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INFORMATION

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Uachtaránacht na hÉireann ar
Chomhairle an Aontais Eorpaigh 2026

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Irish Presidency's suggestions for the post-2027 CAP Regulation Block 7a

WP Horizontal Agricultural Questions
30th September – 1st of October 2026

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Working party on horizontal agriculture questions

Revised Presidency Text – Doc 13261/26

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Block 7a

- Recital 5a – concerning definition of “agricultural activity”
- Article 2b - Definitions to be provided for in the NRP Plans
- Article 11a – Crop-specific payment for cotton
- Article 17a - Specific provisions concerning CAP interventions on cooperation
- Article 20a - Crisis payments to farmers following natural disasters, adverse climatic events and catastrophic events

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Proposed recital (5a) 1 of 2		
Recital	**Amendment**	**Rationale**
Recital 5a	(5a) **In order to enhance the role of agriculture in providing public goods, it is necessary to establish an appropriate framework definition of 'agricultural activity' at Union level. Moreover, the Union should comply with its international obligations on domestic support as set out in the WTO Agreement on Agriculture, and in particular that the degressive area-based income support and related types of intervention continue to be notified as 'Green Box' support, which has no, or at most minimal, trade-distorting effects or effects on production. Therefore, the framework definition of 'agricultural activity' should provide for both the production of agricultural products and the maintenance of the agricultural area, leaving the choice between those two types of activity to farmers.**	A new recital, 5a, has been added, to explain the background justification and changes concerning the link between the WTO requirements, the definition of "agricultural activity" and the provision on maintenance of an agricultural area using the extensive grazing option in Article 2b(3)(b). It has been adapted and updated from recital (9) of the SPR.

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Proposed recital (5a) 2 of 2		
Article	**Amendment**	**Rationale**
Recital 5a continued	**When establishing maintenance activities, Member States may consider introducing a provision to be applied in certain areas, where it is not considered feasible to maintain the agricultural area, in a state which makes it suitable for grazing or cultivation, through the usual agricultural methods and machinery. In such cases, the provision may require maintenance with extensive livestock grazing, taking into account environmental or landscape needs, or topographical challenges, such as the need for farmers to maintain the landscape or reduce vegetation levels to mitigate wild-fire risks. In order to adjust to local conditions, Member States should lay down the actual definition of 'agricultural activity' and the relevant conditions in their National Regional Partnership Plans.**	The proposed text clarifies the circumstances under which the new "extensive grazing maintenance provision" may be appropriate. It may be introduced by Member States in certain areas where it is not considered feasible to maintain the area by the usual agricultural methods and machinery, and there are environmental, landscape or topographical requirements to be addressed, such as the need to manage vegetation levels to mitigate wild-fire risks.

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Definitions to be provided for in the NRP plans – Table 1/10		
Article	**Amendment**	**Rationale**
Article 2b 3.	'Agricultural activity' shall be determined through ~~one or both of~~ the following activities~~, between which farmers may choose~~:	The reference to farmers choosing an activity has been removed. This provision requires Member States to determine both types of agricultural activities in their NRPPs, and farmers will then be able to avail of either type (without having to indicate any choice at applications stage).

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Definitions to be provided for in the NRP plans – Table 2/10		
Article	**Amendment**	**Rationale**
Article 2b 3. (b)	(b) maintenance of agricultural areas, which consists of ~~the~~ activities aiming at keeping the land in a state suitable for grazing or cultivation; where duly justified for animal welfare ~~or~~**,** environmental **or topographical** reasons**, and where other forms of maintenance are not considered feasible**, extensive grazing of an agricultural area ~~that does not result in an increase of agricultural production~~**,** for the ~~farmers concerned~~**purpose of keeping the land in a state suitable for grazing or for landscape management,** may also be considered 'maintenance'.	Amendments to provide clarity and define the scope of when the new provision for maintenance with "extended grazing" can be used by Member States. This provision can be used when other forms of maintenance are not considered feasible and such "extensive grazing" must be defined in a manner to limit it's purpose to keeping the land in a state suitable for grazing or landscape management.

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Definitions to be provided for in the NRP plans – Table 3/10		
Article	**Amendment**	**Rationale**
Article 2b 2.	{‘Active farmer’} **shall be determined in such a way as to ensure that support is granted only to farmers engaged in at least a minimum level of agricultural activity, which may include pluri-active or part-time farmers.** **When determining who is an ‘active farmer’, Member States shall apply criteria, such as income tests, labour inputs on the farm, company object or inclusion of their agricultural activities in national or regional registers. Such criteria may be introduced in one or more forms chosen by Member States, including through a negative list excluding a farmer from being considered to be an active farmer.** **If a Member State considers to be ‘active farmers’ those farmers who received support under interventions referred to in Article 5 (1), points (a), (b), (c) and (g), or who received payments under interventions referred to in Article 16 of Regulation (EU) 2021/2115, not exceeding a certain amount for the previous claim year, such an amount shall not exceed EUR 5 000.**	The Presidency has proposed a definition of “active farmer”, based on the results of the guiding questions and consultation process carried out in July, when delegations were invited to share their views on the definitions of “farmer” and “active farmer” and on certain related provisions. The definition proposed aims to reflect the response from delegations, with a view to supporting stability and continuity with the current approach under the SPR.

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Definitions to be provided for in the NRP plans – Table 4/10		
Article	**Amendment**	**Rationale**
Article 2b 2.	Proposed interventions relevant for active farmer: Degressive area-based income support, Coupled income support (incl. cotton), The payment for natural and other area specific constraints, Support for risk management tools, Support for farm relief services Crisis payments to farmers.	There was broad support for applying this definition to interventions in a similar manner as under the SPR, which, considering the new framework, would mean this definition should be applicable to the interventions listed.

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Definitions to be provided for in the NRP plans – Table 5/10		
Article	**Amendment**	**Rationale**
Article 2b 5.	'Eligible hectare' shall be determined ~~*in such a way as*~~ to comprise only areas which are at the farmers' disposal and which comprise:	No change
	(a) agricultural areas on which an agricultural activity is performed ~~under the farmer's control in terms of management, benefits and financial risks~~**during the year in which support is requested**. If non-agricultural activities are also performed on these areas, the agricultural activity shall be predominant~~.~~**; Where duly justified for environmental, biodiversity or climate-related reasons, Member States may decide that eligible hectares also include certain areas used for agricultural activities only every second year**;	Provisions concerning farmer's control in terms of management, benefits and financial risks, is deleted based on the results of the guiding questions and consultation process on "active farmer" carried out in July, where broad support for its removal was identified.

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Definitions to be provided for in the NRP plans – Table 6/10		
Article	**Amendment**	**Rationale**
Article 2b 5.	(b) areas for which support was provided under interventions referred to in Article 5(1) points (a) and (g) [degressive income support, small farmers] of this Regulation~~,~~ or gave a right to payments under the basic income support for sustainability under Title III, Chapter II, Section 2, Subsection 2, [BISS [all incl. entitlements], small farmers scheme], of Regulation (EU) 2021/2115, where agricultural activity is not performed due to commitments and obligations arising from Union ~~or national~~ **law or** interventions ~~or other programmes~~ which contribute to the environmental and climate-related CAP specific objectives**. If Member States so decide, areas where agricultural activity is not performed due to commitments and obligations arising from national law or other programmes may also be included, if they contribute to those objectives**;	Point (b) was restructured to provide continuity with the related SPR provision, whilst allowing Member States flexibility to also include areas where an agricultural activity is not performed due to national law or programmes, provided they contribute to the environmental and climate-related objectives.

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Definitions to be provided for in the NRP plans – Table 7/10		
Article	**Amendment**	**Rationale**
Article 2b 5.	(c) **if** Member States ~~may~~**so** decide ~~to include in the notion of 'eligible hectare'~~**,** landscape features, not covered by the commitments and schemes referred to in point (b), provided that these landscape features do not significantly hamper the performance of agricultural activity and are not predominant on the agricultural parcel. **As regards permanent grassland with scattered ineligible features, Member States may decide to apply fixed reduction coefficients to determine the area considered eligible.**	Clerical. Sup-paragraph (c) was updated in line with phrasing in (b).

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Definitions to be provided for in the NRP plans – Table 8/10		
Article	**Amendment**	**Rationale**
Article 2b 5. To be updated & moved to Article 5	~~Production of hemp varieties with Tetrahydrocannabinol (THC) content exceeding 0,3 % shall not be eligible for support under this Regulation.~~ Proposed text to be moved Article 5: **Hemp varieties with Tetrahydrocannabinol (THC) content exceeding 0,3%, shall not be eligible for support under this Regulation.**	This provision on hemp will be moved and updated in block 1, Article 5, as it is not considered suitable for the definition of eligible hectare. Art. 5 text: The updated **bold** text provides clarification that Hemp varieties with THC content > 0.3%, will not be eligible for support under any intervention in the CAP proposal.

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Definitions to be provided for in the NRP plans – Table 9/10		
Article	**Amendment**	**Rationale**
Article 2b 6.	Where a farmer is deemed to fall within the definition of 'young farmer' at the moment of first access to support, **including the complementary income support for young farmers under Article 30 of Regulation (EU) 2021/2115,** that status ~~**shall**~~**may** be maintained for the full duration of the period of eligibility established under the relevant support scheme, irrespective of the farmer subsequently exceeding the upper age limit **and provided that the farmer remains compliant with the head of the holding condition**.	The amended text aims to provide the option for continuity of support for farmers who first accessed support under the CSP, and that Member States have flexibility to maintain the YF status for the full duration of the relevant intervention, provided that the farmer remains compliant with the head of holding condition.

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Definitions to be provided for in the NRP plans – Table 10/10		
Article	**Amendment**	**Rationale**
Article 2b 7.	'New farmer' shall be determined in such a way as to refer to a farmer other than a young farmer and who is head of the holding for the first time. **Member States may include further** ~~objective and non discriminatory~~ **criteria concerning appropriate training or skills.**	Clerical / consistency. Deletion of "objective and non-discriminatory", as it is already included in paragraph 1.

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Crop-specific payment for cotton		
Article	**Amendment**	**Rationale**
Article 11a 2.	The Member States referred to in paragraph 1 shall ensure that the supported cotton production does not put excessive strain on natural resources such as water and soil. ~~To that end, or for other environmental or socio-economic reasons, those Member States may grant the aid only for specific cotton varieties, in specific regions, or for specific types of farming, or may establish requirements related to agronomic practices.~~	The detailed implementation options are being taken out of the article, allowing Member States greater flexibility to decide how to address environmental and socio-economic considerations in their national plans. A new recital will be added to clarify the possibilities available to Member States and to reflect the broader scope of Protocol No 4 on cotton.

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Specific provisions concerning CAP interventions on cooperation		
Article	**Amendment**	**Rationale**
Article 17a 1.	Member States shall limit the support for setting-up of producer groups **or**~~,~~ producer organisations **referred**~~or interbranch organisations refered~~ to in Article 74(1)(f) of Regulation (EU) […] NRP to **10% of the turnover of the group or organisation with** a maximum of EUR **125 000**~~100 000~~ per year**.** ~~; that support shall be degressive and limited to the first five years following recognition or the start of joint activities intended to lead to recognition as determined by Member States in the Agriculture chapter of their NRP Plans.~~	The provision requiring Member States to limit support to 10% of the turnover of the group or organisation has been restored after being inadvertently omitted in the previous drafting.
Article 17a 2.	**Member States shall limit the support for setting-up of interbranch organisations referred to in Article 74(1)(f) of Regulation (EU) […] NRP to 10 % of the annual** ~~income~~**expenditure of the interbranch organisation, up to a maximum of EUR 125,000 per year.**	"Income" is replaced by "expenditure", as inter-branch organisations do not generate income from the sale of commodities and expenditure therefore provides a more appropriate basis for determining the level of support.

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Crisis payments to farmers following natural disasters, adverse climatic events and catastrophic events (Table 1/2)		
Article	**Amendment**	**Rationale**
Article 20a 2.	Support under this Article shall be subject to the formal recognition by the competent authority of the Member State that a natural disaster, adverse climatic event or catastrophic event**, including** ~~where~~**those caused by animal and plant diseases**, as defined by the Member State, has occurred and that these **disasters or** events, or measures adopted in accordance with Regulation (EU) 2016/2031 to eradicate or contain a plant disease or pest, or measures adopted to prevent or eradicate animal diseases listed in the Annex to Commission Implementing Regulation (EU) 2018/1882 or measures adopted regarding an emerging disease in accordance with Article 6(3) and Article 259 of Regulation (EU) 2016/429 have directly caused ~~a~~ damage resulting in ~~the~~ destruction **which exceeds** ~~**of at least**~~ 30 % of the average annual production of the farmer in the preceding three-year period or a three-year average based on the preceding five-year period, excluding the highest and the lowest entry.	Clerical Insertion of “disasters or” for consistency with the earlier reference to “a natural disaster” and to avoid any ambiguity as to the circumstances giving rise to support under this Article. Clerical

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Crisis payments to farmers following natural disasters, adverse climatic events and catastrophic events (Table 2/2)		
Article	**Amendment**	**Rationale**
Article 20a 4.	Member States shall establish the applicable support rates for compensating the loss of production. Those rates **may~~shall~~** be higher for farmers who also implement interventions, or other preventive actions at farm level, to reduce the level of production and income risks for which support is granted. **Where a Member ~~States~~State applies a higher support rate, they shall determine the interventions or other preventive actions at farm level based on which higher support rates ~~shall~~ apply.** Indexes may be used for calculating the loss of production.	The text is updated to clarify that Member States only need to determine the relevant interventions or other preventive actions to reduce production and income risks where they apply a higher support rate.

Uachtaránacht na hÉireann ar
Chomhairle an Aontais Eorpaigh 2026

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Irish Presidency's suggestions for the post-2027 CAP Regulation Block 7b

WP Horizontal Agricultural Questions
30th September – 1st of October 2026

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Revised Presidency Text – Doc 13261/26

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Block 7b – articles with changes:

- Article 20g - Requirements concerning CAP interventions in the NRP Plans
- Article 20h – European and national CAP Networks
- Article 21a – Rules applying to undertakings
- Article 21b – State Aid

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Requirements concerning CAP interventions in the NRP Plans		
Article	**Amendment**	**Rationale**
Article 20h	In addition to the elements referred to in Article 22 of Regulation (EU) [...] [NRP Regulation], Member States shall provide for each CAP intervention referred to in Article 5(1) set out in the chapter or ~~chapter~~**chapters** related ~~for~~**to** agriculture in the NRP Plans~~.~~**:**	Clerical / consistency.
Article 20h(d)	a **brief** description of the design of the intervention, including a list of the eligibility conditions,	Member States requested this clause be made clearer – that the intention is for a brief and high-level description, only. Some Member States felt we should remove the reference to eligibility conditions, but others feel that the proposal was a good balance between common minimum requirements and reduced administrative burden.

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European and national CAP Networks - table 1/2		
Article	**Amendment**	**Rationale**
Article 20g(3)	"The objectives of the national and European CAP networks shall ~~be to~~**include at least the following**:"	Some Member States asked for reduced minimum requirements. Others asked for more flexibility to expand their CAP Networks' role. The compromise proposed is to reduce the detailed text in the objectives in article 20g(3)(c), (f) and (g), and to simultaneously give more flexibility for Member States by making the list a minimum list of objectives, with the possibility to add to these should a Member State wish to do so.
Article 20g(3)(c),	"improve the quality of **the implementation** ~~ofNRP Plans and in particular theirmeasures related to agriculture and~~**CAP interventions and support for rural** ~~development~~**areas under the NRP Plans and** disseminate results;	
Article 20g(3)(f),	"disseminate information on the CAP and ~~inform potential beneficiaries of~~ funding opportunities;"	
20g(3)(g)	contribute to further development of the CAP~~, including contributing to the development of the future CAP, and examination of previous CAP programmes~~.	

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European and national CAP Networks - table 2/2		
Article	**Amendment**	**Rationale**
Article 20g(4)(d)	"… and promote links to other Union-funded strategies and other relevant actors **related to agriculture and rural development**. "	Member States asked for more clarity on the scope and limit of these other relevant actors.
Article 20g(5a)	**The cost of establishing and ~~operating~~ maintaining the national CAP Networks may be funded by Member States under technical assistance as referred to in Article XX of Regulation (EU) […Technical assistance at the initiative of the Member State][NRP].**	Clerical/clarity Note – some Member States asked that this be made a "shall" provision. It was important for other Member States that it remain a "may" provision, as they wish to continue to operate their national Networks within their Managing Authority without the use of technical assistance.

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Rules Applying to undertakings		
Article	**Amendment**	**Rationale**
Article 21a	~~Where~~-**Support** ~~is~~ granted through ~~CAP~~ interventions referred to in Article 5(1) of this Regulation to forms of cooperation between undertakings may **only** be granted ~~only~~ to such forms of cooperation which comply with the competition rules provided for in Regulation (EU) No 1308/2013.	Clerical/clarity

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State Aid – table 1/2		
Article	**Amendment**	**Rationale**
Article 21b(2)	"Articles 107, 108 and 109 TFEU shall not apply to support paid by Member States pursuant to and in accordance with this Regulation ~~and to the national contribution to eligible costs provided by Member States~~**Regulation (EU) ... [NRP Regulation]** for the CAP interventions referred to in Article 5(1)~~, points (d) to (f) and (h) to (s)~~ of this Regulation or to the additional national financing provided for CAP interventions referred to in Article 5(1), points (d) to (f) and (h) to (s) of **this** ~~that~~ Regulation, falling within the scope of Article 42 TFEU."	Clerical/clarity
Article 21b(3)	**"…as approved in accordance with Articles 23 and 24 of Regulation (EU) …[NRP Regulation]."**	Clerical/clarity

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State Aid - table 2/2		
Article	**Amendment**	**Rationale**
Article 21b(5)	"For the agricultural products ~~covered by Annex I to the~~, **with the exception of fishery products, falling within the scope of Article 42** TFEU, to which Articles 107, 108 and 109 thereof apply…"	This reference was legally incorrect. The amendment was proposed to more accurately reflect the correct legal basis.
Article 21b(5), 21b(6)	deletions	Clerical/clarity – these provisions were deemed to be redundant in discussion with the Commission.

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Revised Presidency Text – Doc 13261/26

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Block 7b – articles with no proposed changes:

- Article 20f - Monitoring of agricultural resources
- Article 20i – WTO domestic support
- Article 20j – Implementation of the Memorandum of Understanding on oilseeds

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Irish Presidency's suggestions for the post-2027 CAP Regulation Block 7c

WP Horizontal Agricultural Questions
30th September – 1st of October 2026

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Block 7c

- Article 20k - Control and penalty system for farm stewardship
- Article 20l - Integrated Administration and Control System (IACS)

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Control and Penalty System for the Farm Stewardship – Table 1/4		
Article	**Amendment**	**Rationale**
20k Heading	**Control and penalty system for the farm stewardship**	Clerical – in line with Article 3 terminology.
20k (2)	~~**The** **Member States**~~**managing authority or paying agency** shall **set up a system to implement administrative penalties, including ensuring access to the necessary information to assess and grade**~~**be notified where relevant at least once a year of cases of non-compliance where enforceable decisions in that respect have been made under the applicable control and enforcement systems referred to in paragraph 1. That notification shall include an assessment and grading of** the severity, extent, permanence or reoccurrence and intentionality of the non-compliance concerned. **Where paragraph 1 is applied,** ~~**The**~~**the relevant competent authority shall exchange the data and control results of the non-compliances with the CAP paying agency at least once a year.**	Clerical Clarification that the exchange of data is only required where paragraph 1 is applicable, and the data exchange is limited to the results of any non-compliances found.

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Control and Penalty System for Farm Stewardship – Table 2/4		
Article	**Amendment**	**Rationale**
20k (3)	The administrative penalties referred to in paragraph 4 shall only apply to non-compliance with the requirements **and practices** of the farm stewardship referred to in Article 3 where that non-compliance is the result of an act or omission directly attributable to the beneficiary concerned, and where one or both of the following conditions are met:	Clerical – updated in line with Article 3 terminology.
20k (4)	Member States shall **apply~~set up a system of~~** administrative penalties **~~applying~~** to beneficiaries referred to in paragraph 3 who do not comply, at any time in the calendar year concerned, with the requirements **and practices** of the farm stewardship.	Clerical – updated in line with Article 3 terminology.

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Control and Penalty System for Farm Stewardship – Table 3/4		
Article	**Amendment**	**Rationale**
20k (4) New 4a	**4a.** Member States shall ~~**provide that no**~~**not apply** administrative ~~**penalty shall be imposed if**~~**penalties where**: (a) The non-compliance is due to force majeure or exceptional circumstances; (b) The non-compliance is due to an order from a public authority~~.~~**;** **(c)** ~~Where the~~**The non-compliance has no or only insignificant consequences for the achievement of the objective of the** ~~standard or~~ **requirement or practice concerned**~~, no administrative penalty shall be applied~~**.**	Clerical – streamlining of text for consistency, and updates to terminology in line with Article 3.

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Control and Penalty System for Farm Stewardship – Table 4/4		
Article	**Amendment**	**Rationale**
20k (4) New 4b	**4b. Member States may decide not to apply an administrative penalty to a beneficiary per calendar year.** **(a) where the amount of the penalty does not exceed EUR [150]; or** **(b) where the amount of the penalty falls between EUR [150] and EUR [250], provided that the Member State concerned applies, under its national law, a threshold equal to or higher than that amount below which administrative penalties of a comparable nature are not applied.** **However, the beneficiary shall be informed about the finding of the non-compliance and the obligation to take remedial action for the future.**	Clerical: Text moved from paragraph 4, to improve the flow and structure of the Article. These are the optional provisions, cases where Member States may decide not to apply administrative penalties.

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Integrated Administration and Control System (IACS) - Table 1/3		
Article	**Amendment**	**Rationale**
20l (1) Sub-paragraph 4	~~Any deficiencies found in the assessment shall not directly form a basis for suspension of payments or calculation of financial corrections.~~ **The assessment report shall not form a basis for suspension of payments or calculation of financial corrections under Article 67 or 68 respectively, of Regulation (EU) […] [NRP].**	This provision was moved to improve the logic/flow of the paragraph. The text was also rephrased to clarify that the assessment report shall not form a basis for suspensions or financial corrections. Any deficiencies found are not necessarily "excluded" from potential financial corrections, as they could subsequently be detected through other means i.e. audits.

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Integrated Administration and Control System (IACS) - Table 2/3		
Article	**Amendment**	**Rationale**
20l (3)	Without prejudice to the responsibilities of the Member States for the implementation and application of the integrated system**,** Member States **~~shall~~may** establish **~~the~~a** European land monitoring system**~~. It shall~~, to** provide information to farmers to support sustainable management of their holdings**~~. Furthermore~~**, **~~it shall provide~~** data for CAP policy development and monitoring, and promote sharing of farm sustainability data.	Amendments to clarify that ELMS is now optional for Member States to implement.
20l (4)	**Where applicable, ~~The~~the** European land monitoring system shall comprise**~~ at least~~** the data related to the elements of the integrated system referred to in paragraph 3 of Article 70 of Regulation (EU) […] [NRP]**,** and**~~, where applicable,~~ may include** data shared by farmers with public authorities in accordance with Article **21 of this Regulation~~10~~**. The Member States may provide additional services to enhance the European land monitoring system with other sources of information to the benefit of the farmers.	Updates to paragraph 4, reflecting the optional nature of ELMS as per the paragraph 3 amendments.

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Integrated Administration and Control System (IACS) - Table 3/3		
Article	**Amendment**	**Rationale**
20l (6) (a)	6. The Commission may adopt implementing acts laying down **uniform** rules on: (a) the form ~~**and content**~~ of, and arrangements for transmitting or making available to the Commission of: (I) the assessment report referred to in paragraph (1); (II) the remedial actions ~~**provided by Member States**~~**referred to in paragraph (1)**;	Update to clarify the scope of the implementing act is to provide uniform rules. Clerical: reference to paragraph 1, updated for consistency between points (I) and (II).