

## MTK:n muutosesitykset

Horizontal regulation, EP rapporteur Ulrike Muller

### Amendment 1 Crisis support reserve

Article 14.1.1

Text proposed by the Commission	Amendment
<p>(1) A reserve intended to provide additional support for the agricultural sector <b>for the purpose of market management or stabilisation or</b> in the case of crises affecting the agricultural production or distribution (“the <b>agricultural</b> reserve”) shall be established at the beginning of each year <b>in the EAGF</b>.</p> <p>(2) The amount of the <b>agricultural</b> reserve shall be at least EUR 400 million in current prices at the beginning of each year of the period 2021-2027. The Commission may adjust the amount of the <b>agricultural</b> reserve during the year when appropriate in view of <b>market</b> developments <b>or perspectives in the current or following year and</b> taking into account available <b>appropriations under the EAGF</b>.</p>	<p>(1) “A reserve intended to provide additional support for the agricultural sector for the purpose of market management or stabilisation or in the case of crises affecting the agricultural production or distribution (“the agricultural reserve”) shall be established at the beginning of each year <b>in the EAGF outside the ceilings of the Multiannual Financial Framework.</b>”</p> <p>(2) “The amount of the agricultural reserve shall be at least EUR <b>400 XXX</b> million in current prices at the beginning of each year of the period 2021-2027. The Commission may adjust the amount of the agricultural reserve during the year when appropriate in view of market developments or perspectives in the current or following year and taking into account available appropriations <del>under the EAGF.</del>”</p>

Justification: In order to alleviate any crisis in the agriculture sector with EU wide consequences, the crisis reserve should have a significantly larger financial envelope and should work outside the scope of the MFF. The experiences with the crisis reserve today suggest that this reserve does not adequately fit the purpose of addressing exceptional situations in the sector of agriculture. The financial envelope will be indicated in the approved MFF.

### Amendment 2 Payment to beneficiaries

Article 42

Text proposed by the Commission	Amendment
(2 a) prior to 1 December but not before 16 October, pay advances of up to 50 % for direct payments interventions;	(2) (a): "prior to 1 December but not before 16 October, pay advances of up to <del>50</del> <b>75</b> % for direct payments interventions"

Justification: Given that both Pillar interventions are under the same CAP Strategic Plan, harmonized timetables and percentages for advances between direct payments interventions and rural development interventions would be justified. This change would serve the goal of simplification.

**Amendment 3 Scope and definitions**

Article 63

Text proposed by the Commission	Amendment
(4c) system for the identification and registration of animals" means the system for the identification and registration of bovine animals laid down by Regulation (EC) No 1760/2000 of the European Parliament and of the Council or the system for the identification and registration of ovine and caprine animals laid down by Council Regulation (EC) No 21/2004;	(4)(c):""system for the identification and registration of animals" means the system for the identification and registration of bovine animals laid down by Regulation (EC) No 1760/2000 of the European Parliament and of the Council or the system for the identification and registration of ovine and caprine animals laid down by Council Regulation (EC) No 21/2004 <b>or the system for the identification and registration of pigs laid down by Council Directive 2008/71/EC and other databases for animals in use.</b> "

Justification: "System for the identification and registration of animals" concerns bovines and ovine and caprine animals. Other databases for animals established by Member States should also be used even if they are not based on individual animals to avoid communication of the same information twice.

**Amendment 4 Control system and penalties in relation to conditionality**

Article 84-87

Text proposed by the Commission	Amendment
<p>(86.2) In the case of non-compliance due to negligence, the percentage of reduction shall be as a general rule 3% of the total amount of the payments referred to in paragraph 1 of this Article.</p>	<p>Article 85(1) new subparagraph should be inserted after the first subparagraph:</p> <p>“1. Member States shall set up a system providing for the application of administrative penalties to beneficiaries referred to in Article 11 of Regulation (EU) .../... [CAP Strategic Plan Regulation] who do not comply, at any time in the calendar year concerned, with the rules on conditionality as laid down in Section 2 of Chapter 1 of Title III of that Regulation ("penalty system").</p> <p><b><i>In those Member States where animal-related voluntary coupled support and animal-related rural development support are applied, an administrative penalty based on non-compliance of animal-related statutory management requirements shall apply only to animal-related voluntary coupled support and animal-related rural development support of the beneficiary. An administrative penalty based on non-compliance of area-related statutory management requirements and/or good agricultural and environmental standards shall apply only to area-related direct payments and area-related rural development support of the beneficiary</i></b></p> <p>In the first point of Article 86(2), a general rule 3% for penalties is too strict.</p> <p><i>Suggestion for amendment</i></p>

	Article 86(2): “In the case of non-compliance due to negligence, the percentage of reduction shall be <del>as a general rule</del> <b>1% or 3%</b> of the total amount of the payments referred to in paragraph 1 of this Article.”
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Justification: At the moment the penalties relating to cross compliance are not equitable and proportionate, especially for farmers in different production sectors (animal husbandry/crop production). If a farm only with a only few animals but hundreds of hectares of land has a non-compliance in animal-related cross compliance requirements, the penalty is applied to all area-based direct payments and rural development payments. Thus the penalty is disproportionate in relation to the number of animals. And, vice versa, when there are just a few hectares of land and lot of animals, an error concerning the area-related cross compliance rules leads to a disproportionate reduction of the animal related payments. This unfair situation should be changed.