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General Secretariat

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**Brussels, 19 November 2025**

**WK 15808/2025 INIT**

**LIMITE**

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## **INFORMATION**

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WK 15808/2025 INIT

**LIMITE**

**EN**

PUBLIC

# CAP post 2027 – Amendment to the CMO – Block 4 (protein crops, hemp, sugar)

*Meeting of Council Working Party, 19 November 2025*

PUBLIC

# Protein crops

Definition of the protein crops sector

Enabling marketing standard for protein crops (origin labelling)

Mandatory recognition of protein crops producers organisations and interbranch organisations



# A protein crops sector replacing the dried fodder sector

Proposal COM(2025)553 – Annex I (1)(a) and (c)

- All products in Section 1 of new Part IV of Annex I CMO were in Section 1, Part XXIV “Other products” of Annex I CMO
- Products in the “Dried fodder” sector to be replaced are either moved to Section 2 of new Part IV of Annex I CMO, or to Section 1 of Part XXIV of Annex I CMO

## PART IV

### Dried fodder

The dried fodder sector shall cover the products listed in the following table:

CN code	Description
(a) ex 1214 10 00	<ul style="list-style-type: none"> <li>– Meal and pellets of lucerne artificially heat-dried</li> <li>– Meal and pellets of lucerne otherwise dried and ground</li> </ul>
ex 1214 90 90	<ul style="list-style-type: none"> <li>– Lucerne, sainfoin, clover, lupins, vetches and similar fodder products, artificially heat-dried, except hay and fodder kale and products containing hay</li> <li>– Lucerne, sainfoin, clover, lupins, vetches, honey lotus, chickling pea and birdsfoot, otherwise dried and ground</li> </ul>
(b) ex 2309 90 96	<ul style="list-style-type: none"> <li>– Protein concentrates obtained from lucerne juice and grass juice</li> <li>– Dehydrated products obtained exclusively from solid residues and juice resulting from preparation of the abovementioned concentrates</li> </ul>

- In green, products are moved to the new protein crop sector (Part IV)
- In orange, products are moved to “other products” (Part XXIV)
- “similar fodder products” cover “similar leguminous fodder products” that were moved to the new protein crop sector (Part IV) and forage products that were not leguminous fodder that were moved to “other products” (Part XXIV)



# Article 6 (b) – Removing for Dried fodder sector

Proposal COM(2025)553 - Article 1(4)

## Article 6

### Marketing years

The following marketing years shall be established:

*[Not relevant for the discussion];*

(b) 1 April to 31 March of the following year for the ~~dried fodder and~~ silkworm sectors;

*[Not relevant for the discussion].*



# Article 75(1) – Enabling marketing standard for protein crops (origin labelling)

Proposal COM(2025)553 - Article 1(13)

## Article 75

### Establishment and content

1. Marketing standards may apply to one or more of the following sectors and products:

- (a) olive oil and table olives;
- (b) fruit and vegetables;
- (c) processed fruit and vegetable products;
- (d) bananas;
- (e) live plants;
- (f) eggs;
- (g) poultrymeat;
- (h) spreadable fats intended for human consumption;
- (i) hops;
- (j) protein crops;**
- (k) beef;**
- (l) pigmeat;**
- (m) sheepmeat;**
- (n) goatmeat;**
- (o) cheese.**



# Article 154(a) – Existing producer organisations in the protein crop sector

Proposal COM(2025)553 - Article 1(20)

PUBLIC

3a. Producer organisations which have been recognised before [date of entry into force of this amending Regulation] for one or more products in the protein crop sector shall be deemed to be recognised in that sector as producer organisations pursuant to Article 152. Those producer organisations shall also retain their recognition for other products recognised under other sectors. However, where those producer organisations do no longer fulfil the conditions laid down in paragraph 1 of this Article for one or more sectors, Member States shall withdraw their recognition for the concerned sectors no later than [31 December 20XX at least 2 full years after the date of entry into force of this amending Regulation].



# Article 158(a) – Existing interbranch organisations in the protein crop sector

Proposal COM(2025)553 - Article 1(21)

PUBLIC

3a. Interbranch organisations which have been recognised before [date of entry into force of this amending Regulation] for one or more products in the protein crop sector shall be deemed to be recognised in that sector as interbranch organisations pursuant to Article 157. Those interbranch organisations shall also retain their recognition for other products recognised under other sectors. However, where those interbranch organisations do no longer fulfil the conditions laid down in paragraph 1 of this Article for one or more sectors, Member States shall withdraw their recognition for the concerned sectors no later than [31 December 20XX at least 2 full years after the date of entry into force of this amending Regulation].



# Article 159 – Mandatory recognition of protein crops producers and interbranch organisations

Proposal COM(2025)553 - Article 1(22)

## *Article 159*

### **Mandatory recognition**

By way of derogation from Articles 152 to 158, Member States shall, on request, recognise:

(a) producer organisations in:

- (i) the fruit and vegetables sector in respect of one or more products of that sector and/or such products solely intended for processing,
- (ii) the olive oil and table olives sector,
- (iii) the silkworm sector,
- (iv) the hops sector,
- (v) **protein crop sector;**

(b) interbranch organisations in the olive oil and table olives sector, the tobacco sector **and protein crop sector.**



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# Hemp

Modification of the flax and hemp sector definition (all parts of the plant)

Rules on production and marketing (minimum harmonisation of rules at EU level)

Modification of the rules on imports (all parts of the plant)



# Amendment of flax and hemp sector definition

Proposal COM(2025)553 – Annex I (1)(b)

Annex I

*Part VIII*

***Flax and hemp***

The flax and hemp sector shall cover the products listed in the following table:

<b>CN code</b>	<b>Description</b>
<a href="#">1204 00 90</a>	<a href="#">Linseed, whether or not broken, other than for sowing</a>
<a href="#">1207 99 91</a>	<a href="#">Hemp seeds, whether or not broken, other than for sowing</a>
<a href="#">ex 1211 90 86</a>	<a href="#">Other parts of the hemp plant</a>
5301	Flax, raw or processed but not spun; flax tow and waste (including yarn waste and garnetted stock)
5302	True hemp ( <i>Cannabis sativa</i> L.) raw or processed but not spun; tow and waste of true hemp (including yarn waste and garnetted stock)

**\*\*Hemp seeds for sowing (CN code 1207 99 20) remain part the *seed sector* under Part V of Annex I CMO**



# Article 147b - production of hemp

Proposal COM(2025)553 - Article 1(19)

1. The following products may be produced in the Union if they are grown from a variety of *Cannabis Sativa* L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum  $\Delta 9$ -tetrahydrocannabinol content not exceeding 0,3 % and they meet the following conditions:
  - (a) raw true hemp falling within CN code 5302 grown from seeds certified in accordance with Council Directive 2002/57/EC or in accordance with Article 10 of Commission Directive 2008/62/EC in the case of conservation varieties;
  - (b) hemp seeds for sowing falling within CN code ex 1207 99 20 produced in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties;
  - (c) hemp seeds other than for sowing, falling within CN code 1207 99 91 grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties;
  - (d) all other parts of the hemp plant falling withing CN code 1211 90 86 grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties.
2. Products referred to in paragraph 1 not meeting the conditions laid down therein may be produced on the territory of Member States that allow so for their territory and under the conditions they lay down in accordance with Union, international and national law.



# Article 147c (1) - marketing of hemp

Proposal COM(2025)553 - Article 1(19)

1. The following products may only be marketed in the Union if the following conditions are met:
  - (a) raw true hemp falling within CN code 5302, produced from a variety of *Cannabis Sativa* L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum  $\Delta$ 9-tetrahydrocannabinol content not exceeding 0,3 % and grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties;
  - (b) hemp seeds for sowing falling within CN code ex 1207 99 20 of a variety of *Cannabis Sativa* L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum  $\Delta$ 9-tetrahydrocannabinol content not exceeding 0,3 %, marketed in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties;
  - (c) all other parts of the hemp plant falling withing CN code 1211 90 86, of a variety of *Cannabis Sativa* L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum  $\Delta$ 9-tetrahydrocannabinol content not exceeding 0,3 % and grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties.

Hemp seeds other than for sowing, falling within CN code 1207 99 91 may be marketed in the Union.



# Article 147c (2) & (3) - marketing of hemp

Proposal COM(2025)553 - Article 1(19)

2. By way of derogation from paragraph 1, products listed in that paragraph not complying with the conditions laid down therein may be marketed for use for medical and scientific purposes in accordance with Union, international and national law.
3. Hemp products referred to in paragraph 1 derived from hemp plants sown before [1 January of the year after the date of entry into force of this Regulation] may continue to be marketed in accordance with the rules in force prior to that date until [31 December of the year after the entry into force of the amending Regulation].



# Amendment of Article 189 – imports of hemp (1)

Proposal COM(2025)553 - Article 1(27)

1. The following products may be imported into the Union only if the following conditions are met:
  - (a) raw true hemp falling within CN code 5302 ~~10 00 meeting the conditions laid down in Article 32(6) and in Article 35(3) of Regulation (EU) No 1307/2013~~ produced from a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum  $\Delta$ 9-tetrahydrocannabinol content not exceeding 0,3% and grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties **or** accompanied by proof that the  $\Delta$ 9-tetrahydrocannabinol level of the variety concerned does not exceed 0,3 %;
  - (b) seeds of varieties of hemp falling within CN code ex 1207 99 20 ~~for sowing accompanied by proof that the tetrahydrocannabinol level of the variety concerned does not exceed that fixed in accordance with Article 32(6) and in Article 35(3) of Regulation (EU) No 1307/2013~~ of a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum  $\Delta$ 9-tetrahydrocannabinol content not exceeding 0,3 %, certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties **or** accompanied by proof that the  $\Delta$ 9-tetrahydrocannabinol level of the variety concerned does not exceed 0,3 %;

*\*\*Regulation (EU) No 1307/2013 has been repealed by Regulation (EU) 2021/2115*



# Amendment of Article 189 – imports of hemp (2)

Proposal COM(2025)553 - Article 1(27)

1. (c) hemp seeds other than for sowing, falling within CN code 1207 99 91 and imported only by importers authorised by the Member State in order to ensure that such seeds are not intended for sowing.
  - (d) other parts of the hemp plant falling within CN code 1211 90 86 of a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum  $\Delta$ 9-tetrahydrocannabinol content not exceeding 0,3 % and grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties or accompanied by proof that the tetrahydrocannabinol level of the variety concerned does not exceed 0,3 %.
- ~~2. This Article shall apply without prejudice to more restrictive rules adopted by Member States in compliance with the TFEU and the obligations under the WTO Agreement on Agriculture.~~
2. By way of derogation from paragraph 1, products referred to in that paragraph not meeting the conditions laid down therein may be imported for use for medical and scientific purposes in accordance with Union, international and national law.



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# Sugar

Clarification of the parties involved and products covered in the agreements within the trade  
Clarification on the ownership and remuneration of the beet pulp in the delivery contracts



# Sugar

- Article 125 (1)

1. The terms for buying sugar beet and sugar cane between Union growers of sugar beet and sugar cane and Union sugar undertakings, including pre-sowing delivery contracts, shall be governed by written agreements within the trade ~~concluded between, on the one hand, Union growers of sugar beet and sugar cane or, on their behalf, the organisations as described in Part II, Section A, point 6, of which they are members, and, on the other hand, Union sugar undertakings or, on their behalf, the organisations of which they are members Annex II.~~

- Annex II, Part II, Section A, points 5 and 6

5. A "delivery contract" means a contract concluded between a seller and an undertaking for the delivery of beet or sugar cane for the manufacture of sugar.

6. "Agreement within the trade" means one of the following:

(a) an agreement concluded, prior to the conclusion of any delivery contract, between undertakings or an undertakings' organisation recognised by the Member State concerned, or a group of such undertakings' organisations, on the one hand and a beet or sugar cane sellers' association recognised by the Member State concerned or a group of such sellers' organisations on the other;

(b) in the absence of any agreement as referred to in point (a), the law on companies and the law on cooperatives, in so far as they govern the delivery of sugar beet and sugar cane by the shareholders or members of a company or cooperative manufacturing sugar.

- Annex X – Title – Inclusion of Part I (beet) and Part II (cane)

**PURCHASE TERMS ~~FOR BEET DURING THE PERIOD~~ REFERRED TO IN ARTICLE 125(3)**

Part I

Purchase terms for beet

Part II

Purchase terms for cane

The purchase terms for beet set out in Part I apply mutatis mutandis to sugar cane.



# Sugar

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- Point VIII of Annex X

1. Delivery contracts shall provide that the pulp obtained from the whole quantity of beet delivered shall be considered the property of the beet seller and shall require sugar undertakings to do one or more of the following ~~for the whole quantity of beet delivered:~~ with respect to that pulp:

(a) to return all or part of the pulp, fresh ~~pulp from the tonnage of beet delivered,~~ free of charge, to the beet seller, ex-factory;

(b) to return part of that pulp, pressed, dried or dried and molassed, free of charge to the beet seller, ex-factory. In this case, the part of the pulp to be retained by the sugar undertaking, free of charge, shall be stipulated in the delivery contract;

(c) to return all or part of the pulp, pressed or dried, to the beet seller, ex-factory; ~~in.~~ In this case, the ~~sugar undertaking may require~~ amount of the pulp to be returned to the beet seller ~~to pay and~~ the pressing or drying costs ~~(d) to pay~~ be paid by the beet seller ~~compensation which takes account of the possibilities of selling the pulp concerned.~~ to the sugar undertaking shall be stipulated in the delivery contract;

(d) to retain all or part of the pulp. In this case, the amount of the pulp to be retained by the sugar undertaking and the price or calculation method for the value of the pulp to be paid by the sugar undertaking to the beet seller shall be stipulated in the delivery contract. The price or calculation method for the value of the pulp shall be based on the possibilities of selling the pulp concerned;



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# POSEI



# POSEI

- Integration into the CMO of provisions on the use of a logo for the marketing of quality agricultural products in the outermost regions and the State aid derogation for national payments for the sugar sector in the French outermost regions (Regulation (EC) No 228/2013)



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*Thank you for your attention.*

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# Annex

Hemp - Current CAP framework for

- hemp direct payments eligibility criteria and controls
- additional rules for hemp imports
- checks and penalties on marketing rules



# Additional requirements direct payments

## Article 2 of Delegated Regulation (EU) 2022/126

When providing, in their CAP Strategic Plans, the definitions foreseen in Article 4(1) of Regulation (EU) 2021/2115, Member States shall make the granting of payments for the production of hemp conditional upon **the use of seeds of hemp varieties which fulfil the following requirements:**

- (a) they are **listed in the Common Catalogue** of Varieties of Agricultural Plant Species on 15 March of the year in respect of which the payment is granted and published in accordance with Article 17 of Council Directive 2002/53/EC ([1](#));
- (b) their  **$\Delta 9$ -tetrahydrocannabinol content** (hereinafter referred to as ‘THC content’) did not exceed for 2 consecutive years the limit as laid down in Article 4(4), second subparagraph, of Regulation (EU) 2021/2115;
- (c) they are **certified in accordance with Council Directive 2002/57/EC ([2](#))** or in accordance with Article 10 of Commission Directive 2008/62/EC ([3](#)) in the case of conservation varieties.



# Verification of hemp varieties and quantitative determination of THC content

## Article 3 of Delegated Regulation (EU) 2022/126

1. Member States shall establish a verification system for determining the THC content in hemp varieties which allows them to apply the **method for the verification of hemp varieties and quantitative determination of the THC content** in hemp varieties set out in [Annex I](#).
2. The competent authority of the Member State shall keep the records related to findings on the THC content. Such records shall comprise, for each variety, at least the results in terms of THC content from each sample expressed in percentage to two decimal places, the procedure used, the number of tests carried out, an indication of the point at which the sample was taken and measures taken at national level.
3. If an **average of all the samples of a given variety exceeds the THC content** laid down in Article 4(4), second subparagraph, of Regulation (EU) 2021/2115, Member States shall **use procedure B described in Annex I to this Regulation for the variety concerned in the course of the following claim year**. That procedure shall be used in the course of the next claim years unless all the analytical results for the given variety are below the THC content laid down in Article 4(4), second subparagraph, of Regulation (EU) 2021/2115.
4. **If for the second year the average of all the samples of a given variety exceeds the THC content** laid down in Article 4(4), second subparagraph, of Regulation (EU) 2021/2115, the Member State shall notify the Commission of the name of the variety concerned by 15 January of the following claim year at the latest. Starting from that claim year, the cultivation of the given variety shall **not give a right to direct payments** in the Member State concerned.
5. Member States shall ensure that the **hemp producers are timely informed about the names of hemp varieties which are ineligible for direct payment** in accordance with Article 4(4), second subparagraph, of Regulation (EU) 2021/2115 following a notification pursuant to paragraph 4 of this Article by making the information notified public not later than the date for submitting the single application.



# Integrated administration and control system in the common agricultural policy

Article 8 (i) of Implementing Regulation (EU) 2022/1173

- (i) for areas used for the production of hemp, the **variety of seed used**, an **indication of the quantities** of the seeds used, expressed in kilograms per hectare, and **the official labels used on the packaging** of the seeds in accordance with Council Directive 2002/57/EC <sup>(4)</sup>, and in particular Article 12 thereof, or any other document recognised as equivalent by the Member State. Where the labels also have to be submitted to other national authorities, Member States may provide for those labels to be returned to the beneficiaries. The labels returned shall be marked as used for an application.



# Additional import rules for all hemp products

Article 9 (1) and (2) of Delegated Regulation 2016/1237

1. The release for free circulation of hemp products listed in Sections C, D, and G of Part I of the Annex to this Regulation shall be **subject to an import licence** in accordance with the model set out in Annex I to Implementing Regulation (EU) 2016/1239 ('import licence AGRIM').

The **licence shall be issued only** where it has been demonstrated to the satisfaction of the Member State where the hemp products are to be released for free circulation that **all the conditions laid down in Article 189(1) of Regulation (EU) No 1308/2013** and in this Regulation and the requirements laid down by the Member State concerned pursuant to Article 189(2) of Regulation (EU) No 1308/2013, have been met.

2. The application for a licence shall contain the information in line with the instructions for hemp products in the notice on import and export licences for agricultural products.

Member States may lay down additional requirements relating to the licence application and the issue and use of the licence, as referred to in Article 189(2) of Regulation (EU) No 1308/2013.



# Additional import rules for seeds not for sowing

Article 9 (3) and (4) of Delegated Regulation 2016/1237

3. For the purposes of point (c) of Article 189(1) of Regulation (EU) No 1308/2013 the Member States concerned shall establish **arrangements for the authorisation of importers** of hemp seed other than for sowing. Those arrangements shall include the definition of the conditions for authorisation, checks and the penalties to be applied in cases of irregularity.
4. In the case of release for free circulation of hemp seeds other than for sowing as referred to in Section G of Part I of the Annex, the import licence shall be issued only where the authorised importer undertakes that the authorities competent for checks concerning the relevant operations in the Member State where the importer is authorised will be provided, within the time limits and under the conditions set by the Member State, with **documents demonstrating that the hemp seed covered by the licence has undergone, within a period of less than 12 months from the date on which the licence is issued, one of the following operations:**
  - (a) placing in a **condition that excludes use for sowing**;
  - (b) **mixing with seed other than hemp** seed for the purposes of animal nutrition, with hemp seed accounting for a maximum of 15 % of the total mixture and, in exceptional cases, a maximum of 25 % at the request of the authorised importer accompanied by a justification;
  - (c) **export** to a third country.

[...]



# Checks and penalties

Article 90a of Regulation (EU) no 1308/2013

## Checks and penalties related to marketing rules

1. Member States shall take measures to ensure that products referred to in Article 119(1) which are not labelled in conformity with this Regulation are not placed on the market or, if they have already been placed on the market, are withdrawn from the market.
2. Without prejudice to any specific provisions which may be adopted by the Commission, imports into the Union of the products specified in Article 189(1), points (a) and (b) shall be subject to checks to determine whether the conditions provided for in paragraph 1 of that Article are met.
3. Member States shall carry out checks, based on a risk analysis, in order to verify whether the products referred to in Article 1(2) conform to the rules laid down in this Section and shall apply administrative penalties as appropriate.



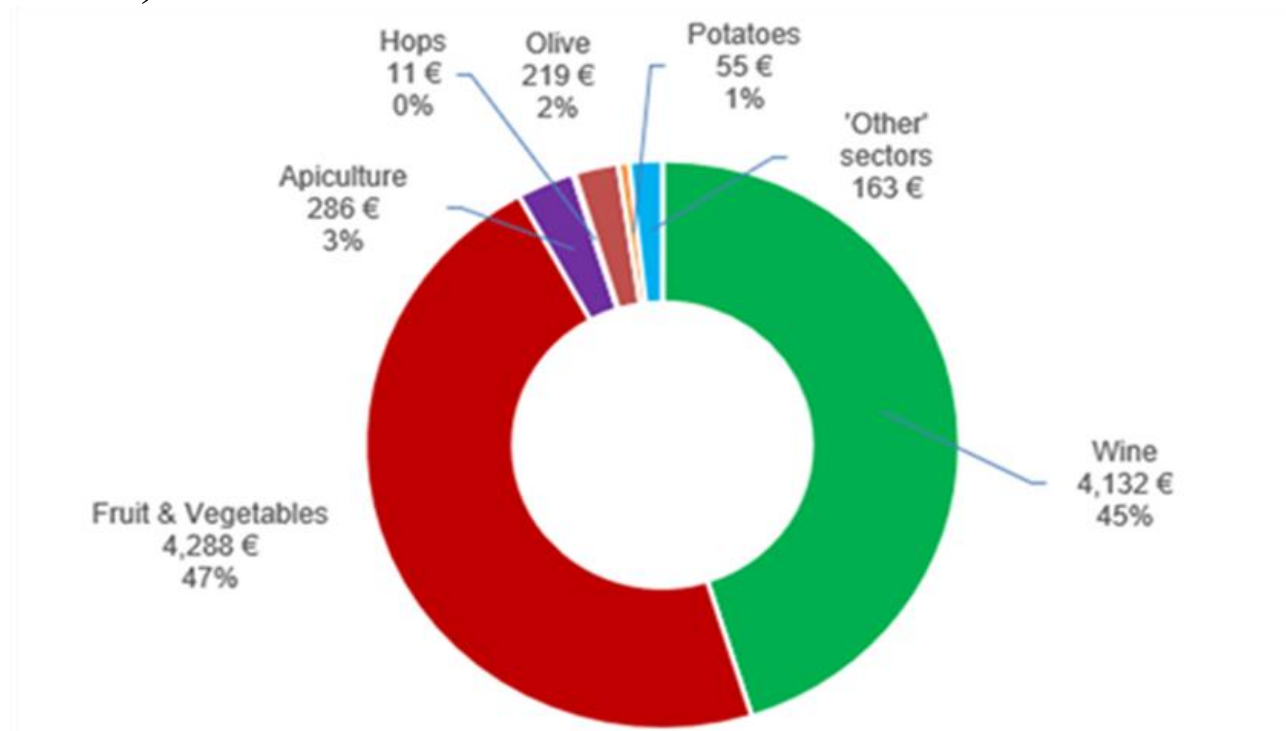
PUBLIC

# Sectoral interventions 2028-2034

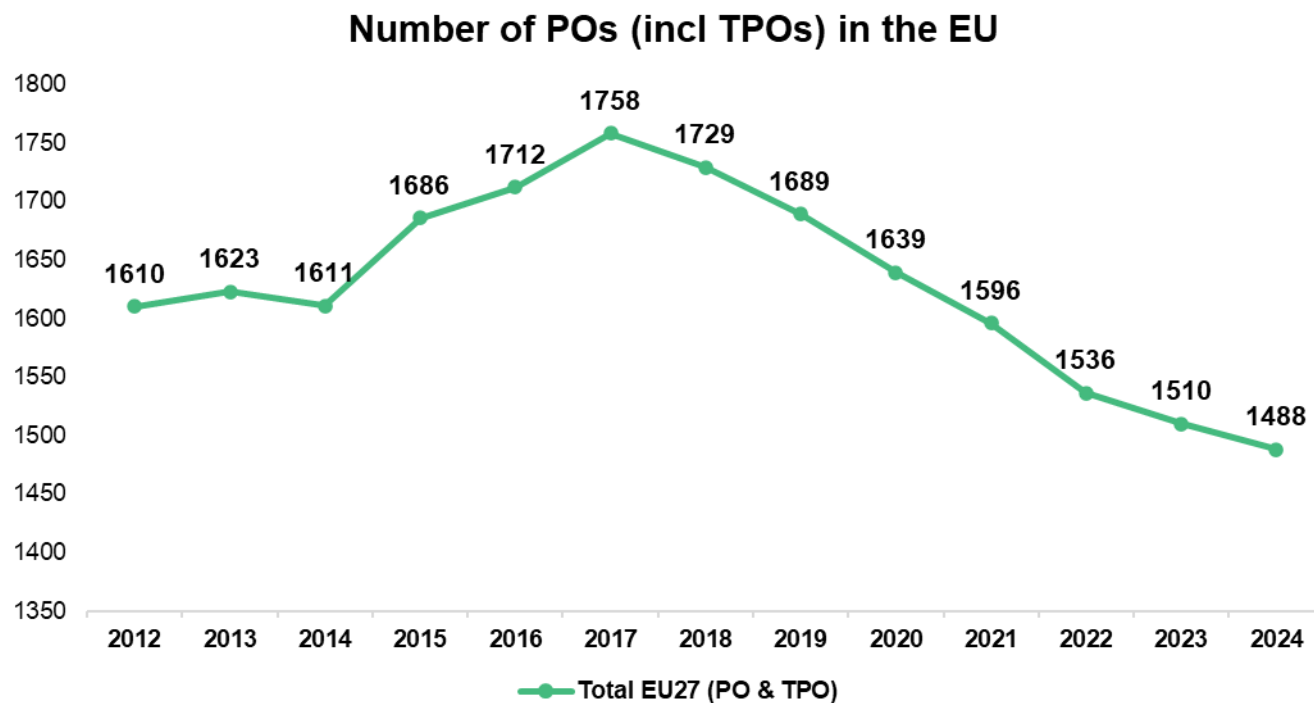
*Council Working Party of 19-20.11.2025*

## All sectors:

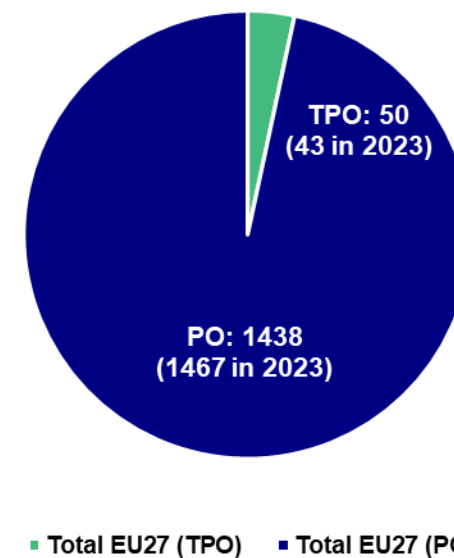
- Breakdown of total financial allocations for sectoral support at EU level by sector including national co-financing for the apiculture sector, 2023-2027, (million EUR and %)



# Fruit and vegetables: National and transnational producer organisations



**Number of POs and TPOs in EU27 in 2024**

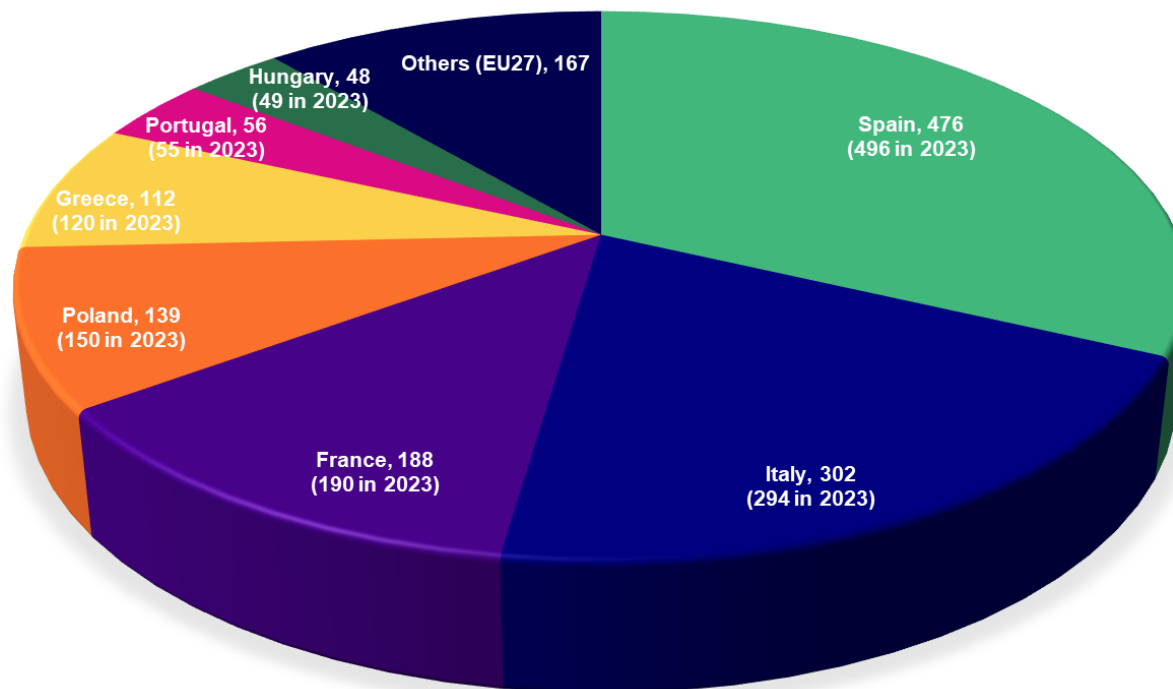


Source: ISAMM form 888



# Fruit and vegetables: National and transnational producer organisations

Number of POs (incl TPOs) in the EU27 in 2024

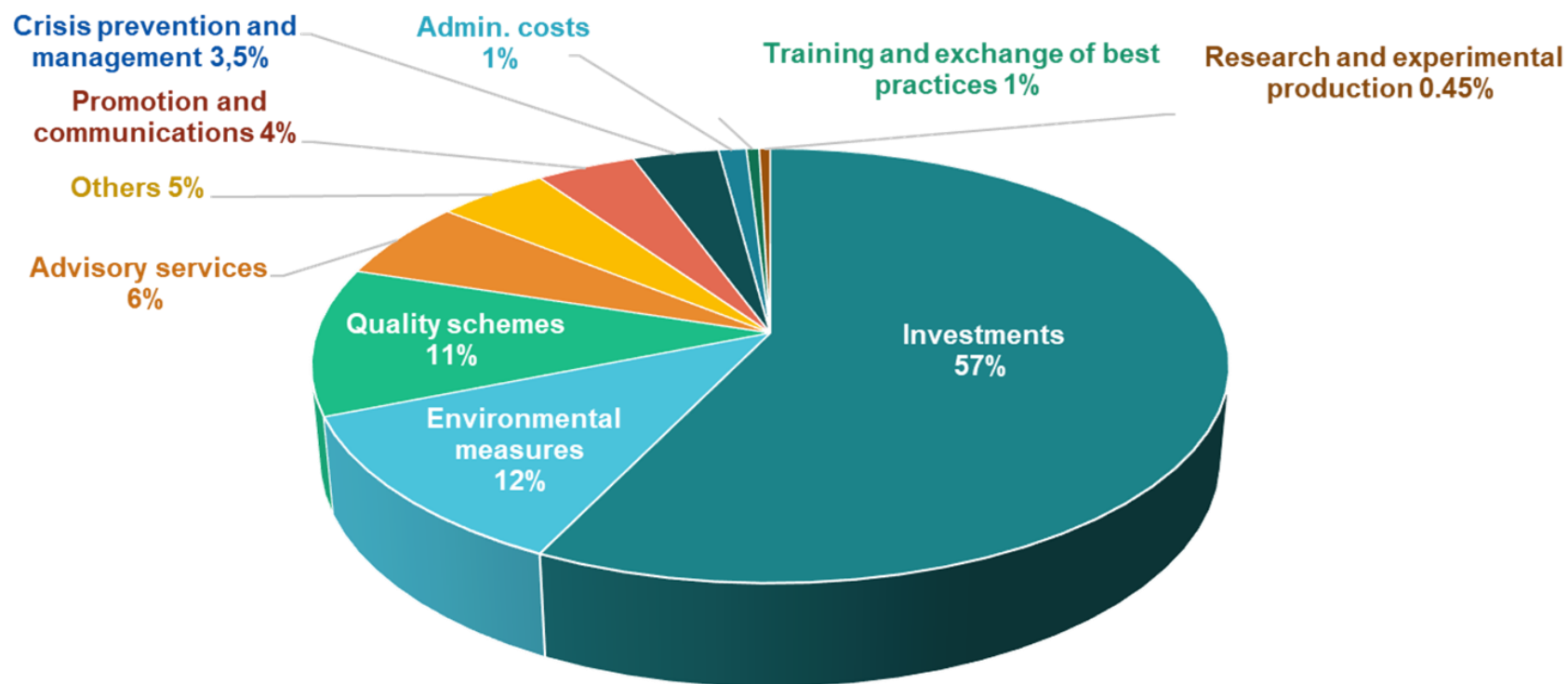


Source: ISAMM form 888



# Fruit and vegetables: Operational programmes per measures

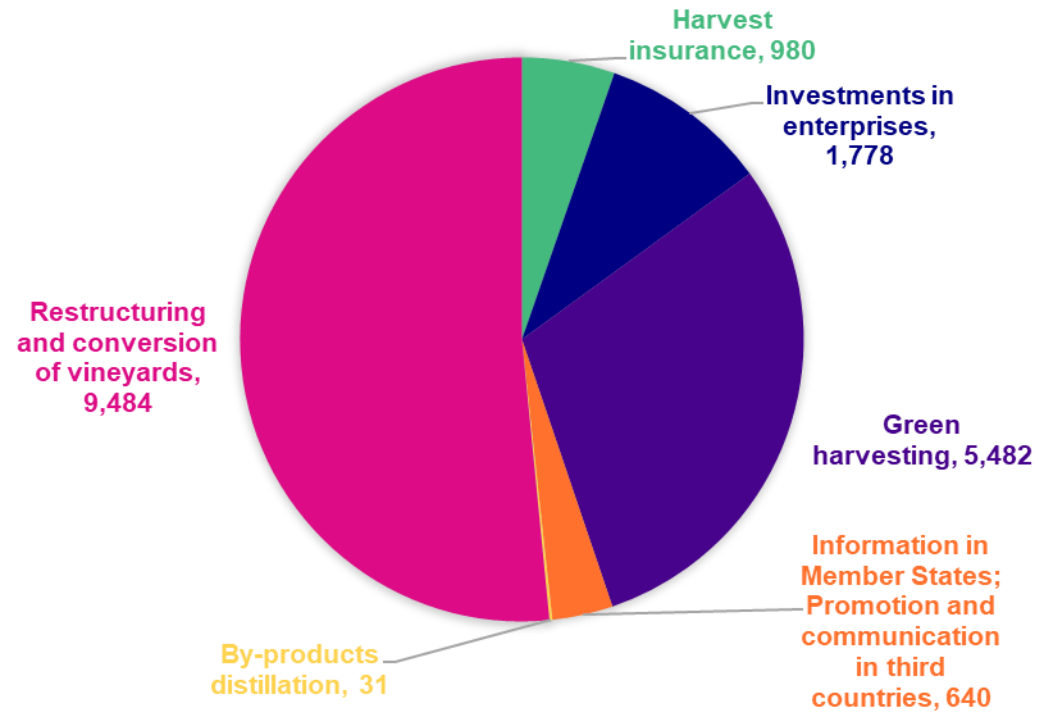
Expenditure per type of measure, EU27, 2022  
(total € Mio 1.872)



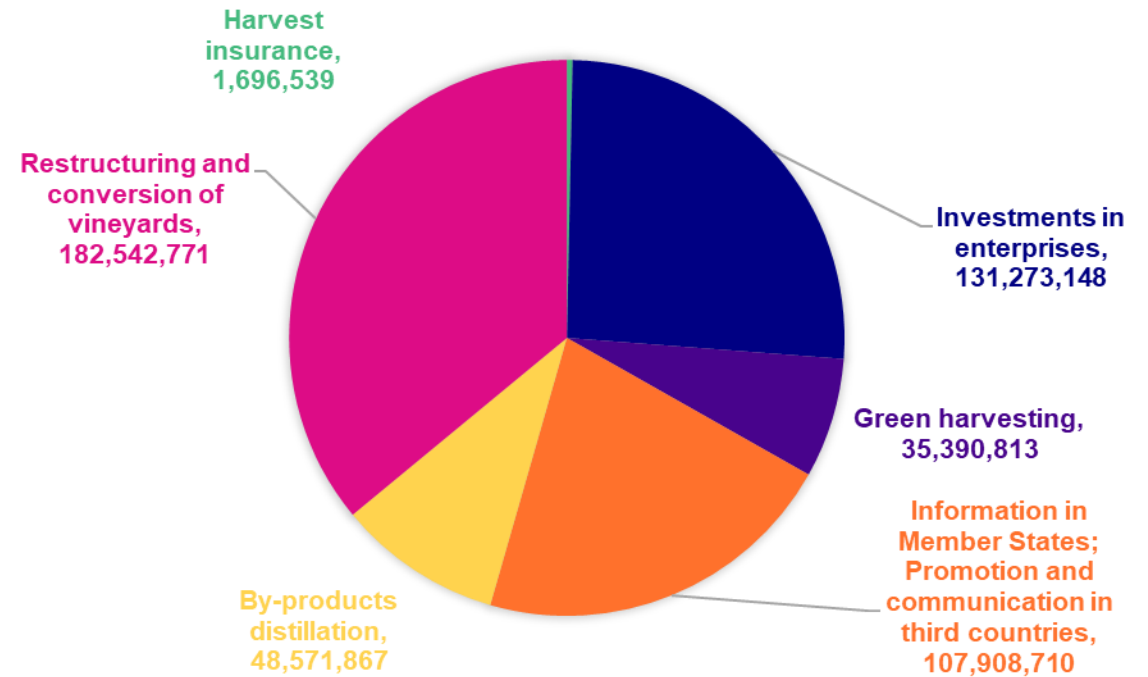
Source: ISAMM 93

# Wine sector

**Number of beneficiaries per intervention at EU level in financial year 2024**  
(total number of beneficiaries: 18.395)



**Union financial assistance (€) at EU level in financial year 2024**  
(total Union financial assistance: 507.383.848 €)

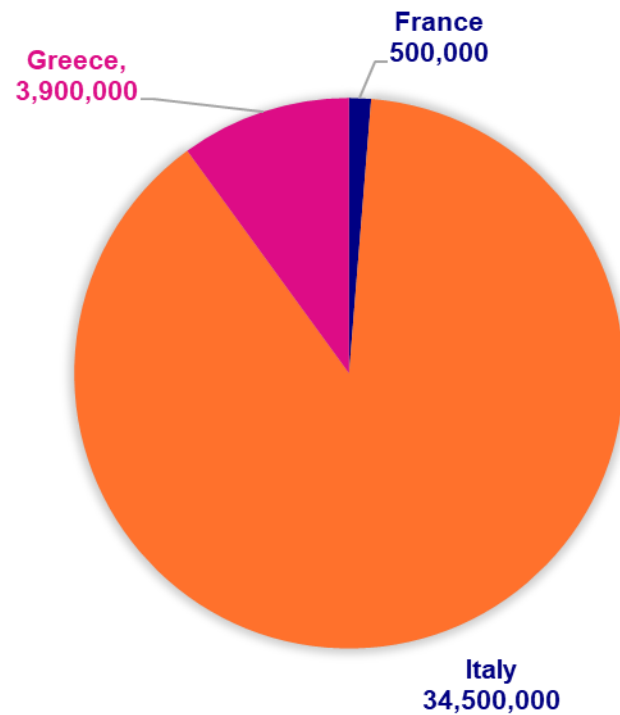


\* Data for France not received for 2024 thus not included in the calculation.

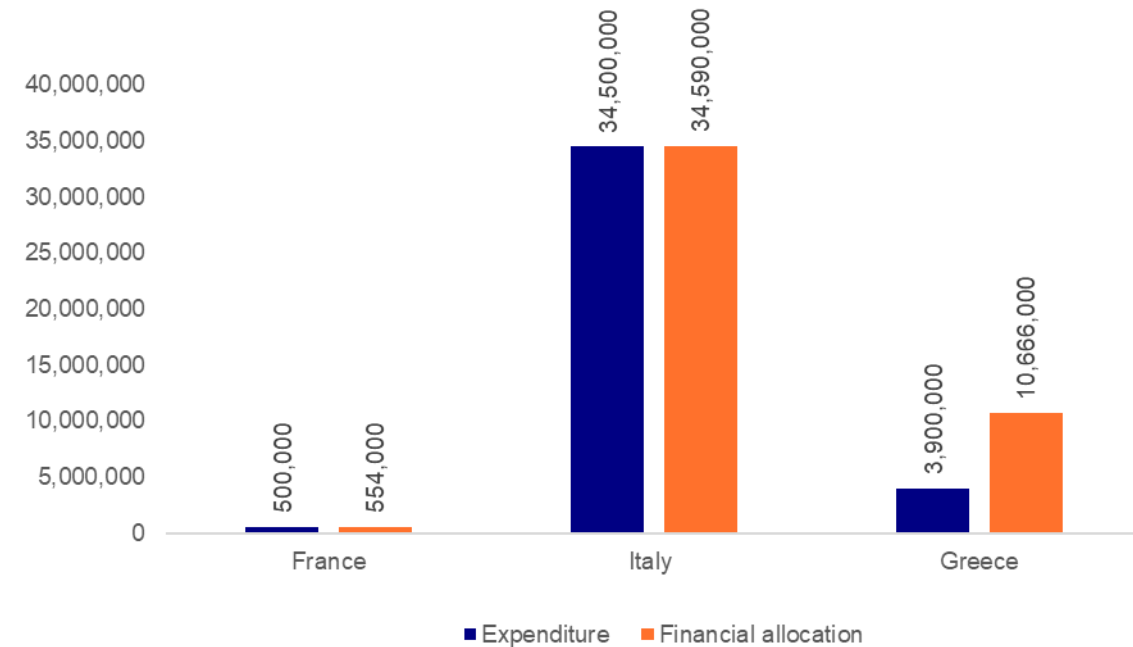


# Olive oil and table olives sector

Expenditure (€) in financial year 2024



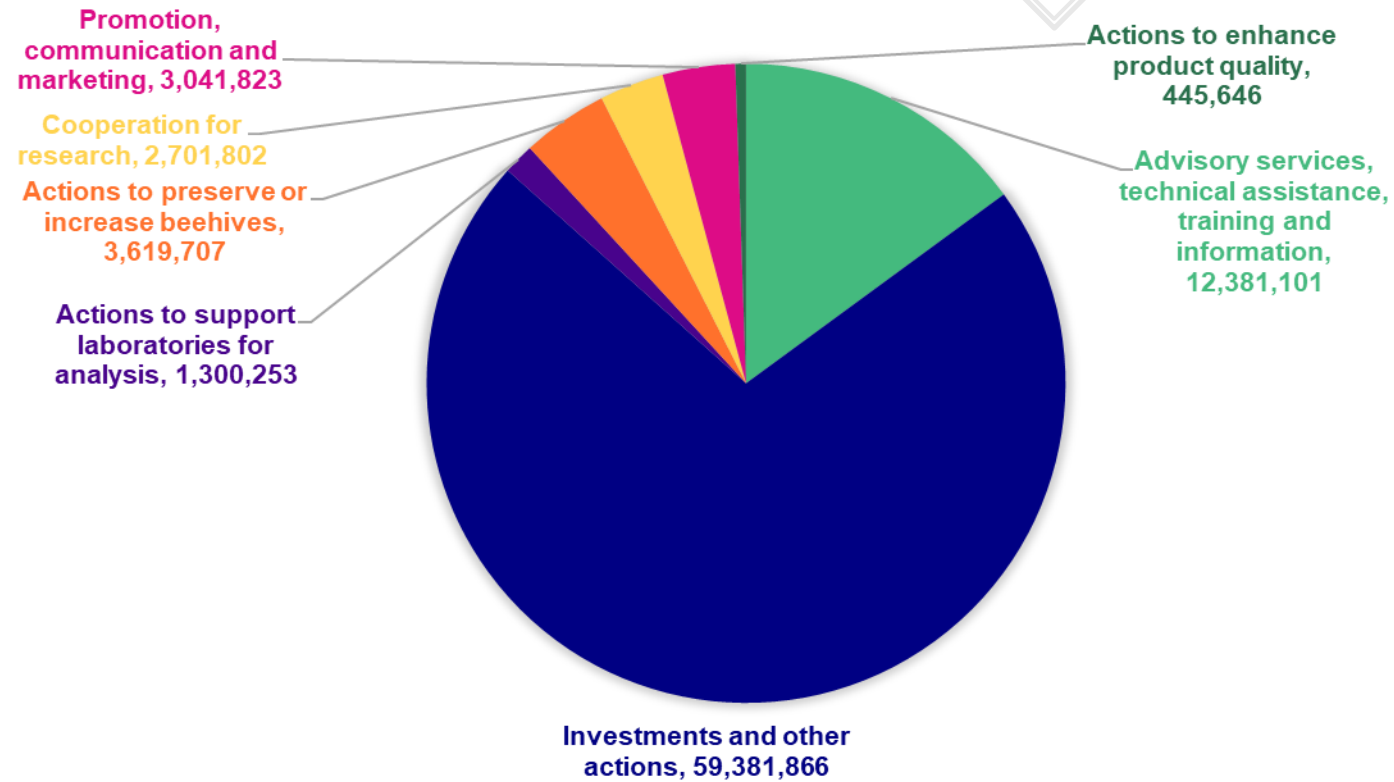
Expenditure and financial allocation (€) per Member State in financial year 2024



\* Data per intervention not available.

# Apiculture

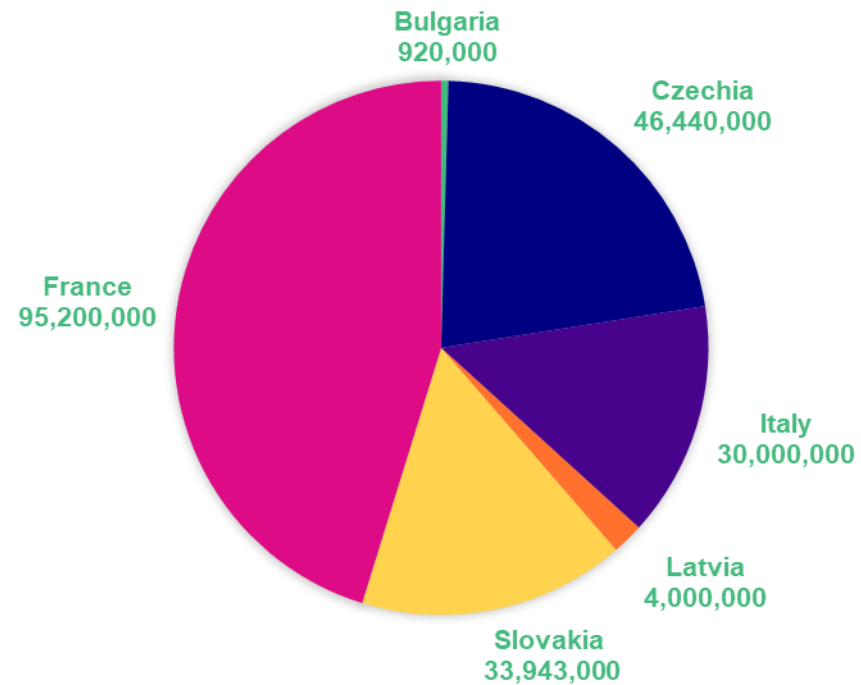
Expenditure (€) per intervention type in financial year 2024



\* Data for France not communicated for 2024 thus not included in the calculation.

# 'Other' sectors

Financial allocation (€) for the period 2023-2027  
for sectors such as potatoes, eggs, milk and milk products,  
sheep, protein, flowers, beef and veal, rabbits



# Legal framework

- Proposal for a **NRPP Regulation (COM(2025)565)**: rules for Union support through the «European Fund for Economic, Social and Territorial Cohesion, Agriculture and Rural, Fisheries and Maritime, Prosperity and Security»
  - Specific Rules for the CAP (Title V)
  - Common Rules for all sectors
- Proposal for a **CAP Regulation (COM(2025)560)**: specific conditions for the implementation of the Union support to the CAP
- Proposal for a **Regulation amending Regulation (EU) No 1308/2013 (CMO) (COM(2025)553)**: specific rules on the implementation of sectoral interventions and EU school scheme interventions



# Scope (1)

- Union support financed by the NRPP Fund for interventions in certain sectors specified in the NRP Plans drawn up by Member States [[Art. 26 CMO/553](#)]
- Sectoral interventions cover the **fruit and vegetables, hops, protein crops, olive oil and table olives, apiculture, wine** and all other sectors set out in Article 30(1) as well as **products** listed in Annex Ia [[Art.30\(1\) CMO/553](#)]
  - No changes compared to SPR except the introduction of a protein crops sector. This aims at strengthening the economic sustainability of the production of protein crops through operational programmes implementation
- Interventions in the **protein crops, hops, olive oil and table olives** and **fruit and vegetables** sectors are **mandatory** for Member States with producer organisations and associations of producer organisations recognised in those sectors [[Art. 30\(2\) CMO/553](#)]
  - Change compared to SPR: under SPR mandatory only for the fruit and vegetables sector. This would aim at the economic sustainability of the production of these sectors through operational programmes implementation



## Scope (2)

- Interventions in the **apiculture** sector are **mandatory** for all Member States [Art. 30(3) CMO/553]
  - No change compared to SPR
- Interventions in the **wine** sector is **facultative** for Member States
  - Change compared to SPR: under SPR, wine interventions are mandatory only for 16 Member States. Due to climate change wine production will move to new areas more suitable for wine production.
- Interventions in all other relevant sectors and for products listed in Annex Ia remain **facultative**



# Types of interventions (1)

- **Single list** of sectoral types of interventions, with specific ones applying to only one or more sectors [Art. 31 CMO/553]
  - Change compared to SPR [Art. 47, 55 and 58 SPR], where lists of types of interventions were per sector, with important differences between sectors. Need to harmonise and propose a large variety of types interventions across sectors
  - However, no change as regards the list of types of interventions



# Types of interventions (2)

- **Investments** - reference to [Art.13 CAP/560](#) + [Art. 31\(a\)](#) to **investments other** than those referred to in Art. 13
  - Eligibility conditions of [Art. 13 CAP/560](#) applies to sectoral investments, except the financing rules, for which [Arts. 35\(8\) and \(9\) NRPP/565](#) apply.
  - [Art. 13 CAP/560](#) applies to farmers, including producer organisations
  - [Art. 31\(a\) CMO/553](#) covers beneficiaries other than farmers (apiculture and wine (e.g. wine public schools))
  - Art. 13(3) covers **restoration of agricultural production potential**
    - This is why this type of intervention is not listed separately in [Art. 31 CMO/553](#) (= [Art.47\(2\)\(d\) and \(e\)](#), [55\(1\)\(b\)\(iii\) and 58\(1\)\(a\)\(iii\) SPR](#))
  - **List of ineligible investments/expenditure to be established by Member States** [[Art. 13\(4\) CAP/560](#)]
    - See derogations for purchase of animals and annual plants
  - **Simplified form of support** apply to [Art. 13](#) investments below € 100.000 of **public support** [[Art. 36\(3\) NRPP/565](#)]. For other investments (other than Art. 13), **simplified form of support** apply below € 100.000 of the **total costs** [[Art. 78\(2\) NRPP/565](#)]



# Types of interventions (3)

- **Risk management tools**, reference to *Art. 12 CAP/560*
  - Support is granted only if the losses exceed **20 %** of the average annual production or income of farmers in the preceding 3-year period, or a 3-year average based on the preceding 5-year period excluding the highest and lowest entry [*Art.12(1)*]
  - This includes, **mutual funds, harvest and production insurance**
  - Additional rules to ensure proper functioning of the types of interventions may be laid down [*Art. 35 CMO/553*]
- **Replanting of vineyards** following mandatory grubbing up for health or phytosanitary reasons covered by *Art. 13(3) CAP/560* [*Art. 58(1)(a)(iii) SPR*]. Other cases covered by *Art. 31, point (n), CMO/553*. Introduction of the term ‘sustainable’
- **Promotion and marketing** covers both promotion in third countries and information actions in the EU [*Art. 31(d) CMO/553*]



# Beneficiaries

- Member States to determine which operators are beneficiaries in certain sectors [Art. 32(1)], including for ‘other’ sectors
- However,
  - **producer organisations, associations of producer organisations and producer groups** as referred to in Art. 30(3) are the sole beneficiaries for **fruit and vegetables, hops, plant proteins, and olive oil and table olives** sectoral interventions [Art. 32(2)]. They can also be beneficiaries in interventions in all other sectors referred to in Art. 30(1) including **wine and apiculture**
  - For producer organisations, associations of producer organisations and producer groups, support is granted through operational programmes
  - **producer groups** can be beneficiaries in the sectors referred to in Art. 30(1) upon decision of the Member State [Art. 32(3)]
    - compared to SPR, producer groups are eligible for support in all sectors managed by operational programmes, and not anymore limited to ‘other’ sectors only [Art. 67(1)(b) SPR]
    - producer groups shall be identified (different from recognised) by Member States
    - producer groups shall implement a recognition plan with the view to meeting the recognition criteria and then to be recognised as producer organisations
    - limited to the duration of their first operational programme
    - operational programme and recognition plans shall be submitted simultaneously to the Member State



# Operational programmes & operational funds (1)

- Interventions of producer organisations, associations of producer organisations or producer groups as referred to in [Art. 32\(3\)](#) carried out in the sectors listed in [Art. 30\(1\)](#) shall be implemented through **operational programmes** [[Art. 33\(1\) CMO/553](#)]
  - No change compared to SPR
- operational programmes [[Art. 33 CMO/553](#)] shall
  - be approved by Member States
  - last between 3-7 years
  - be financed by an operational fund
  - be well balanced in terms of types of interventions [[Art. 33\(4\) CMO/553 = Art. 27\(5\) DA 2017/891](#)]
    - No change compared to SPR



# Operational programmes & operational funds (2)

- **operational funds** should consist of the financial contributions of the producer organisation / association of producer organisations (including their members) + Union financial assistance + **national** contributions
  - no rules on the split of contribution compared to SPR (50/50) [Art. 52(1) SPR].
  - national contribution shall amount to at least **30 %** of the eligible public expenditure (EU+national), considering that the max support rate shall be 75 % of the total eligible costs [Art. 35(8), 1<sup>st</sup> and 2<sup>nd</sup> subparagraph, Art. 4(24) NRPP/565]
    - This means that the **national contribution should represent 22.5 % of the operational fund (30 % of 75 %)**
    - The national contribution is a new element compared to SPR



# Objectives for sectoral interventions

- Member States shall provide in their NRP Plans, justifications for targeting the selected sectors and the complementarity with other CAP interventions (and other measures set out in the Plan) [[Art. 36\(1\) NRPP/565](#)]
- Sectoral interventions are subject to the **specific objectives of the Fund** [[Art. 3 NRPP/565](#)]
- Sectoral interventions are not subject to the **Farm stewardship** [[Art. 3 CAP/560](#)]
- Sectoral interventions can be subject to **CAP national recommendations and steering** [[Art. 2 CAP/560](#)]



# Financing (1)

- The Union budget allocation for sectoral interventions is part of the **€ 293.7 billion** ringfenced ‘envelope’ [Arts. 10(2)(ii) and Art. 35(1)(r) and (3) NRPP/565 + Art. 5(2) CAP/560]
- **Mandatory Member State's contribution of no less than 30 %** of the eligible public expenditure of each intervention [Art. 35(8), 1<sup>st</sup> subparagraph, NRPP/565]
- Maximum support rate shall be **75 %** of the total eligible costs of each intervention [Art.35(8), 2<sup>nd</sup> subparagraph, NRPP/565], with some possible derogations
  - up to **95 %** for interventions linked to generational renewal, research and innovation, risk management or environment and climate, and for producer organisations implementing operational programmes for the first time [Art. 35(8), 4<sup>th</sup> subparagraph, NRPP/565]
  - **100 %** for market withdrawals for free distribution [Art. 35(8), 6<sup>th</sup> subparagraph, NRPP/565] limited to **5%** of the volume of production marketed (3-year average). Overcompensation shall be avoided by Member States
- Compensation for loss of revenue due to interventions referred to in Art. 31, point (n) [Art. 35(8), 5th subparagraphs, NRPP/565]



## Financing (2)

- the **Union financial contribution** to be granted to producer organisations/associations of producer organisations is limited to a certain percentage (4.1 % for POs, 4.5 % for APOs and 5 % for TPOs/TAPOs) of the **value of marketed production** [Art. 35(9), 1<sup>st</sup> subparagraph, NRPP/565]
- possibility to add **0.5** percentage points for operational programmes targeting generational renewal, research and innovation, risk management, or environment and climate (objectives). Obligation to finance with the increase solely expenditure related to these types of interventions [Art. 35(9), 2<sup>nd</sup> subparagraph, NRPP/565]
  - differs from *Art.52(2), last subparagraph, SPR*, since the “increase of fruits and vegetables consumption” is not any longer targeted objective
- Union and national contribution to each intervention shall not exceed 100 % of the actual costs incurred [Art. 35(9), 5<sup>th</sup> subparagraph, NRPP/565]
- The national contribution to eligible public expenditure of **apiculture** interventions implemented by beneficiaries other than producer organisations, associations of producer organisations or producer groups shall be at least equal to the Union financial assistance granted for these interventions [Art. 35(8), 3<sup>rd</sup> subparagraph, NRPP/565]

# Financing (3)

- Member States shall establish in their NRP Plans rules for the calculation of the **support for distillation of by-products of wine** [Art. 35(9), 3<sup>rd</sup> subparagraph, NRPP/565]
- If Member States provide for producer groups referred to in Art. 32(3) to be beneficiaries of sectoral interventions, support for the setting-up of POs (cooperation) is mandatory if the PG implements an interventions via an operational programmes and submits a recognition plan [Art.35(9), 4<sup>th</sup> subparagraph, NRPP/565 and Art. 14 CAP/560]
- **Simplified forms of support** still possible but mandatory for operations which the total cost does not exceed € 100 000 [Art. 78(2) NRPP/565] – *(see also slide 4 on investment)*
- **Transitional rules** [35(10) NRPP/565], limited to 2028.



# Financing (4)

The minimum national contribution to the eligible public expenditure of each intervention (e.g. in F&V sector) should be calculated based on the following:

- the maximum support rate (MS+EU) applicable: 75 % of the total eligible costs of each intervention (e.g. F&V)
- and the minimum national contribution to the eligible public expenditure: 30% of the eligible public expenditure of each intervention [ $30 \% \text{ of } 75 \% = 22.5 \%$ ]
- the Union financial assistance should therefore be up to  $75 \% - 22.5 \% = 52.5 \%$
- However, the Union financial assistance is limited to 4.1 % of the value of marketed production of the producer organisation (VMP) (Art.35(9)(a) NRPP/565) [4.1% and not 52.5%].

Examples of possible outcomes to finance 100% of the total eligible cost (€ 320 Mio) with a VMP of € 316 Mio

2 possibilities		MS	EU	PO	Total
Minimum national contribution	<b>MS 22.5 %</b> <b>EU 4.1% x VMP</b> <b>PO 73.4 %</b>	€ 72 Mio	€ 13 Mio	€ 235 Mio	€ 320 Mio
Maximum national contribution	<b>MS 70.9 %</b> <b>EU 4.1% x VMP</b> <b>PO 25 %</b>	€ 227 Mio	€ 13 Mio	€ 80 Mio	€ 320 Mio

# Value of marketed production

- Member States shall indicate in their NRP Plans, how the value of marketed production is calculated for each sector [Art. 34(1) CMO/553]
- The calculation shall comply with the criteria laid down in Art. 34(2) to (4)
  - No changes regarding the criteria compared to Arts. 30, 31 and 32 of DA 2022/126
  - However, rules simplified for the VMP calculation for newly recognised producer organisations or groups (Art 34(3), 2<sup>nd</sup> subparagraph, vs. Art. 30 DA 2022/126) and for the reference period (Art.34(3), 1st subparagraph, vs. Art. 32 DA 2022/126)



# Delegated powers



- Delegated powers [Art. 35 CMO/553] for:
  - (1) ensuring the **proper functioning of types of interventions**, and
    - Identical to *Art. 45(a) SPR*, however, all the other delegated powers under SPR are removed (e.g. eligibility of personnel and administrative costs *(b)*, the measuring of parcels *(e)*, durability requirement *(h)*, and financing *(d)*
      - Rules on financing are regulated in *Art. 35(8) and (9) NRPP/565*
  - (2) on the rules for **withdrawal**, (exceptions to that obligation and rules for voluntary certification of distillers) **of by-products of winemaking**
    - Identical to *Art. 45(f) SPR*
- No delegated power for the VMP calculation, decision lies with Member States



# Empowerments linked to payments and/or PO recognition

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## Article 1(23) and (24)

- Need to introduce certain rules of Regulation (EU) 2021/2116 and Regulation (EU) No 1306/2013 in the CMO to avoid that they disappear in the new legal construction:
  - Delegated powers for suspension, reduction and recovery of payments on sectoral interventions related to non-respect of recognition criteria of POs (Article 1(23) amending Art.173 CMO);
  - Implementing powers related to recognition criteria of POs (Articles 1(24) amending Art. 174 CMO)

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*Thank you for your attention.*