



Council of the European Union
General Secretariat

Brussels, 07 November 2025

**Interinstitutional files:
2025/0237 (COD)**

WK 15147/2025 INIT

LIMITE

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AGRIORG
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CADREFIN
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CODEC**

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Delegations
N° Cion doc.:	ST 11722 2025 ADD 1 + ST 11722 2025 INIT
Subject:	Regulation amending Regulation (EU) No 1308/2013 (CMO) as regards the school scheme, sectoral interventions, the protein sector, hemp, marketing standards, import duties, the availability of supplies and securities - Comments from Bulgaria

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Written comments on Block 3

of the proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 1308/2013

Regarding sectoral interventions, in particular interventions in the wine sector and in the apiculture sector, we propose that the provisions in the basic Regulation 1308/2013 be more specific and defined **for each sector separately**. The scope of each intervention should also be outlined - its main requirements, such as the specific objectives of the intervention, eligible support activities, potential beneficiaries, etc. In this way, the necessary legal certainty and precision of the rules for determining the sectoral support policy will be achieved, and Member States will have greater clarity regarding the possibilities of the future policy and certainty in its design and implementation at the national level.

Comments regarding Article 31

Article 31(a) - Article 13 (Investments for farmers) of Regulation (EU) .../... of the European Parliament and of the Council (CAP Regulation) stipulates that farmers and forest holders are beneficiaries of the interventions. Does this mean that producer groups (PGs), producer organisations (POs) and association of producer organisations (APOs) may not benefit from these interventions in certain sectors?

Article 31 - Are PGs, POs and APOs eligible for support in the sectors for interventions listed in points (a) to (m) and (p)?

Comments regarding Article 32

Article 32, paragraph 3 - We would appreciate clarification as what criteria the PGs have to meet in order to be beneficiaries of the interventions.

Article 32, paragraph 3 – We need more clarity with regard to the text of “entities representing other form of cooperation between producers that are constituted at the initiative of producers and controlled by them”. How should be defined such of entities?

Article 32, paragraph 3 – Should PGs who implement their first operational programme repay the amount of the financial support granted if they could not fulfil their recognition plan with a view to be recognised as producer organisations?

Comments regarding Article 33

Article 33, paragraph 3(c) – What are the criteria setting out the maximum percentage of the national contribution of the operational fund?

Article 33, paragraph 4 – The article stipulates that Member States shall set out in their NRP Plans the maximum percentages of the operational fund which may be spent on any individual type of intervention in order to ensure a balance between the different types of interventions.

We would appreciate clarification as to establishment of the balance requirements:

Is it necessary to set out maximum percentages of the operational fund for each interventions referred to in Article 31?

Does the balance ensured by the implementing of only two interventions through the operational programme, which have their maximum percentages and these maximum percentages are less than 100%?

Comments regarding Article 34

Article 34, paragraph 2 – The article stipulates that the value of the marketed production for a producer organisation, association of producer organisations or producer group shall be calculated on the basis of the production of the POs or PGs or APOs and its producer members that has been put on the market by this organisation, association or producer group and shall only include the production of those products for which the POs, APOs or PGs is recognised or identified. Does this mean that the value shall not include percentage based on processed production? Does this also mean that the value of marketed production shall not include the value of the contracted marketed production by the PG, PO and APO on behalf of its members?

Article 34, paragraph 2 – We need more clarity about the meaning of the term "identified" which is used in the text for a producer group.

Article 34, paragraph 3 – According to Article 34, paragraph 3, where historical data on marketed production for newly recognised producer organisations, association or producer group are insufficient, the value of marketed production communicated by the POs, APOs or PGs for the purposes of its recognition shall be accepted. Is a start-up producer group (*based on the number of members rather than the value of marketed production*) that is constituted at the initiative of completely new producers who start producing a new product and do not have historical data, eligible to implement an operational programme?

It is very important to establish provisions governing the transition from ongoing operational programmes implemented by the POs/APOs to the new programming period, given that the period of many programs approved under Regulation (EU) 2021/2115 continues beyond December 2027 with already approved budgets and rules under the old programming period.

Written comments on the

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security for the period 2028-2034 and amending Regulation (EU) 2023/955 and Regulation (EU, Euratom) 2024/2509

Comments regarding Article 35

According to Article 35, paragraph 8 the minimum national contribution for the interventions referred to in paragraph 1(r) shall not be less than 30 % of the eligible public expenditure for each intervention.

The implementation of operational programmes in all sectors does not specify how the national contribution is determined. Is the support from national funds linked to the value of marketed production marketed by the POs/APOs?

According to Article 35 paragraph 9(a) the Union financial assistance granted to recognised POs, APOs or identified PGs implementing interventions in certain sectors referred to in Article 31 of Regulation (EU) No 1308/2013 is limited to 4,1 % of the value of the marketed production of each producer organisation. Is this percentage applicable to operational programmes in 'Other sectors'?

How the requirement that the Union financial assistance and the national contribution together shall not exceed 100 % of the actual costs of the interventions implementing the operational programmes referred to in Article 35 paragraph 9 shall be covered by the requirement of Article 35, paragraph 8 - the maximum support rate applicable to interventions is not more than 75%?

Regarding the support in the wine sector referred to in Regulation (EU) No 1308/2013, Bulgaria may accept the proposal for compulsory national contribution, if the maximum support rate for the interventions is 80% of the total eligible costs of each intervention. The higher support rate will ensure consistency in the EU policy to support the sector, which is in serious crisis.