' participation in the farm advisory system provided for in Title III of this Regulation;*
- farmers' participation in a certification system, if it covers the requirements and standards concerned.*

Or. fr

Amendment 609

Julie Girling, Anthea McIntyre

Proposal for a regulation

Article 96 – paragraph 3

Text proposed by the Commission

3. Member States shall carry out on-the-spot checks to verify whether a beneficiary complies with the obligations laid down in this Title.

Amendment

3. Member States shall carry out on-the-spot checks to verify whether a beneficiary complies with the obligations laid down in this Title. ***Member States shall submit an annual report about the implementation and the results of the cross compliance and greening measures. The European Commission shall submit an annual report to the European parliament regarding the effects of these measures on agricultural production and on their environmental impact in the Member States.***

Or. en

Justification

As 'greening' will be a new element to be considered under the cross compliance rules, it is pertinent that the Commission should review their coherence and give feedback to the European Parliament in this regard. This is consistent with the addition of Recital 57(a) new.

Amendment 610
Marian Harkin

Proposal for a regulation
Article 96 – paragraph 3

Text proposed by the Commission

3. Member States shall carry out ***on-the-spot*** checks to verify whether a beneficiary complies with the obligations laid down in this Title.

Amendment

3. Member States shall ***give adequate notice of inspection when they*** carry out checks to verify whether a beneficiary complies with the obligations laid down in this Title.

Or. en

Amendment 611
Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 96 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall report annually on the implementation and results of controls of cross compliance and greening measures to the European Commission, who shall submit an annual report to the European Parliament on the effectiveness of Member State or regional measures to address long term sustainability challenges in agriculture.

Or. en

Amendment 612
Hans-Peter Mayer

Proposal for a regulation
Article 96 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission shall, ***by means of implementing*** acts, adopt rules on the carrying out of checks in order to verify compliance with the obligations referred to in this Title.

The Commission shall ***be empowered to adopt delegated*** acts ***in accordance with Article 111 in order to lay down*** rules on the carrying out of checks in order to verify compliance with the obligations referred to in this Title.

Or. de

Amendment 613
Hans-Peter Mayer

Proposal for a regulation
Article 96 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

deleted

Or. de

Amendment 614
Michel Dantin

Proposal for a regulation
Article 96 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall be empowered to adopt delegated acts, in accordance with Article 111, concerning common and harmonised rules on checks and cross-compliance.

Or. fr

Amendment 615
Julie Girling, James Nicholson, Anthea McIntyre

Proposal for a regulation
Article 97 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

The penalty provided for in Article 91 shall be applied when the rules on cross compliance are not complied with at any time in a given calendar year (hereinafter referred to as ‘the calendar year concerned’), and the non-compliance in question is attributable to the beneficiary who submitted the aid application or the payment claim in the calendar year concerned.

The penalty provided for in Article 91 shall be applied when the rules on cross compliance are not complied with at any time in a given calendar year (hereinafter referred to as ‘the calendar year concerned’), and the non-compliance in question is ***the result of a wilful act or omission which is directly*** attributable to the beneficiary who submitted the aid application or the payment claim in the

calendar year concerned.

Or. en

Justification

The administration should assess whether they think the non-compliance in question is wilful or not.

Amendment 616

George Lyon, Sylvie Goulard, Britta Reimers

Proposal for a regulation

Article 97 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The penalty provided for in Article 91 shall be applied when the rules on cross compliance are not complied with at any time in a given calendar year (hereinafter referred to as ‘the calendar year concerned’), and the non-compliance in question is attributable to the beneficiary who submitted the aid application or the payment claim in the calendar year concerned.

Amendment

Without prejudice to Article 91(2)(a), the penalty provided for in Article 91 shall be applied when the rules on cross compliance are not complied with at any time in a given calendar year (hereinafter referred to as ‘the calendar year concerned’), and the non-compliance in question is ***directly*** attributable to the beneficiary who submitted the aid application or the payment claim in the calendar year concerned.

Or. en

Justification

This is an amendment following up from the amendment proposing an early-warning system on cross compliance. The addition of the word 'directly' is a matter of consistency with the wording of Article 91.

Amendment 617

Wojciech Michał Olejniczak

Proposal for a regulation

Article 97 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

Where a Member State decides to make use of the option provided for in the first subparagraph, the competent authority shall, for a sample of beneficiaries, take in the following year the actions necessary to verify that the beneficiary has remedied the findings of non-compliance concerned. The finding and the obligation to take remedial action shall be notified to the beneficiary. **deleted**

Or. pl

Justification

This deletion will make the administrative procedures used by the Member States much simpler and cut budget expenditure.

Amendment 618

Czesław Adam Siekierski, Jarosław Kalinowski, Elżbieta Katarzyna Łukacijewska, Artur Zasada

Proposal for a regulation

Article 97 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

Where a Member State decides to make use of the option provided for in the first subparagraph, the competent authority shall, for a sample of beneficiaries, take in the following year the actions necessary to verify that the beneficiary has remedied the findings of non-compliance concerned. The finding and the obligation to take remedial action shall be notified to the beneficiary. **deleted**

Or. en

Justification

In our opinion a good solution proposed by the European Commission is to abolish follow-up checks in the case of minor infringements. However, as regards the solution consisting in limiting the controls falling under de minimis rule to a selected group of beneficiaries (sample), we believe that the simplification should involve a total abolition of repeated controls of infringements subject to the de minimis rule.

Amendment 619
George Lyon, Britta Reimers

Proposal for a regulation
Article 98 a (new)

Text proposed by the Commission

Amendment

Article 98a

General criteria for the graduation of penalties

For the purpose of graduating the amounts referred to in Article 99, the following criteria apply:

- The 'severity' of non-compliance shall depend, in particular, on the importance of the consequences of the non-compliance, in particular the risk it represents for the EU fund concerned, and consistently taking account of the aims of the requirement or standard concerned;***
- The 'extent' of non-compliance shall be determined taking account, in particular, of whether the non-compliance has a far-reaching impact or whether it is limited to the farm itself;***
- To determine the 'duration' of non-compliance, the competent authority shall take account, in particular, of the estimated length of time for which the effect lasts or the potential for terminating those effects by reasonable means;***
- 'Reoccurrence' of non-compliance shall mean that the non-compliance with the same requirement, standard or obligation***

is determined more than once within a consecutive period of three calendar years, provided the beneficiary has been informed of a previous non-compliance and, where applicable, has had the possibility to take the necessary measures to terminate that previous non-compliance;

Or. en

Justification

General principles of sanctions should be in the basic act. This has been lifted from Commission Regulation 1122/2009 (implementing rules), Article 47.

Amendment 620

Daciana Octavia Sârbu, Vasilica Viorica Dăncilă

Proposal for a regulation

Article 99 – title

Text proposed by the Commission

Amendment

Calculation of the penalty

Calculation of the *financial* penalty

Or. ro

Justification

Linguistic amendment applicable to the whole article.

Amendment 621

George Lyon, Anne E. Jensen, Britta Reimers

Proposal for a regulation

Article 99 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

For the calculation of those reductions and exclusions account shall be taken of the severity, extent, permanence and

For the calculation of those reductions and exclusions *proportionate* account shall be taken of the *gravity and nature of the*

reoccurrence of the non-compliance found as well as of the criteria set out in paragraphs 2, 3 and 4.

infringement found to determine the severity, extent, permanence and reoccurrence of the non-compliance found as defined in Article 99(a) as well as of the criteria set out in paragraphs 2, 3 and 4.

Or. en

Justification

Please see the amendment creating a new Article 99(a).

Amendment 622

Eric Andrieu, Marc Tarabella

Proposal for a regulation

Article 99 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By way of derogation from the first paragraph, reductions or exclusions arising as a result of cross-compliance failings in respect of measures provided for in Articles 29, 30 and 31 of Regulation (EU) No ... [RDR] shall concern only sums allocated under these measures.

Or. fr

Amendment 623

Janusz Wojciechowski

Proposal for a regulation

Article 99 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

In the case of non compliance due to negligence, the percentage of reduction shall not exceed 5 % and, in the case of repeated non-compliance, 15 %.

deleted

Amendment 624
Jens Rohde

Proposal for a regulation
Article 99 – paragraph 2 – subparagraph 1

Text proposed by the Commission

In the case of *non* compliance due to negligence, the percentage of reduction shall not exceed 5 % and, in the case of repeated non-compliance, **15 %**.

Amendment

2. In the case of non-compliance due to negligence, the percentage of reduction shall not exceed 5% **or 2.000 EUR** and, in the case of repeated non-compliance, **10 % or 4.000 EUR**.

Or. en

Justification

To base the cross compliance system only on a percentage reduction of support is not proportional. It can give very large reductions of support for very small non-compliances if they are done by a large farmer. In addition a similar breach mad by two different famers does not lead to the same amount of reduction of support. The amount of support reduction will depend on whether the farmer is a small farmer, receiving only few subsidies, or a large farmer, receiving a large amount of subsidies. In addition all less severe non-compliances should be able to be considered as minor. This will significantly increase proportionality.

Amendment 625

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation
Article 99 – paragraph 2 – subparagraph 1

Text proposed by the Commission

In the case of *non compliance* due to negligence, the percentage of reduction shall not exceed 5 % and, in the case of repeated non-compliance, 15 %.

Amendment

In the case of *non-compliance* due to negligence, the percentage of reduction shall not exceed 5 % and, in the case of repeated non-compliance, 15 %, ***except in extremely serious cases, when it shall not be less than 20 % and may go as far as total exclusion from one or more aid***

schemes and apply for one or more calendar years.

Or. es

Justification

Paragraph 3 on cases of intentional non-compliance ought to be deleted, as it is legally extremely difficult to prove that a farmer has acted deliberately or intentionally. This type of non-compliance should therefore be replaced by extremely serious negligence and included in paragraph 2, whilst retaining the penalties provided for in paragraph 3.

Amendment 626

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation

Article 99 – paragraph 2 – subparagraph 1

Text proposed by the Commission

In the case of *non compliance* due to negligence, the percentage of reduction shall not exceed 5 % and, in the case of repeated non-compliance, 15 %.

Amendment

In the case of *non-compliance* due to negligence, the percentage of reduction shall not exceed 5 % and, in the case of repeated non-compliance, 15 %, ***except in extremely serious cases, when it shall not be less than 20 % and may go as far as total exclusion from one or more aid schemes and apply for one or more calendar years.***

Or. es

Justification

Paragraph 3 on cases of intentional non-compliance ought to be deleted, as it is legally very difficult to prove that a farmer has deliberately failed to comply. This type of non-compliance should therefore be replaced by extremely serious negligence and included in paragraph 2, whilst retaining the penalties provided for in paragraph 3.

Amendment 627

Janusz Wojciechowski

Proposal for a regulation
Article 99 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In duly justified cases Member States may decide that no reduction shall be applied where, given its severity, extent and duration, a case of non-compliance is to be considered as minor. However, cases of non-compliance which constitute a direct risk to public or animal health shall not be considered as minor. The finding and the obligation to take remedial action shall be notified to the beneficiary.

Amendment

In duly justified cases Member States may decide that no reduction shall be applied where, given its severity, extent and duration, a case of non-compliance is to be considered as minor. However, cases of non-compliance which constitute a direct risk to public or animal health **or to animal welfare** shall not be considered as minor. The finding and the obligation to take remedial action shall be notified to the beneficiary.

Or. en

Amendment 628
Diane Dodds

Proposal for a regulation
Article 99 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In duly justified cases Member States may decide that no reduction shall be applied where, given its severity, extent and duration, a case of non-compliance is to be considered as minor. However, cases of non-compliance which constitute a direct risk to public or animal health shall not be considered as minor. The finding and the obligation to take remedial action shall be notified to the beneficiary.

Amendment

In duly justified cases Member States may decide that no reduction shall be applied where, given its severity, extent and duration, a case of non-compliance is to be considered as minor. However, cases of non-compliance which constitute a direct risk to public or animal health shall not be considered as minor. **Minor breaches of systems for identification and registration of animals referred to in Annex II, SMR7 AND SMR8 shall not be deemed a direct risk to public or animal health.** The finding and the obligation to take remedial action shall be notified to the beneficiary.

Or. en

Amendment 629
Jens Rohde

Proposal for a regulation
Article 99 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In duly justified cases Member States may decide that no reduction shall be applied where, given its severity, extent and duration, a case of non-compliance is to be considered as minor. ***However, cases of non-compliance which constitute a direct risk to public or animal health shall not be considered as minor.*** The finding and the obligation to take remedial action shall be notified to the beneficiary.

Amendment

In duly justified cases Member States may decide that no reduction shall be applied where, given its severity, extent and duration a case of non-compliance is to be considered as minor. The finding and the obligation to take remedial action shall be notified to the beneficiary.

Or. en

Amendment 630
Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation
Article 99 – paragraph 3

Text proposed by the Commission

3. In the case of intentional non-compliance, the percentage of reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

Amendment

deleted

Or. es

Justification

Paragraph 3 on cases of intentional non-compliance ought to be deleted, as it is legally very difficult to prove that a farmer has deliberately failed to comply. This type of non-compliance should therefore be replaced by extremely serious negligence and included in paragraph 2, whilst retaining the penalties provided for in paragraph 3.

Amendment 631

Esther Herranz García, Pilar Ayuso, Gabriel Mato Adrover, María Auxiliadora Correa Zamora

Proposal for a regulation

Article 99 – paragraph 3

Text proposed by the Commission

Amendment

3. In the case of intentional non-compliance, the percentage of reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

deleted

Or. es

Justification

Paragraph 3 on cases of intentional non-compliance ought to be deleted, as it is legally extremely difficult to prove that a farmer has acted deliberately or intentionally. This type of non-compliance should therefore be replaced by extremely serious negligence and included in paragraph 2, whilst retaining the penalties provided for in paragraph 3.

Amendment 632

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 99 – paragraph 3

Text proposed by the Commission

Amendment

3. In the case of intentional non-compliance, the percentage of reduction shall ***in principle*** not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

3. In the case of intentional ***or serious*** non-compliance, the percentage of reduction shall not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years. ***Repeated non-compliance which occurs after a beneficiary has been warned or sanctioned shall be considered as serious and intentional.***

Justification

If a farmer has been warned or had payment reduced in previous years for a reoccurring (e.g. environmental) breach, the farmer understands the cause and effect, or has had chance to find a solution, and so repeated breaches occurring in his/her knowledge, therefore are both serious and intentional. Provisions for penalties must be as clear as possible, so statements such as “in principle” should be avoided, or disparities in implementation will arise.

Amendment 633**George Lyon, Sylvie Goulard, Britta Reimers****Proposal for a regulation****Article 99 – paragraph 3***Text proposed by the Commission*

3. In the case of **intentional** non-compliance, the percentage of reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

Amendment

3. In the case of '**severe**' non-compliance, the percentage of reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

Justification

Auditors encounter difficulties to determine the intentional character of non-compliances. The severity is a much more objective criteria which audit departments would be able to use in a more reliable way. (The Rapporteur's proposal to change it to 'gross negligence' is problematic as this concept is not defined anywhere.)

Amendment 634**Radvilė Morkūnaitė-Mikulėnienė****Proposal for a regulation****Article 99 – paragraph 3***Text proposed by the Commission*

3. In the case of **intentional** non-

Amendment

3. In the case of **serious** non-compliance,

compliance, the percentage of reduction shall in principle not be less than **20 %** and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

the percentage of reduction shall in principle not be less than **15 %** and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

Or. en

Amendment 635
Jens Rohde

Proposal for a regulation
Article 99 – paragraph 3

Text proposed by the Commission

3. In the case of intentional non-compliance, the percentage of reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

Amendment

3. In the case of intentional non-compliance, the percentage of reduction shall in principle not be less than 20 % **or 8.000 EUR** and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

Or. en

Justification

To base the cross compliance system only on a percentage reduction of support is not proportional. It can give very large reductions of support for very small non-compliances if they are done by a large farmer. In addition a similar breach mad by two different famers does not lead to the same amount of reduction of support. The amount of support reduction will depend on whether the farmer is a small farmer, receiving only few subsidies, or a large farmer, receiving a large amount of subsidies.

Amendment 636
Juozas Imbrasas

Proposal for a regulation
Article 99 – paragraph 3

Text proposed by the Commission

3. In the case of intentional non-

Amendment

3. In the case of intentional non-

compliance, the percentage of *reduction shall in principle not be less than 20 % and may go* as far as total exclusion from one or several aid schemes and *apply* for one or more calendar years.

compliance, the percentage of *payments may be reduced or increased according to the severity, extent, duration and reoccurrence of the non-compliance, possibly going* as far as total exclusion from one or several aid schemes and *applying* for one or more calendar years.

Or. It

Amendment 637
Esther de Lange

Proposal for a regulation
Article 99 – paragraph 3

Text proposed by the Commission

3. In the case of *intentional* non-compliance, the percentage of reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

Amendment

3. In the case of *serious* non-compliance, the percentage of reduction shall in principle not be less than 20 % and may go as far as total exclusion from one or several aid schemes and apply for one or more calendar years.

Or. en

Amendment 638
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 99 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. In the case of either, firstly, serious breaches repeated for two or more years or occurring over several standards or requirements in the environmental and public health areas of cross compliance; or secondly, if after risk assessment and/or re-inspection the farm is considered by the responsible authority to

be inherently at risk of breaching the cross compliance standards, with reference to unsustainable farming systems as defined in article 2, the beneficiary concerned shall be permanently excluded from CAP payments.

Or. en

Justification

Where a farm has had many breaches in the area of environment and public health over many years, it is an inherently unsustainable farm system. Therefore the farmer risks generating additional costs to society via pollution and public health crises/contamination, so they should be excluded from public-funded support permanently. This would only apply to serious and costly breaches, not minor ones such as those arising from loss of a few ear tags outside of disease epidemic.

Amendment 639

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 100 – paragraph 1

Text proposed by the Commission

Member States may retain 10% of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Amendment

Member States may retain 10% of the amounts resulting from the application of the reductions and exclusions referred to in Article 99 *to fund environmental objectives under Articles 5(4) and (5) of Regulation EU No ... [RDR] for rural development priorities 4 and 5.*

Or. en

Justification

(See Article 5(4) and (5) RDR and annex IV RDR: RD priority 4: restoring, preserving and enhancing ecosystems dependant on agriculture and forestry; RD priority 5: promoting resource efficiency and supporting the shift towards a low carbon and climate resilient economy in the agriculture and food sectors and the forestry sector)

Amendment 640

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

**Proposal for a regulation
Article 100 – paragraph 1**

Text proposed by the Commission

Member States may retain **10%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Amendment

Member States may retain **25%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Or. es

Justification

The 25% figure for retention in the regulation currently in force should be maintained.

Amendment 641

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

**Proposal for a regulation
Article 100 – paragraph 1**

Text proposed by the Commission

Member States may retain **10%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Amendment

Member States may retain **25%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Or. es

Justification

The figure of 25% in the regulation in force should be maintained.

Amendment 642

Wojciech Michał Olejniczak

Proposal for a regulation
Article 100 – paragraph 1

Text proposed by the Commission

Member States may retain **10%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Amendment

Member States may retain **25%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Or. pl

Justification

There is no need to cut the current 25% figure for the retention of amounts down to 10%.

Amendment 643
Eric Andrieu, Marc Tarabella

Proposal for a regulation
Article 100 – paragraph 1

Text proposed by the Commission

Member States may retain **10%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Amendment

Member States may retain **25%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Or. fr

Amendment 644
Czesław Adam Siekierski, Jarosław Kalinowski, Elżbieta Katarzyna Łukacijewska,
Artur Zasada

Proposal for a regulation
Article 100 – paragraph 1

Text proposed by the Commission

Member States may retain **10%** of the amounts resulting from the application of the reductions and exclusions referred to in

Amendment

Member States may retain **25%** of the amounts resulting from the application of the reductions and exclusions referred to in

Article 99.

Article 99.

Or. en

Justification

We don't see a reason why Commission introduced this change (they decreased from 10% do 25%). In current regulation (article 25 of regulation no 73/2009) allows MSs to keep 25% of the amount resulting from the application of the reductions.

Amendment 645
Juozas Imbrasas

Proposal for a regulation
Article 100 – paragraph 1

Text proposed by the Commission

Member States may retain **10%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Amendment

Member States may retain **25%** of the amounts resulting from the application of the reductions and exclusions referred to in Article 99.

Or. It

Amendment 646
Wojciech Michał Olejniczak

Proposal for a regulation
Article 100 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States may use the percentage of the amounts referred to in subparagraph 1 as additional support for measures under rural development programming financed under the EAFRD in accordance with Regulation (EU) No [...] [RDR].

Or. pl

Amendment 647

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation

Article 102 – paragraph 1 – subparagraph 1 – point c – point v

Text proposed by the Commission

Amendment

(v) **a** summary of the results of all available audits and checks carried out in accordance with the schedule and detailed provisions laid down in the sector specific rules.

(v) **an annual** summary, **together with the EAGF and EAFRD expenditure account**, of the results of all available audits and checks carried out in accordance with the schedule and detailed provisions laid down in the sector specific rules.

Or. es

Justification

Audit statistics should be submitted to the Commission in one go, along with the annual account, before 1 February each year. They currently have to be submitted in line with various deadlines laid down in the sector-specific rules, later becoming part of the annual clearance of accounts procedure. Sometimes they even have to be submitted as part of conformity clearance inquiries.

Amendment 648

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation

Article 102 – paragraph 1 – subparagraph 1 – point c – point v

Text proposed by the Commission

Amendment

(v) a summary of the results of all available audits and checks carried out in accordance with the schedule and detailed provisions laid down in the sector specific rules.

(v) **an annual** summary, **together with the EAGF and EAFRD expenditure account**, of the results of all available audits and checks carried out in accordance with the schedule and detailed provisions laid down in the sector specific rules.

Or. es

Justification

Audit statistics should be submitted to the Commission in one go, along with the annual accounts, before 1 February each year. They are currently submitted in line with various deadlines laid down in the sector-specific rules, later becoming part of the annual clearance of accounts procedure. Sometimes they even have to be submitted as part of conformity clearance inquiries.

Amendment 649

Peter Jahr, Albert Deß, Britta Reimers

Proposal for a regulation

Article 102 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) In so far as statistical analyses are required in order to notify the Commission pursuant to this article, the Commission shall furnish Member States with information required in each case with sufficient notice before the beginning of the period during which they are to be undertaken.

Or. de

Amendment 650

Robert Dušek

Proposal for a regulation

Article 106 – paragraph 3

Text proposed by the Commission

Amendment

3. Where a direct payment as provided for in Regulation (EU) No DP/xxx is made to a beneficiary in a currency other than the euro, Member States shall convert the amount of aid expressed in euro into the national currency on the basis of the most recent exchange rate set by the European Central Bank prior to 1 **October** of the year for which the aid is granted.

3. Where a direct payment as provided for in Regulation (EU) No DP/xxx is made to a beneficiary in a currency other than the euro, Member States shall convert the amount of aid expressed in euro into the national currency on the basis of the most recent exchange rate set by the European Central Bank prior to 1 **September** of the year for which the aid is granted.

Amendment 651

Hynek Fajmon

Proposal for a regulation

Article 106 – paragraph 3

Text proposed by the Commission

3. Where a direct payment as provided for in Regulation (EU) No DP/xxx is made to a beneficiary in a currency other than the euro, Member States shall convert the amount of aid expressed in euro into the national currency on the basis of the most recent exchange rate set by the European Central Bank prior to 1 **October** of the year for which the aid is granted.

Amendment

3. Where a direct payment as provided for in Regulation (EU) No DP/xxx is made to a beneficiary in a currency other than the euro, Member States shall convert the amount of aid expressed in euro into the national currency on the basis of the most recent exchange rate set by the European Central Bank prior to 1 **September** of the year for which the aid is granted.

Or. en

Amendment 652

Julie Girling, Richard Ashworth, Anthea McIntyre, Kay Swinburne

Proposal for a regulation

Article 106 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. By way of derogation from paragraph 3, Member States may convert the amount of aid expressed in euro into the national currency on the basis of the average of a maximum of the thirty most recent exchange rates set by the Member States' national central bank or the European Central Bank prior to 1 October of the year for which aid is granted.

Or. en

Justification

There should be greater flexibility in the application of exchange rates.

Amendment 653

George Lyon, Brian Simpson

Proposal for a regulation

Article 106 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. By way of derogation from paragraph 3, Member States may convert the amount of aid expressed in euro into the national currency on the basis of the average of a maximum of the five most recent exchange rates set by the Member States' national central bank or the European central bank prior to 1 October of the year for which aid is granted.

Or. en

Justification

This will give more flexibility in the application of exchange rates. This would enable Member States to use an average of exchange rates, which would reduce the inherent risk farmers are exposed to in using one exchange rate set on one day.

Amendment 654

Diane Dodds

Proposal for a regulation

Article 106 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. By way of derogation from paragraph 3, Member States may convert the amount of aid expressed in euro into the national currency on the basis of the average of a maximum of the thirty most recent exchange rates set by the European

Central Bank, prior to 1 October of the year for which aid is granted.

Or. en

Amendment 655
Hans-Peter Mayer

Proposal for a regulation
Article 107 – paragraph 1

Text proposed by the Commission

Amendment

(1) The Commission may, by means of implementing acts, adopt measures in order to safeguard the application of Union legislation if exceptional monetary practices related to national currency are likely to jeopardise it. Those measures may, where necessary, derogate from the existing rules.

deleted

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

The European Parliament and the Council and the Member States shall be notified forthwith of the measures referred to in the first subparagraph.

Or. de

Justification

Article 2 is appropriate and is quite sufficient.

Amendment 656
Albert Deß

Proposal for a regulation
Article 110 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A common monitoring and evaluation framework shall be established with a view to measuring the performance of the common agricultural policy. It shall include all instruments related to the monitoring and evaluation of common agricultural policy measures and in particular of the direct payments provided for in Regulation (EU) No DP/xxx, the market measures provided for in Regulation (EU) No CMO/xxx, the rural development measures provided for in Regulation (EU) No RD/xxx and of the application of the cross compliance provided for in this Regulation.

Amendment

A common monitoring and evaluation framework shall be established, ***which may not, however, lead to additional payment, monitoring or penalisation systems for the 'greening of the CAP'***, with a view to measuring the performance of the common agricultural policy. It shall include all instruments related to the monitoring and evaluation of common agricultural policy measures and in particular of the direct payments provided for in Regulation (EU) No DP/xxx, the market measures provided for in Regulation (EU) No CMO/xxx, the rural development measures provided for in Regulation (EU) No RD/xxx and of the application of the cross compliance provided for in this Regulation.

Or. de

Amendment 657
Monika Hohlmeier

Proposal for a regulation
Article 110 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A common monitoring and evaluation framework shall be established with a view to measuring the performance of the common agricultural policy. It shall include all instruments related to the monitoring and evaluation of common agricultural policy measures and in particular of the direct payments provided for in Regulation (EU) No DP/xxx, the market measures provided for in Regulation (EU) No CMO/xxx, the rural development measures provided for in Regulation (EU) No RD/xxx and of the application of the cross compliance provided for in this Regulation.

Amendment

A common monitoring and evaluation framework shall be established with a view to measuring the performance of the common agricultural policy. It shall include all instruments related to the monitoring and evaluation of common agricultural policy measures and in particular of the direct payments provided for in Regulation (EU) No DP/xxx, the market measures provided for in Regulation (EU) No CMO/xxx, the rural development measures provided for in Regulation (EU) No RD/xxx and of the application of the cross compliance provided for in this Regulation. ***In this***

process the Commission shall exploit synergies and rely as far as possible on already available data and data sources.

Or. de

Justification

Monitoring and evaluation must not further increase the existing administrative burden on Member States and beneficiaries. The Commission should therefore rely on existing data sources and seek to achieve synergies.

Amendment 658
Julie Girling

Proposal for a regulation
Article 110 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

In order to ensure an effective performance measurement the Commission shall be empowered to adopt delegated acts in accordance with Article 111 regarding the content and construction of that framework.

deleted

Or. en

Justification

There needs to be more detail on what would be included in the Common Monitoring and Evaluation Framework to avoid burdensome requirements on administrations.

Amendment 659
Albert Deß

Proposal for a regulation
Article 110 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

The *impact* of the common agricultural

The *performance* of the common

policy measures referred to in paragraph 1 shall be measured in relation to the following objectives:

agricultural policy measures referred to in paragraph 1 shall be measured in relation to the following objectives:

Or. de

Amendment 660

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 110 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) viable food production, with a focus on **agricultural** income, agricultural productivity and price stability;

(a) viable food production, with a focus on **farmers' income, price margins, cost prices**, agricultural productivity and price stability;

Or. en

Justification

See the Bové report on the "Farm input supply chain: structure and implications. 2011/2114" (INI), adopted by EP 19/01/2012, also the Bové working document on "Fair revenues for farmers: A better functioning food supply chain in Europe" PE439.275v01, of 25.2.2010

Amendment 661

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 110 – paragraph 2 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) viable food production capacity and long term food security in developing countries; in particular the impact of trade with regards to EU price support for exports from the EU, and the elimination of obstacles such as tariffs and trade

barriers to exports from developing countries, in line with policy coherence for development (PCD),

Or. en

Justification

A "do no harm" CAP in terms of policy coherence for development (PCD) means a CAP which does not jeopardise food production and long term food security or have negative impacts on livelihoods of local and smallholder producers in developing countries. Trade, agriculture, aid and development policies shall support synergies in this regard and not undermine these development objectives.

Amendment 662

Karin Kadenbach, Brian Simpson, Christel Schaldemose, Åsa Westlund, Phil Prendergast

Proposal for a regulation

Article 110 – paragraph 2 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) external impact on the right to food including impact on food production capacity, on farmers' incomes and livelihoods and on access to land in developing countries and in poor countries which have policies aimed reducing their dependence on imported food.

Or. en

Amendment 663

Hans-Peter Mayer

Proposal for a regulation

Article 110 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

The Commission shall define, *by means of*

The Commission shall *be empowered to*

implementing acts, the set of indicators specific to the objectives referred to in the first subparagraph. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).***

adopt delegated acts ***in accordance with Article 111 in order to*** define the set of indicators specific to the objectives referred to in the first subparagraph.

Or. de

Justification

This is more than a merely technical decision.

Amendment 664
Radvilė Morkūnaitė-Mikulėnienė

Proposal for a regulation
Article 110 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission shall define, by means of implementing acts, the set of indicators specific to the objectives referred to in the first subparagraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

Amendment

The Commission shall define, by means of implementing acts, the set of indicators specific to the objectives referred to in the first subparagraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3). ***The indicators shall be linked to the structure and objectives of the policy and shall allow for the assessment of the progress, effectiveness and efficiency of the policy against objectives.***

Or. en

Amendment 665
Julie Girling

Proposal for a regulation
Article 110 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission shall define, by means of implementing acts, the set of indicators specific to the objectives referred to in the first subparagraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

Amendment

The Commission shall define, by means of implementing acts, the set of indicators specific to the objectives referred to in the first subparagraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3). ***The indicators shall be linked to the structure and objectives of the policy and shall allow for the assessment of the progress, effectiveness and efficiency of the policy against objectives.***

Or. en

Justification

There needs to be more detail on what would be included in the Common Monitoring and Evaluation Framework to avoid burdensome requirements on administrations.

Amendment 666
Julie Girling

Proposal for a regulation
Article 110 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The monitoring and evaluation framework shall reflect the structure of the common agricultural policy in the following way:

(a) For the direct payments provided for in Regulation (EU) No DP/xxx, the market measures provided for in Regulation (EU) No CMO/xxx, and of the application of the cross compliance provided for in this Regulation, the Commission shall monitor these instruments based on reporting by Member States in accordance with the rules laid down in this regulation. The

Commission shall establish a multi-annual evaluation plan with periodic evaluations of specific instruments to be carried out under Commission responsibility. Evaluations shall be carried out timely and by independent evaluators.

(b) The monitoring and evaluation of rural development policy intervention will be carried out according to Art. 74-86 of Regulation (EU) No RD/xxx.

The Commission shall ensure that the combined impact of all common agricultural policy instruments referred to in paragraph 1 will be measured and assessed in relation to the common objectives referred to in paragraph 2. The performance of the common agricultural policy in achieving its common objectives shall be measured and assessed on the basis of common impact indicators, and the underlying specific objectives on the basis of result indicators. Based on evidence provided in evaluations on the common agricultural policy, including evaluations on rural development programmes, as well as other relevant information sources, reports on measuring and assessing the joint performance of all common agricultural policy instruments shall be prepared by the Commission.

Or. en

Justification

There needs to be more detail on what would be included in the Common Monitoring and Evaluation Framework to avoid burdensome requirements on administrations.

Amendment 667
George Lyon, Sylvie Goulard, Britta Reimers

Proposal for a regulation
Article 110 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Member States shall provide the Commission with all the information necessary to permit the monitoring and evaluation of the measures concerned.

Amendment

Member States shall provide the Commission with all the information necessary to permit the monitoring and evaluation of the measures concerned. ***To the extent possible, such information shall be based on established sources of data, such as Farm Accountancy Data Network and Eurostat.***

Or. en

Justification

A substantial amount of information is already collected and supplied by the Member States and beneficiaries. It is therefore important that the framework relies, in the future, on established sources of data and that any new requirements of information is kept to a minimum.

Amendment 668
Julie Girling

Proposal for a regulation
Article 110 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Member States shall provide the Commission with all the information necessary to permit the monitoring and evaluation of the measures concerned.

Amendment

Member States shall provide the Commission with all the information necessary to permit the monitoring and evaluation of the measures concerned. ***To the extent possible, such information shall be based on established sources of data, such as the Farm Accountancy Data Network and Eurostat.***

Or. en

Justification

There needs to be more detail on what would be included in the Common Monitoring and

Evaluation Framework to avoid burdensome requirements on administrations.

Amendment 669

George Lyon, Britta Reimers

Proposal for a regulation

Article 110 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The Commission shall adopt, by means of implementing acts, rules on the information to be sent by the Member States, as well as on the data needs and synergies between potential data sources. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

Amendment

The Commission shall adopt, by means of implementing acts, rules on the information to be sent by the Member States, ***taking into account the need to avoid any undue administrative burden,*** as well as on the data needs and synergies between potential data sources. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

Or. en

Justification

A substantial amount of information is already collected and supplied by the Member States and beneficiaries. It is therefore important that the framework relies, in the future, on established sources of data and that any new requirements of information is kept to a minimum.

Amendment 670

Julie Girling

Proposal for a regulation

Article 110 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The Commission shall adopt, by means of implementing acts, rules on the information to be sent by the Member States, as well as on the data needs and synergies between potential data sources. Those implementing acts shall be adopted

Amendment

The Commission shall adopt, by means of implementing acts, rules on the information to be sent by the Member States, ***taking into account the need to avoid any undue administrative burden,*** as well as on the data needs and synergies

in accordance with the examination procedure referred to in Article 112(3).

between potential data sources. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

Or. en

Justification

There needs to be more detail on what would be included in the Common Monitoring and Evaluation Framework to avoid burdensome requirements on administrations.

Amendment 671
Monika Hohlmeier

Proposal for a regulation
Article 110 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The Commission shall adopt, by means of implementing acts, rules on the information to be sent by the Member States, as well as on the data needs and synergies between potential data sources. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

Amendment

The Commission shall adopt, by means of implementing acts, rules on the information to be sent by the Member States, as well as on the data needs and synergies between potential data sources. ***These implementing acts must not lead to any further increase in the administrative burden on Member States and the beneficiaries.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

Or. de

Amendment 672
Julie Girling

Proposal for a regulation
Article 110 – paragraph 4

Text proposed by the Commission

4. The Commission shall present a report on the implementation of this Article to the European Parliament and the Council **every four years**. **The first** report shall be presented not later than 31 December **2017**.

Amendment

4. The Commission shall present a **first** report on the implementation of this Article, **including first results on the impact of the common agricultural policy**, to the European Parliament and the Council **not later than 31 December 2018**. **A second** report **including an assessment of the impact of the common agricultural policy** shall be presented not later than 31 December **2021**.

Or. en

Justification

There needs to be more detail on what would be included in the Common Monitoring and Evaluation Framework to avoid burdensome requirements on administrations.

Amendment 673

Åsa Westlund, Göran Färm, Marita Ulvskog

Proposal for a regulation

Article 110 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Complaints by small scale farmers and affected groups in development countries in serious difficulties or threatened with serious difficulties directly or indirectly caused by the CAP policies should be received by the EP Standing Rapporteur on PCD, and should be recorded in the Commission annual report. The complainant shall be assisted by a DG Agriculture Hearing Officer to ensure a fair hearing of the case. Evidence may be presented by the affected groups or other interested parties.

Or. en

Justification

Hearing Officers already exist in DG Competition and DG Trade. There is a need to ensure some broader procedural contribution of EU agricultural industry and exporters to compliance with human rights and policy coherence for development obligations. Therefore, a Hearing Officer for DG Agriculture is suggested.

Amendment 674

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 110 a (new)

Text proposed by the Commission

Amendment

Article 110a

Assessment of impacts on developing countries

1. In accordance with Article 208 TFEU, the impact of the CAP on food production capacity and long term food security in developing countries shall be subject to regular and independent assessments, paying special attention to impacts on local and smallholder producers. The assessment shall also build on evidence submitted by governments, farmers' organisations, civil society organisations and other stakeholders in developing countries which are EU trading partners.

2. The Commission shall define, by means of delegated acts, the scope and the procedure for the impact assessment, taking into account relevant international initiatives, in particular by the United Nations Special Rapporteur on the Right to Food, the FAO, and the Committee on Food Security.

3. The Commission shall transmit an annual report to the Council and to the European Parliament about the results of the assessment, the evidence received and the EU's policy response.

Justification

Article 208 TFEU. The FAO and the Committee on Food Security are strictly speaking, two different entities, and both should be referenced.

Amendment 675
Esther de Lange

Proposal for a regulation
Article 110 a (new)

Text proposed by the Commission

Amendment

Article 110a

Assessment of impacts on developing Countries

1. In accordance with Article 208 TFEU, the impact of the CAP on food production capacity and long term food security in developing countries shall be subject to regular and independent assessments, paying special attention to impacts on local and smallholder producers. The assessment shall also build on evidence submitted by governments, farmers' organisations, civil society organisations and other stakeholders in developing countries which are EU trading partners.

2. The Commission shall define, by means of implementing acts, the scope and the procedure for the impact assessment, taking into account relevant international initiatives, in particular by the United Nations Special Rapporteur on the Right to Food and the FAO Committee on Food Security. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 112(3).

3. The Commission shall transmit an annual report to the Council and to the

European Parliament about the results of the assessment, the evidence received and the EU's policy response.

Or. en

Amendment 676
Julie Girling, James Nicholson

Proposal for a regulation
Article 110 a (new)

Text proposed by the Commission

Amendment

Article 110a

Chapter IV Regionalisation

Where appropriate and in accordance with their constitutional arrangements, Member States may implement provisions of the common agricultural policy at regional level

Or. en

Amendment 677
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 110 b (new)

Text proposed by the Commission

Amendment

Article 110b

Complaints by smallholders and affected groups in development countries in serious difficulties or threatened with serious difficulties directly or indirectly caused by the CAP should be received by the EP Standing Rapporteur on PCD, and should be recorded in the Commission annual report. The complainant shall be assisted by a DG Agriculture Hearing

Officer to ensure a fair hearing of the case. Evidence may be presented by the affected groups or other interested parties.

Or. en

Justification

There is a need to ensure some broader procedural contribution of EU agricultural industry and exporters to compliance with human rights and policy coherence for development obligations. Hearing Officers, Commission officials who receive information on breaches with rules, already exist in DG Competition and DG Trade. Therefore, a Hearing Officer for DG Agriculture and Rural Development is suggested.

Amendment 678

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 110 c (new)

Text proposed by the Commission

Amendment

Article 110c

Generally, when concluding trade agreements, safeguard clauses should be inserted, for negative impacts of the CAP on long term food security and serious difficulties caused to smallholders. Such a social safeguard shall be available to affected groups or countries in case of negative impact of the CAP. A social safeguard clause may be based on Art. 25(2b) of the Cariforum-EU EPA, stating that a safeguard measure may be taken when a product is being imported into the territory of the other Party in such increased quantities and under such conditions as to cause or threaten to cause disturbances in a sector of the economy, particularly where these disturbances produce major social problems.

Or. en

Justification

Social safeguard clause: precedent of Art. 25(2b) of the Cariforum-EU EPA

Amendment 679

Giovanni La Via

Proposal for a regulation

Article 111 – paragraph 2

Text proposed by the Commission

The delegation of power referred to in this Regulation shall be conferred on the Commission for *an indeterminate period of time from the entry into force of this Regulation.*

Amendment

The delegation of power referred to in this Regulation shall be conferred on the Commission for *a period of five years from ...*.*

**Date of entry into force of this Regulation.*

Or. en

Justification

In line with the position adopted by the Committee on Agriculture and Rural Development (A7-0209/2011 of 25 May 2011) during the process of alignment with the Lisbon Treaty provisions.

Amendment 680

Hans-Peter Mayer

Proposal for a regulation

Article 111 – paragraph 2

Text proposed by the Commission

(2) The delegation of power referred to in this Regulation shall be conferred on the Commission for *an indeterminate* period of *time* from the entry into force of this Regulation.

Amendment

(2) The delegation of power referred to in this Regulation shall be conferred on the Commission for *a* period of *five years* from the entry into force of this Regulation.

Justification

The EP should actively confirm the delegation of powers to the Commission and in case of doubt not have fight in the House for the recovery of its own legislative rights.

Amendment 681
Hans-Peter Mayer

Proposal for a regulation
Article 111 – paragraph 2 — subparagraph 1a (new)

Text proposed by the Commission

Amendment

The Commission shall, not later than nine months before the expiry of a period of five years, submit a report on the delegated powers. The delegation of power shall be extended by the same period if the European Parliament and the Council agree to this extension not later than three months before the end of each period. To this end, the European Parliament shall decide by a majority of its members and the Council by a qualified majority.

Justification

The EP should actively confirm the delegation of powers to the Commission and in case of doubt not have fight in the House for the recovery of its own legislative rights.

Amendment 682
Giovanni La Via

Proposal for a regulation
Article 111 – paragraph 2 — subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of this five years period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Justification

In line with the position adopted by the Committee on Agriculture and Rural Development (A7-0209/2011 of 25 May 2011) during the process of alignment with the Lisbon Treaty provisions.

Amendment 683
Hans-Peter Mayer

Proposal for a regulation
Article 111 – paragraph 2 — subparagraph 1a (new)

Text proposed by the Commission

Amendment

The Commission shall, not later than nine months before the expiry of a period of five years, submit a report on the delegated powers. The delegation of power shall be extended tacitly for the same period, unless the European Parliament or the Council revokes the extension not later than three months before the expiry of the period in question.

Or. de

Amendment 684
Rareș-Lucian Niculescu

Proposal for a regulation
Annex 1 – Title

Text proposed by the Commission

Minimum scope of the farm advisory system ***in the field of climate change mitigation and adaptation, biodiversity, the protection of water, animal and plant disease notification and innovation***, as laid down in Article 12(2)(c)

Amendment

Scope of the farm advisory system ***covering rural development measures and therefore going beyond cross compliance and greening***, as laid down in Article 12(3)(c)

Or. en

Amendment 685
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex 1 – paragraph 1 – subparagraph 1 – indent 1

Text proposed by the Commission

– Information on ***prospective*** impacts of climate change ***in the relevant regions***, of the ***green house*** gas emissions of the relevant farming practices and on the contribution of the agricultural sector to mitigation through improved farming and agroforestry practices and through the development of renewable energy projects on ***farm*** and energy efficiency ***improvement on farm***.

Amendment

– Information on ***current and projected future*** impacts of climate change, of the ***greenhouse*** gas emissions of the relevant farming practices and on the contribution of the agricultural sector to mitigation through improved farming and agroforestry practices and through the development of renewable energy projects ***based on solar, wind and waste on-farm and ways of improving energetic self-sufficiency and achieving*** energy efficiency ***on-farm, e.g. energy efficiency planning schemes***.

Or. en

Justification

Climate change is already affecting farmland and will likely impact every region, according to the overwhelming scientific consensus.

Amendment 686

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 1 – indent 1 a (new)

Text proposed by the Commission

Amendment

- Information helping farmers to plan how best to invest in climate-proofing their farm systems, and which EU funds they can use to do so; Specifically, information on adaptation of farm land to climatic fluctuations and longer term changes, and information on how to adopt practical agronomic measures to increase resilience of farming systems to floods and droughts, and to improve and optimise soil carbon levels.

Or. en

Justification

This will help farmers to plan how best to invest in climate-proofing their farm systems, and which EU funds they can use to do so.

Amendment 687

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 1 – indent 11 a (new)

Text proposed by the Commission

Amendment

- Information on optimising production and cutting production costs by promoting pasture-based grazing systems for ruminants rather than reliance on imported soya, including information on optimising the potential of temporary

grasslands with grass-legume mixes, etc

Or. en

Amendment 688

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 2 – indent 7 a (new)

Text proposed by the Commission

Amendment

- Information on the positive correlation between biodiversity and agro-ecosystem resilience, and the spreading of risk, and also the link between monocultures and susceptibility to crop failure/damage from pests and extreme climatic events

Or. en

Amendment 689

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 2 – indent 8 a (new)

Text proposed by the Commission

Amendment

- Information on how to best prevent the spread of alien invasive species and why this is important for effective ecosystem functioning and resilience against climate change, including information on access to funding for eradication schemes where additional costs are implied

Or. en

Amendment 690
Britta Reimers

Proposal for a regulation
Annex 1 – paragraph 1 – subparagraph 2 – indent 8 a (new)

Text proposed by the Commission

Amendment

- Guidelines targeted to foster intelligent interaction between independent farming areas to improve protection of biodiversity, and more efficient usage of farming inputs in line with the Integrated Crop Management principles established in the SUD.

Or. en

Justification

Intelligent cooperation between independent nearby farming areas is one of the elements which substantially contributes to a better protection of biodiversity through a better use of natural resources. Guidelines targeted to foster this kind of cooperation between them should be developed will ensure that farmers are provided with information and guidelines (to be developed by Member States) on how to foster interaction between their farms and reduce the impact on the environment and biodiversity from their activities. In particular, the Sustainable Use Directive and Integrated Pest Management provide an excellent framework for this interaction.

Amendment 691
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex 1 – paragraph 1 – subparagraph 3 – introductory part

Text proposed by the Commission

Amendment

Protection of water:

Protection of water **and efficient nutrient cycling**:

Or. en

Amendment 692

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 3 – indent 2

Text proposed by the Commission

– Proper use of plant protection product as laid down in Article 55 of Regulation (EC) No 1107/2009, in particular the compliance with the general principles of integrated pest management as referred to in Article 14 of Directive 2009/128/EC establishing a framework for Community action to achieve the sustainable use of pesticide.

Amendment

– Proper use of plant protection product as laid down in Article 55 of Regulation (EC) No 1107/2009, in particular the compliance with the general principles of integrated pest management as referred to in Article 14 of Directive 2009/128/EC establishing a framework for Community action to achieve the sustainable use of pesticide.
Specifically advice on integrated pest management and use of non chemical alternatives to pesticides, including the use of biological control measures as a means of reducing or mitigating pests and pest effects such as the use of natural enemies and natural plant strengtheners, as well as occupational safety standards.

Or. en

Amendment 693

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 3 – indent 5 a (new)

Text proposed by the Commission

Amendment

- Information on the benefits of closed-loop systems and efficient on-farm/local nutrient cycling for on-farm production costs and reducing public expenditure on externalised costs, as well as information on nutrient management plans

Or. en

Amendment 694

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 3 – indent 5 b (new)

Text proposed by the Commission

Amendment

- Information on sustainable, low volume irrigation systems and how to optimise rain-fed systems, to promote efficient water use.

Or. en

Amendment 695

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 3 – indent 5 c (new)

Text proposed by the Commission

Amendment

- Information on reducing water use in agriculture, including crop choice, improving soil humus to increase water retention and decreasing the need to irrigate.

Or. en

Amendment 696

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 4 – introductory part

Text proposed by the Commission

Amendment

Notification of animal and plant diseases:

Animal and plant diseases:

Or. en

Justification

Advice on diseases should extend to more than just notification obligations, and should at least address the causes of disease

Amendment 697

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 4 – indent 4 a (new)

Text proposed by the Commission

Amendment

- Council Directive 2009/128/EC of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, including the obligations relating to integrated pest management.

Or. en

Amendment 698

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 4 a (new)

Text proposed by the Commission

Amendment

**Maintaining a healthy and fertile soil:
- Information on increasing soil biota and improving crumb structure via simple agronomic methods such as crop rotation**

and manuring and impacts on long-term fertility, productive capacity and drainage; over-reliance on synthetic fertilisers and consequences for soil health, water pollution and farm production costs; reducing pest build-up and pest outbreaks via crop rotation.

Or. en

Amendment 699

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 5 – introductory part

Text proposed by the Commission

Amendment

Innovation:

Innovation (*horizontal to all themes mentioned above*):

Or. en

Amendment 700

Britta Reimers

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 5 – indent 1

Text proposed by the Commission

Amendment

– Information on *actions targeted towards innovation*.

– Information on *the objectives of the European Innovation Partnerships for Agricultural productivity and sustainability as stated on Article 61 of Regulation (EU) RD*.

Or. en

Justification

The work and activity of the EIP for Agricultural Productivity and Sustainability cannot be

dissociated from the Farm Advisory System. Their interdependence and linkages should be further developed in order to maximize their utility and scope. Introducing information on the objectives of the EIP and on the existing operational groups and their tasks within the minimum scope of the Farm Advisory System would ensure that farmers are aware of the ongoing activities and will foster further synergies between both instruments.

Amendment 701
Britta Reimers

Proposal for a regulation
Annex 1 – paragraph 1 – subparagraph 5 – indent 1 a (new)

Text proposed by the Commission

Amendment

- Information on the existing operational groups created under article 62 of Regulation (EU)RD including their tasks and foster exchange and cooperation with them when appropriate.

Or. en

Justification

The work and activity of the EIP for Agricultural Productivity and Sustainability cannot be dissociated from the Farm Advisory System. Their interdependence and linkages should be further developed in order to maximize their utility and scope. Introducing information on the objectives of the EIP and on the existing operational groups and their tasks within the minimum scope of the Farm Advisory System would ensure that farmers are aware of the ongoing activities and will foster further synergies between both instruments.

Amendment 702
Britta Reimers

Proposal for a regulation
Annex 1 – paragraph 1 – subparagraph 5 – indent 3 a (new)

Text proposed by the Commission

Amendment

- Information on Rural Development Programmes oriented to the fulfilment of the priorities of knowledge transfer and innovation in agriculture as stated in

Article 5 (1) of Regulation (EU) RD.

Or. en

Justification

Providing information to farmers on the existing rural development programs oriented to the fulfilment of the priorities of knowledge transfer and innovation in Agriculture will facilitate the participation of farmers in these programs and will contribute to accelerate the transition towards a more innovative, productive and competitive agriculture.

Amendment 703

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex 1 – paragraph 1 – subparagraph 5 a (new)

Text proposed by the Commission

Amendment

Exchange of best practice, training and capacity building (horizontal to all themes mentioned above)

Or. en

Amendment 704

Brian Simpson

Proposal for a regulation

Annex 2 – title

Text proposed by the Commission

Amendment

Article 3(1), Article 3(2)(b), Article 4(1), (2) and (4), Article 5(a), (b), (d)

(This Amendment applies to SMR2 "Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7)")

Or. en

Justification

It is essential for protection of farmland birds that Articles 5(a), (b), (d) from the Birds Directive, relating to deliberate killing or capture of wild birds, damage to eggs and nests and disturbance of birds, are reinstated in the SMR requirements.

Amendment 705

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — introductory part

Text proposed by the Commission

Amendment

SMR: Statutory management requirement

SMR: Statutory management requirement

GAEC: Standards for good agricultural and environmental condition of **land**

GAEC: Standards for good agricultural and environmental condition of **farming systems**

Or. en

Amendment 706

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Title of Main Issue "Water"

Text proposed by the Commission

Amendment

Water

Water **protection and efficient nutrient cycling**

Or. en

Amendment 707

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation

Annex II — Main Issue ‘Water’ — SMR 1— last column

Text proposed by the Commission

Amendment

Articles 4 and 5

Compliance with the action programme and with the codes of good agricultural practice established by the Member States pursuant to Articles 4 and 5, for farms in areas that are vulnerable to nitrate pollution

Or. es

Amendment 708

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation

Annex II — Main Issue ‘Water’ — SMR1 — last column

Text proposed by the Commission

Amendment

Articles 4 and 5

Compliance with the action programme and with the code of good practice for farms in vulnerable areas

Or. es

Justification

Rather than a reference to articles from directives relating to Member States’ obligations in general, there should be a reference to the specific requirements that beneficiaries have to meet.

Amendment 709

Nessa Childers, Dan Jørgensen, Bas Eickhout, Jutta Haug, Satu Hassi

Proposal for a regulation

Annex II — Main Issue "Water" — SMR 1 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

The legal baseline of the WFD should be included as SMR under Annex II. The deadline for Member States to make their WFD programmes operational is December 2012 (Art. 11 of Dir. 2000/60/EC). Therefore, there is no need for delegated acts, as the requirement will already exist by the entry into force of the new CAP. Within the WFD, clear reference should be made to the detailed rules of application, as outlined in Art. 11(3). Moreover, water pricing in agriculture is essential for allocating water resources more efficiently and must therefore be implemented throughout the EU (Art 9 of the WFD- due in 2010).

Amendment 710

Nessa Childers, Dan Jørgensen, Bas Eickhout, Jutta Haug, Satu Hassi

Proposal for a regulation

Annex II — Main Issue "Water" — SMR 1 a (new) — last column

Text proposed by the Commission

Amendment

***Article 9, Article 11(3)(e), Article 11(3)(g),
Article 11(3)(h), Article 11(3)(i), Article
11(3)(j)***

Or. en

Justification

The legal baseline of the WFD should be included as SMR under Annex II. The deadline for Member States to make their WFD programmes operational is December 2012 (Art. 11 of Dir. 2000/60/EC). Therefore, there is no need for delegated acts, as the requirement will already exist by the entry into force of the new CAP. Within the WFD, clear reference should be made to the detailed rules of application, as outlined in Art. 11(3). Moreover, water pricing in agriculture is essential for allocating water resources more efficiently and must therefore be implemented throughout the EU (Art 9 of the WFD- due in 2010).

Amendment 711

Corinne Lepage

Proposal for a regulation

Annex II — Main Issue "Water" — SMR 1a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 712

Corinne Lepage

Proposal for a regulation

Annex II — Main Issue "Water" — SMR 1a (new) — last column

Text proposed by the Commission

Amendment

Article 9, Article 11(3)(e), Article 11(3)(g), Article 11(3)(h), Article 11(3)(i), Article 11(3)(j)

Or. en

Amendment 713

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Water" - SMR 1a (new)

Text proposed by the Commission

Amendment

Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy

Or. en

Amendment 714
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex II — Main Issue "Water" — SMR 1a (new) — last column

Text proposed by the Commission

Amendment

Art. 9, Art. 11(3) e, g-j

Or. en

Amendment 715
Michel Dantin

Proposal for a regulation
Annex II — Main Issue 'Water' — GAEC 3

Text proposed by the Commission

Amendment

Protection of ground water against pollution: prohibition of direct discharge into groundwater and measures to prevent indirect pollution of groundwater through discharge on the ground and percolation through the soil of dangerous substances, as listed in the Annex to the Directive 80/68/EEC

deleted

Or. fr

Amendment 716
Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation
Annex II — Main Issue 'Water' — GAEC 3

Text proposed by the Commission

Amendment

Protection of ground water against pollution: prohibition of direct discharge into groundwater and measures to prevent indirect pollution of groundwater through

Correct application of plant protection products; use of authorised products only, in the recommended quantities and in line with the indications on the label. Keeping

discharge on the ground and percolation through the soil of dangerous substances, as listed in the Annex to the Directive 80/68/EEC

a record of the name of the product used, its formulation, the date and parcel of land on which it was applied, the person applying it and the level of that person's qualifications, the amount applied and the method of application

Or. es

Justification

The relevant cross-compliance obligations will include Directive 2000/60/EC as soon as the Member States transpose it into their national legislation. This requirement ought therefore to be deleted and replaced by one that is preventative and can be verified.

Amendment 717

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Water" — GAEC 3a (new)

Text proposed by the Commission

Amendment

Maximum stocking density for absorption capacity of farm area

Or. en

Amendment 718

Albert Deß

Proposal for a regulation

Annex II — Main Issue "Soil and carbon stock" — GAEC 4

Text proposed by the Commission

Amendment

Minimum soil cover

deleted

Or. de

Amendment 719
Diane Dodds

Proposal for a regulation
Annex II — Main Issue "Soil and carbon stock" GAEC 4

Text proposed by the Commission

Amendment

Minimum soil cover

deleted

Or. en

Amendment 720
Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation
Annex II — Main Issue 'Soil and carbon stock' — GAEC 4

Text proposed by the Commission

Amendment

Minimum soil cover

On sloping land on which ligneous crops are grown, maintaining soil cover with grassy vegetation (wild or sown), except when this may compete for nutrients with the crops

Or. es

Justification

The Commission's wording is very generic and could lead to problems when it comes to applying the legislation.

Amendment 721
Albert Deß

Proposal for a regulation
Annex II — Main Issue "Soil and carbon stock" — GAEC 5

Text proposed by the Commission

Amendment

Minimum land management reflecting site specific conditions to limit erosion

deleted

Or. de

Amendment 722
Diane Dodds

Proposal for a regulation
Annex II — Main Issue "Soil and carbon stock" GAEC 5

Text proposed by the Commission

Amendment

*Minimum land management reflecting
site specific conditions to limit erosion* *deleted*

Or. en

Amendment 723
Diane Dodds

Proposal for a regulation
Annex II — Main Issue "Soil and carbon stock" GAEC 6

Text proposed by the Commission

Amendment

*Maintenance of soil organic matter level
including ban on burning arable stubble* *deleted*

Or. en

Amendment 724
Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation
Annex II — Main Issue 'Soil and carbon stock' — GAEC 6

Text proposed by the Commission

Amendment

*Maintenance of soil organic matter level
including ban on burning arable stubble* *Ban on burning arable stubble, except for
plant health reasons and pruning residue*

Or. es

Justification

This is one of the most damaging practices.

Amendment 725

Anthea McIntyre, Julie Girling, James Nicholson, Richard Ashworth

Proposal for a regulation

Annex II — Main Issue "Soil and carbon stock" — GAEC 6

Text proposed by the Commission

Amendment

Maintenance of soil organic matter level including ban on burning arable stubble

Maintenance of soil organic matter level ***through appropriate practices*** including ban on burning arable stubble

Or. en

Amendment 726

Albert Deß

Proposal for a regulation

Annex II — Main Issue "Soil and carbon stock" — GAEC 7

Text proposed by the Commission

Amendment

Protection of wetland and carbon rich soils including a ban of first ploughing

deleted

Or. de

Amendment 727

Michel Dantin

Proposal for a regulation

Annex II — Main Issue 'Soil and carbon stock' — GAEC 7

Text proposed by the Commission

Amendment

Protection of wetland and carbon rich soils including a ban of first ploughing

deleted

Amendment 728

Anneli Jäätteenmäki, Riikka Manner, Nils Torvalds, Hannu Takkula, Petri Sarvamaa

Proposal for a regulation

Annex II — Main Issue "Soil and carbon stock" — GAEC 7

Text proposed by the Commission

Amendment

Protection of wetland and carbon rich soils including a ban of first ploughing. ***deleted***

Or. en

Justification

Protection of wetland and carbon rich soils including a ban of first ploughing is very discriminative for some Member States. The share of carbon rich soil is much higher in some Member States than in other member states. Such measure should not be introduced in individual farm level. There could be a lot of cases when a ban of first ploughing could prevent the necessary structural development of individual farm.

Amendment 729

Diane Dodds

Proposal for a regulation

Annex II — Main Issue "Soil and carbon stock" GAEC 7

Text proposed by the Commission

Amendment

Protection of wetland and carbon rich soils including a ban of first ploughing ***deleted***

Or. en

Amendment 730

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Soil and carbon stock" — GAEC 7

Text proposed by the Commission

Amendment

Protection of wetland and carbon rich soils including a ban of **first** ploughing

Protection of wetland and carbon rich soils including a ban of ploughing **and conversion**

Or. en

Justification

A more logical wording if the aim is to prevent release of carbon via ploughing: if a C-rich peaty soil or wetland was ploughed many years ago, it would fall out of the rule but there would still be substantial carbon release and mineralisation.

Amendment 731

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation

Annex II — Main Issue 'Soil and carbon stock' — GAEC 7

Text proposed by the Commission

Amendment

Protection of wetland and **carbon rich soils** including a ban of first ploughing¹

Protection of wetland, **peatland** and **moorland**, including a ban on first ploughing¹

Ploughing of wetland and **carbon rich land** which has been defined in 2011 at the latest as arable land in accordance with Article 2 point (a) of Regulation (EC) No 1120/2009 and which complies with the definition of arable land as laid down in Article 4 point (f) of the Regulation (EU) No DP/xxx shall not be considered as first ploughing.

Ploughing of wetland, **peatland** and **moorland** which has been defined in 2011 at the latest as arable land in accordance with Article 2 point (a) of Regulation (EC) No 1120/2009 and which complies with the definition of arable land as laid down in Article 4 point (f) of Regulation (EU) No DP/xxx shall not be considered as first ploughing.

Or. es

Amendment 732

Diane Dodds

Proposal for a regulation
Annex II — Main Issue "Soil and carbon stock" GAEC 7

Text proposed by the Commission

Amendment

Protection of wetland and carbon rich soils including a ban of first ploughing¹

Protection of wetland and carbon rich soils including a ban of first ploughing¹

¹ Ploughing of *wetland and carbon rich land which has been defined in 2011 at the latest as arable land in accordance with Article 2 point (a) of Regulation (EC) No 1120/2009 and which complies with the definition of arable land as laid down in Article 4 point (f) of the Regulation (EU) No DP/xxx* shall not be considered as first ploughing.

¹ Ploughing of *grassland which is immediately reseeded as grass* shall not be considered first ploughing.

Or. en

Amendment 733
Andrea Zanoni

Proposal for a regulation
Annex II — Main Issue "Biodiversity" — SMR 2 — last column

Text proposed by the Commission

Amendment

Article 3(1), Article 3(2)(b), Article 4 (1), (2) and (4)

Article 3(1), Article 3(2)(b), Article 4 (1), (2) and (4), **article 5 (a), (b) and (d)**

Or. en

Justification

Articles from the Birds Directive have been removed from the SMR requirements. These relate to deliberate killing or capture of wild birds, damage to eggs and nests and disturbance of birds. We want to see these articles come back into the SMR as there is clear evidence that deliberate killing of birds, particularly birds of prey and singing birds, is an ongoing problem on farmland and with CAP beneficiaries. The threat of penalties to CAP payments provides an extremely useful deterrent.

Amendment 734

Anthea McIntyre, Julie Girling, James Nicholson, Richard Ashworth

Proposal for a regulation

Annex II — Main Issue "Biodiversity" — SMR 2 — last column

Text proposed by the Commission

Amendment

Article 3(1), Article 3(2)(b), Article 4 (1),
(2) and (4)

Article 3(1), Article 3(2)(b), Article 4 (1),
(2) and (4), **Article 5(a), (b), (d)**

Or. en

Amendment 735

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Biodiversity" — SMR 2 — last column

Text proposed by the Commission

Amendment

Article 3(1), Article 3(2)(b), Article 4 (1),
(2) and (4)

Article 3(1), Article 3(2)(b), Article 4 (1),
(2) and (4), **Art.5 (a, b, d)**

Or. en

Justification

Reinsertion of articles which have been removed from the list of those applicable to the SMR requirements (Article 5(a), (b), (d) of Birds Directive 2009/147/EC), relating to deliberate killing or capture of wild birds, damage to eggs and nests and disturbance of birds.

Amendment 736

Nessa Childers, Dan Jørgensen, Bas Eickhout, Jutta Haug, Satu Hassi

Proposal for a regulation

Annex II — Main Issue "Biodiversity" — SMR 2— last column

Text proposed by the Commission

Amendment

Article 3(1), Article 3(2)(b), Article 4 (1),
(2) and (4)

Article 3(1), Article 3(2)(b), Article 4 (1),
(2) and (4), **Article 5(a), (b), (d)**

Justification

The Commission has removed Article 5(a), (b), and (d) of the Birds Directive 2009/147/EC from the current SMR requirements. These relate to the deliberate killing or capture of wild birds, damage to eggs and nests and disturbance of birds. There is clear evidence that the deliberate killing of birds, particularly birds of prey and singing birds is an ongoing problem on farmland and with CAP beneficiaries. Therefore the addition made to GAEC to include a ban on hedge and tree cutting during the bird breeding season is not enough to justify the removal of the Birds Directive articles.

Amendment 737

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation

Annex II — Main Issue ‘Biodiversity’ — SMR 2 — last column

Text proposed by the Commission

Amendment

Article 3(1), Article 3(2)(b), Article 4 (1), (2) and (4)

Compliance with the measures established by the Member States for SBPAs under Article 4(4)

Or. es

Amendment 738

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation

Annex II — Main Issue ‘Biodiversity’ — SMR 2 — last column

Text proposed by the Commission

Amendment

Article 3(1), Article 3(2)(b), Article 4 (1), (2) and (4)

Complying with restrictions on agricultural activity in areas that are important for wild birds and with the obligations applicable in Special Bird Protection Areas

Or. es

Justification

Rather than a reference to articles from directives relating to Member States' obligations in general, there should be a reference to the specific requirements that beneficiaries have to meet.

Amendment 739

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Biodiversity" — SMR 3 — last column

Text proposed by the Commission

Amendment

Article 6 (1) and (2)

Article 6 (1) and (2), **Art. 6(3,4)**, **Art. 13(1)a**

Or. en

Justification

Reinsertion of articles removed from the list of those applicable to the SMR requirements (Article 6(3-4) and Article 13(1)a of Habitats Directive 92/43/EEC), relating to impacts of planning decisions and other projects likely to have a significant effect on Natura 2000 sites, mitigation for any site damage if the work goes ahead, and to deliberate destruction of protected species of wild plants.

Amendment 740

Nessa Childers, Dan Jørgensen, Bas Eickhout, Jutta Haug, Satu Hassi

Proposal for a regulation

Annex II — Main Issue "Biodiversity" — SMR 3— last column

Text proposed by the Commission

Amendment

Article 6 (1) and (2)

Article 6 (1) and (2), **Article 6 (3), (4)**,
Article 13(1)(a)

Or. en

Justification

The Commission has removed Article 6 (3), (4) and Article 13(1)(a) of the Habitats Directive

92/43/EEC from the current SMR. These relate to the requirement for national authorities to assess plans and projects likely to have a significant effect on Natura 2000 sites and mitigate for damages to the site in case the project is carried out. There is no reason to remove these articles from the SMR.

Amendment 741

Andrea Zanoni

Proposal for a regulation

Annex II — Main Issue "Biodiversity" — SMR 3 — last column

Text proposed by the Commission

Amendment

Article 6 (1) *and* (2)

Article 6 (1), (2), (3) *and* (4), **article 13, (1) (a)**

Or. en

Justification

Articles from the Habitats Directive have been removed from the SMR requirements. These relate to the requirement for national authorities to assess plans and projects likely to have a significant effect on Natura 2000 sites and mitigate for any damage to the site if the work goes ahead, and to the deliberate destruction of protected species of wild plants. We want to see these articles come back into the SMRs.

Amendment 742

Anthea McIntyre, Julie Girling, James Nicholson, Richard Ashworth

Proposal for a regulation

Annex II — Main Issue "Biodiversity" — SMR 3 — last column

Text proposed by the Commission

Amendment

Article 6 (1) and (2)

Article 6 (1) and (2), **Article 13(1)(a)**

Or. en

Amendment 743

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation
Annex II — Main Issue ‘Biodiversity’ — SMR 3 — last column

Text proposed by the Commission

Amendment

Article 6 (1) and (2)

Compliance with the mandatory measures established by the Member States for the conservation of natural habitats and wild flora and fauna under Article 6(1) and (2).

Or. es

Amendment 744
Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation
Annex II — Main Issue ‘Biodiversity’ — SMR 3 — last column

Text proposed by the Commission

Amendment

Article 6 (1) and (2)

Compliance with the management plans drawn up for Special Areas of Conservation

Or. es

Justification

Rather than a reference to articles from directives relating to Member States’ obligations in general, there should be a reference to the specific requirements that beneficiaries have to meet.

Amendment 745
Bas Eickhout
on behalf of the Verts/ALE Group

Proposal for a regulation
Annex II — Main Issue "Biodiversity" — SMR 3a (new)

Text proposed by the Commission

Amendment

Relevant measures arising from Directive 2009/128/EC of 21 October 2009

*establishing a framework for Community
action to achieve the sustainable use of
pesticides*

Or. en

Amendment 746
Albert Deß

Proposal for a regulation
Annex II — Main Issue "Landscape, minimum level of maintenance" — GAEC 8

Text proposed by the Commission

Amendment

*Retention of landscape features, including
where appropriate, hedges, ponds, ditches,
trees in line, in group or isolated, field
margins and terraces, and including a
ban on cutting hedges and trees during
the bird breeding and rearing season and
possible measures for avoiding invasive
species and pests* *deleted*

Or. de

Amendment 747
Michel Dantin

Proposal for a regulation
Annex II — Main Issue 'Landscape, minimum level of maintenance' — GAEC 8

Text proposed by the Commission

Amendment

*Retention of landscape features, including
where appropriate, hedges, ponds, ditches,
trees in line, in group or isolated, field
margins and terraces, and including a
ban on cutting hedges and trees during
the bird breeding and rearing season and
possible measures for avoiding invasive
species and pests* *deleted*

Or. fr

Amendment 748

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Landscape, minimum level of maintenance" — GAEC 8

Text proposed by the Commission

Retention of landscape features, including where appropriate, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, and including a ban on cutting hedges and trees during the bird breeding and rearing season and possible measures for avoiding invasive species and pests

Amendment

Preservation of landscape features, including where appropriate, **natural and semi-natural habitats**, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, and including a ban on cutting hedges and trees during the bird breeding and rearing season;
Retention of all semi natural habitats¹ on farmland, including semi-natural grassland, woodland, scrub and wetlands. Farmers must not undertake new drainage, ploughing, clearing, levelling, reseeding or cultivations on uncultivated land or semi-natural habitats without prior approval from the appropriate authorities; maintenance of permanent crops in good vegetative condition; and appropriate measures for avoiding invasive species and pests

¹ **Semi-natural habitats consist of vegetation that is managed by grazing and/or cutting, but is not ploughed, sown, artificially fertilised or treated with biocides.**

Or. en

Justification

This amendment refers firstly to natural and semi natural habitats which may be landscape features and secondly to semi natural habitats not included as such. Semi-natural habitats can either be used directly agriculturally (grazing/mowing) or indirectly, i.e. they have agro-ecological value as food resources / refugia for pollinators / natural predators of pest species, etc.

Amendment 749

Anthea McIntyre, Julie Girling, James Nicholson, Richard Ashworth

Proposal for a regulation

Annex II — Main Issue "Landscape, minimum level of maintenance" GAEC 8

Text proposed by the Commission

Retention of landscape features, including where appropriate, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, and including a ban on cutting hedges and trees during the bird breeding and rearing season **and possible measures for avoiding** invasive species **and pests**

Amendment

Retention of landscape features, including where appropriate, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, and including a ban on cutting hedges and trees during the bird breeding and rearing season **and take all reasonable steps to avoid encroachment of unwanted vegetation, such as** invasive species **on agricultural land.**

Or. en

Amendment 750

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation

Annex II — Main Issue 'Landscape, minimum level of maintenance' — GAEC 8

Text proposed by the Commission

Retention of landscape features, including where appropriate, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, **and including a ban on cutting hedges and trees during the bird breeding and rearing season** and possible measures for avoiding invasive species and pests

Amendment

Retention of landscape features, including where appropriate, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, and possible measures for avoiding invasive species and pests

Or. es

Justification

In the light of the proposal made in this document, these general bird protection measures are already included in RGL2.

Amendment 751

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Landscape, minimum level of maintenance" — GAEC 8

Text proposed by the Commission

Retention of landscape features, including where appropriate, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, and including a ban on cutting hedges and trees during the bird breeding and rearing season and *possible* measures for avoiding invasive species and pests

Amendment

Preservation of landscape features, including where appropriate, semi-natural habitats, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, and including a ban on cutting hedges and trees during the bird breeding and rearing season; and *appropriate* measures for avoiding invasive species and pests

Or. en

Justification

Aggressively dominant invasive species drastically decrease biodiversity and reduce resilience of agro-ecosystems/semi-natural ecosystems to floods, droughts and pest attacks, which will only increase with climate change. There should be at least a requirement to report and take basic action. Deleting the requirement entirely is not the answer: public funds can be saved due to swift action earlier on - the longer an infestation is left, the more expensive and difficult it becomes to eradicate.

Amendment 752

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Landscape, minimum level of maintenance" — GAEC 8a (new)

Text proposed by the Commission

Amendment

Minimum maintenance of farmland to ensure that farmland is maintained in a condition that avoids deterioration of landscape and biodiversity. Standards

should include livestock stocking rates or/and appropriate grazing/mowing regimes, and maintenance of permanent crops in good vegetative condition.

Or. en

Justification

Standards on minimum maintenance should not be limited to the retention of landscape features such as hedges and trees. They should aim to ensure that environmental values (landscape, biodiversity, carbon storage, soil protection) of farmland are not lost through cultivation and intensification and that all farmland is maintained at least to basic standards that avoid deterioration of the landscape and biodiversity, through a minimum level of activity, such as grazing, mowing, etc.

Amendment 753

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Landscape, minimum level of maintenance" — GAEC 8b (new)

Text proposed by the Commission

Amendment

Protection of permanent pastures at farm level with a ban on ploughing

Or. en

Amendment 754

Michel Dantin

Proposal for a regulation

Annex II — Main Issue 'Food safety' — SMR 5

Text proposed by the Commission

Amendment

Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action

deleted

and beta-agonists (OJ L125, 23.5.1996, p.3)

Or. fr

Amendment 755
Michel Dantin

Proposal for a regulation
Annex II — Main Issue ‘Food safety’ — SMR 5 — last column

Text proposed by the Commission

Amendment

Article 3(a), (b), (d) and (e) and Articles 4, 5 and 7 *deleted*

Or. fr

Amendment 756
Albert Deß

Proposal for a regulation
Annex II — Main Issue "Identification and registration of animals" — SMR 6

Text proposed by the Commission

Amendment

Council Directive 2008/71/EC of 15 July 2008 on identification and registration of pigs (OJ L 213, 8.8.2005, p. 31) *deleted*

Or. de

Amendment 757
Anthea McIntyre, Julie Girling, James Nicholson, Richard Ashworth

Proposal for a regulation
Annex II — Main Issue "Identification and registration of animals" SMR 6 —last column

Text proposed by the Commission

Amendment

Articles 3, 4 and 5

Articles 4 and 5

Amendment 758
Albert Deß

Proposal for a regulation
Annex II — Main Issue "Identification and registration of animals" — SMR 7

Text proposed by the Commission

Amendment

Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products (OJ L 204, 11.8.2000, p. 1) *deleted*

Or. de

Amendment 759
Albert Deß

Proposal for a regulation
Annex II — Main Issue "Identification and registration of animals" — SMR 8

Text proposed by the Commission

Amendment

Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals (OJ L 5, 9.1.2004, p. 8) 8) Articles 3, 4 and 5 *deleted*

Or. de

Amendment 760
Michel Dantin

Proposal for a regulation

Annex II — Main Issue ‘Animal diseases’ — SMR 9

Text proposed by the Commission

Amendment

**Regulation (EC) No 999/2001 of the
European Parliament and of the Council
of 22 May 2001 laying down rules for the
prevention, control and eradication of
certain transmissible spongiform
encephalopathies (OJ L 147, 31.5.2001, p.
1)** *deleted*

Or. fr

**Amendment 761
Michel Dantin**

**Proposal for a regulation
Annex II — Main Issue ‘Animal diseases’ — SMR 9 — last column**

Text proposed by the Commission

Amendment

Articles 7, 11, 12, 13 and 15 *deleted*

Or. fr

**Amendment 762
Bas Eickhout**
on behalf of the Verts/ALE Group

**Proposal for a regulation
Annex II — Main Issue "Action on antimicrobial resistance (AMR)" (new)**

Text proposed by the Commission

Amendment

Action on antimicrobial resistance (AMR)

Or. en

Justification

*Commission Action plan against the rising threats from Antimicrobial Resistance,
(COM(2011) 748 final, 15.11.2011), particularly relevant aspects of Action 5: Animal Health*

Law: prevention of diseases, reducing the use of antibiotics & Action n° 10: Strengthen surveillance systems on AMR and antimicrobial consumption in animal medicine. Antimicrobial resistance monitoring in food producing animals is already mandatory for bacteria that may infect humans. To avoid the growth of resistant bacteria, antimicrobials classified by the WHO as critically important should be exempted from use in livestock, except in duly substantiated cases. A general reduction of the use of antimicrobials in animals can be achieved through improved animal health and biosecurity measures as well as promotion of Good Farming Practices to avoid infections.

Amendment 763

Bas Eickhout

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II — Main Issue "Action on antimicrobial resistance (AMR)" (new) — GAEC 8c (new)

Text proposed by the Commission

Amendment

Commission Action plan against the rising threats from Antimicrobial Resistance, (COM(2011) 748 final, 15.11.2011). For food producing animals: Good Farming Practices to avoid infections including density limits, documentation of treatments including prophylaxis, no use of critically important antimicrobials

Or. en

Justification

Commission Action plan against the rising threats from Antimicrobial Resistance, (COM(2011) 748 final, 15.11.2011), particularly relevant aspects of Action 5: Animal Health Law: prevention of diseases, reducing the use of antibiotics & Action n° 10: Strengthen surveillance systems on AMR and antimicrobial consumption in animal medicine. Antimicrobial resistance monitoring in food producing animals is already mandatory for bacteria that may infect humans. To avoid the growth of resistant bacteria, antimicrobials classified by the WHO as critically important should be exempted from use in livestock, except in duly substantiated cases. A general reduction of the use of antimicrobials in animals can be achieved through improved animal health and biosecurity measures as well as promotion of Good Farming Practices to avoid infections.

Amendment 764

Sergio Gutiérrez Prieto, Iratxe García Pérez, Ricardo Cortés Lastra, Alejandro Cercas

Proposal for a regulation

Annex II — Main Issue ‘Plant protection products’ — SMR 10 — last column

Text proposed by the Commission

Amendment

Article 55, first and second sentence

Proper application of plant protection products and full compliance with integrated pest management in accordance with Directive 2009/128/EC

Or. es

Amendment 765

Esther Herranz García, Gabriel Mato Adrover, Pilar Ayuso, María Auxiliadora Correa Zamora

Proposal for a regulation

Annex II — Main Issue ‘Plant protection products’ — SMR 10 — last column

Text proposed by the Commission

Amendment

Article 55, first and second sentence

Correct application of plant protection products; use of authorised products only, in the recommended quantities and in line with the indications on the label. Keeping a record of the name of the product used, its formulation, the date on which it was applied to the parcel of land concerned, the person applying it and the level of that person’s qualifications, the amount applied and the method of application

Or. es

Amendment 766

Janusz Wojciechowski

Proposal for a regulation

Annex II — Main Issue "Animal welfare" — SMR 13a (new)

Text proposed by the Commission

Amendment

Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for

*the protection of laying hens (OJ L 203,
3.8.1999, p. 53-57)*

Or. en

Amendment 767
Janusz Wojciechowski

Proposal for a regulation
Annex II — Main Issue "Animal welfare" — SMR 13a (new) — last column

Text proposed by the Commission

Amendment

Articles 3, 4 and 6

Or. en

Amendment 768
Janusz Wojciechowski

Proposal for a regulation
Annex II — Main Issue "Animal welfare" — SMR 13b (new)

Text proposed by the Commission

Amendment

*Council Directive 2007/43/CE of 28 June
2007 laying down minimum rules for the
protection of chickens kept for meat
production (OJ L 182, 12.7.2007, p.19-28)*

Or. en

Amendment 769
Janusz Wojciechowski

Proposal for a regulation
Annex II — Main Issue "Animal welfare" — SMR 13b (new) — last column

Text proposed by the Commission

Amendment

Articles 3 and 4 (point 6)

