

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 360/2010

of 27 April 2010

amending Annex IV and Annex VIII to Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for the farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006 and (EC) No 378/2007, and repealing Regulation (EC) No 1782/2003⁽¹⁾, and in particular its Articles 8(2)(a), 8(2)(b), 40 and 67 thereof,

Whereas:

(1) Annex VIII to Regulation (EC) No 73/2009 establishes for each Member State the maximum value of all payment entitlements that can be allocated during a calendar year. In accordance with Articles 40(2) and 67 of that Regulation Annex VIII should be adapted to take into account the decisions of the Member States in accordance with Articles 103o and 188a(3) of Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)⁽²⁾ with regard to wine and to the advanced integration of coupled support into the single payment scheme.

(2) Germany, Greece, Spain, France, Italy, Luxembourg, Austria, Portugal and Slovenia notified the Commission of their intention to allocate new payment entitlements to wine growers in accordance with Articles 103o and 188a(3) of Regulation (EC) No 1234/2007.

(3) Belgium, Denmark, Greece, Luxembourg, the Netherlands, Austria, Finland, Sweden and United Kingdom notified the Commission of their intention to at least advance the integration of the seed aid referred to in Section 5 of Title IV of Regulation (EC) No 73/2009 or one of the schemes referred to in point 1 of Annex XI to that Regulation, with the exception of the specific quality premium for durum wheat, into the single payment scheme in 2010 or 2011.

(4) Annex IV to Regulation (EC) No 73/2009 establishes for each Member State the ceilings which may not be exceeded by the total amounts of the direct payments, net of modulation, which may be granted in respect of a calendar year in the Member State concerned.

(5) Following the decisions taken by the Member States in accordance with Article 103o and 188a(3) of Regulation (EC) No 1234/2007 and Article 67 of Regulation (EC) No 73/2009, the total maximum amounts of direct payments that may be granted shall be increased. Therefore, in accordance with Article 8(2)(a) of Regulation (EC) No 73/2009, Annex IV to that Regulation shall be reviewed.

(6) Since the difficulties to its agricultural sector provoked by the economic crisis persist with a continuing negative impact on the economic situation of farmers, Portugal has communicated to the Commission that it has decided not to apply the voluntary modulation foreseen from 2010 until 2012. Therefore, in accordance with Article 8(2)(b) of Regulation (EC) No 73/2009, the net amount resulting from the application of the voluntary modulation in Portugal fixed by Commission Decision 2009/780/EC⁽³⁾ should for those years be added to the national ceiling for Portugal as set out in Annex IV to Regulation (EC) No 73/2009.

⁽¹⁾ OJ L 30, 31.1.2009, p. 16.

⁽²⁾ OJ L 299, 16.11.2007, p. 1.

⁽³⁾ OJ L 278, 23.10.2009, p. 59.

- (7) Annexes IV and VIII to Regulation (EC) No 73/2009 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

Article 2

Annex VIII to Regulation (EC) No 73/2009 is replaced by the text set out in Annex II to this Regulation.

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EC) No 73/2009 is replaced by the text set out in Annex I to this Regulation.

Article 3

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 April 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX I

'ANNEX IV

(EUR million)

Calendar year	2009	2010	2011	2012
Belgium	583,2	575,4	570,8	569,0
Czech Republic				825,9
Denmark	987,4	974,9	966,5	964,3
Germany	5 524,8	5 402,6	5 357,1	5 329,6
Estonia				92,0
Ireland	1 283,1	1 272,4	1 263,8	1 255,5
Greece	2 561,4	2 365,4	2 359,2	2 344,1
Spain	5 043,7	5 066,4	5 031,4	5 043,2
France	8 064,4	7 946,1	7 878,6	7 849,2
Italy	4 345,9	4 151,6	4 124,7	4 121,6
Cyprus				49,1
Latvia				133,9
Lithuania				346,7
Luxembourg	35,6	35,2	35,1	34,7
Hungary				1 204,5
Malta				5,1
Netherlands	836,9	829,1	822,5	830,6
Austria	727,6	721,7	718,1	715,6
Poland				2 787,1
Portugal	590,5	574,3	570,3	566,3
Slovenia				131,5
Slovakia				357,9
Finland	550,0	544,5	541,1	539,2
Sweden	733,1	717,7	712,3	708,5
United Kingdom	3 373,1	3 345,4	3 339,4	3 336,1'

ANNEX II

ANNEX VIII

National ceilings referred to in Article 40

Table 1

(EUR 1 000)

Member State	2009	2010	2011	2012	2013	2014	2015	2016 and subsequent years
Belgium	614 179	611 817	611 817	614 855	614 855	614 855	614 855	614 855
Denmark	1 030 478	1 031 321	1 031 321	1 049 002	1 049 002	1 049 002	1 049 002	1 049 002
Germany	5 770 254	5 771 981	5 771 981	5 852 912	5 852 912	5 852 912	5 852 912	5 852 912
Greece	2 380 713	2 228 588	2 231 588	2 232 826	2 216 826	2 216 826	2 216 826	2 216 826
Spain	4 858 043	5 119 045	5 119 045	5 292 588	5 149 839	5 149 839	5 149 839	5 149 839
France	8 407 555	8 423 196	8 423 196	8 523 610	8 523 610	8 523 610	8 523 610	8 523 610
Ireland	1 342 268	1 340 521	1 340 521	1 340 869	1 340 869	1 340 869	1 340 869	1 340 869
Italy	4 143 175	4 210 875	4 230 875	4 373 722	4 373 722	4 373 722	4 373 722	4 373 722
Luxembourg	37 518	37 569	37 679	37 671	37 084	37 084	37 084	37 084
Netherlands	853 090	853 169	853 169	897 751	897 751	897 751	897 751	897 751
Austria	745 561	747 344	747 356	751 664	751 664	751 664	751 664	751 664
Portugal	608 751	589 811	589 811	606 274	606 274	606 274	606 274	606 274
Finland	566 801	565 520	565 823	570 548	570 548	570 548	570 548	570 548
Sweden	763 082	765 229	765 229	770 906	770 906	770 906	770 906	770 906
United Kingdom	3 985 895	3 976 425	3 976 482	3 988 042	3 987 922	3 987 922	3 987 922	3 987 922

Table 2 (*)

(EUR 1 000)

Member State	2009	2010	2011	2012	2013	2014	2015	2016 and subsequent years
Bulgaria	287 399	336 041	416 372	499 327	580 087	660 848	741 606	814 295
Czech Republic	559 622	654 241	739 941	832 144	909 313	909 313	909 313	909 313
Estonia	60 500	71 603	81 703	92 042	101 165	101 165	101 165	101 165
Cyprus	31 670	38 928	43 749	49 146	53 499	53 499	53 499	53 499
Latvia	90 016	105 368	119 268	133 978	146 479	146 479	146 479	146 479
Lithuania	230 560	271 029	307 729	346 958	380 109	380 109	380 109	380 109
Hungary	807 366	947 114	1 073 824	1 205 037	1 318 975	1 318 975	1 318 975	1 318 975
Malta	3 752	4 231	4 726	5 137	5 102	5 102	5 102	5 102
Poland	1 877 107	2 192 294	2 477 294	2 788 247	3 044 518	3 044 518	3 044 518	3 044 518
Romania	623 399	729 863	907 473	1 086 608	1 264 472	1 442 335	1 620 201	1 780 406
Slovenia	87 942	103 394	117 411	131 542	144 241	144 241	144 241	144 241
Slovakia	240 014	280 364	316 964	355 242	388 176	388 176	388 176	388 176

(*) Ceilings calculated taking into account of the schedule of increments provided for in Article 121.'