

WRITTEN QUESTION E-3023/02
by Mariotto Segni (UEN)
to the Commission

Subject: Regional aid to combat blue tongue

By the decision published in Official Journal C 327 on 22 November 2001, the Commission announced that it was initiating a formal investigation procedure concerning the aid which the Sardinian regional authorities were proposing to grant following an outbreak of blue tongue disease on the island (aid N 775/2000, now C 5/2001).

However, it endorsed Article 4 of the law relating to the aid, whereby compensation was to be paid to sheep and cattle farmers (the latter animals are healthy carriers) for the additional cost incurred in the purchase of fodder, since animals could not be taken to pasture.

In its decision the Commission took the view that the two aid measures provided for (to offset income lost owing to the slaughter of animals and higher feed costs for stockbreeders) could fall under the definition of losses within the meaning of point 11.4 of the guidelines for State aid in the agriculture sector and thus be considered compatible with the Treaty.

The regional authorities later notified a further provision confined to cattle farmers (aid N 662/2001), the purpose of which was to offset the additional cost of feeding and tending animals resulting from the movement ban.

In response to this new notification, the Commission has stated that compensation for producers can make reasonable provision to offset the loss entailed in the difficulty of replacing stock. It follows that aid may be granted if, and only if, stock is slaughtered and subsequently replaced, whereas it is no longer deemed admissible to compensate cattle farmers for higher rearing costs.

Given that the guidelines were not altered in the time between the adoption of the decision concerning aid N 775/2000 and the notification of aid N 662/2001, could the Commission explain its change of attitude, especially bearing in mind that its decisions are legally binding?