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From:	General Secretariat of the Council
To:	Special Committee on Agriculture (SCA) Antici Group (Simplification)
N° Cion doc.:	IM 4859 2025 INIT
Subject:	Common Agricultural Policy (CAP) simplification package (block II-III-IV) - Compilation of written comments

Delegations will find enclosed further questions and comments as received, by 18 June, from BE, CZ, EE, IE, FR, HR, LT, LV, LT, HU, MT, PL, RO, SI, SK, FI and SE on the Common Agricultural Policy (CAP) (block II - III - IV).

MS comments on

Omnibus III – CAP (Block II- III – IV)

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BELGIUM

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Crisis and risk architecture				
Proposal	**Proposal §**	**Target §**	**Description**	
			2021/2115	
Article 1	(6)	Article 14 (1)	social conditionality art. 14, 41a	This paragraph on social conditionality is an obligation for the Member States ('shall'). Are the Member States also obliged to apply the exception in any case?
Article 1	(8)	Article 19	risk management tools uptake	Do we understand correctly that only farmers who already have weather insurance can receive support from this possibility? Can the COM confirm that Member States will be able to make access to the crisis support scheme conditional on adherence to green architecture measures (MAEC, eco-schemes)?
Article 1	(11)	Article 41a	complementary crisis payments	Can the Commission confirm that the budget for this support scheme will not be lost in the event of no natural disaster and that it could be reallocated to other Pillar 1 interventions without notifying the COM? Can it also clarify the eligibility conditions? How can the risk of distortion between Member States be avoided? The rates of compensation must be higher for farmers who are covered by an insurance scheme or another risk management tool with avoiding overcompensation. It may not always be possible to have a higher rate of compensation if you need to avoid overcompensation. How should this be handled? Can you limit the group that can receive support to the farmers who are covered by an insurance scheme or another risk management tool?

				Is the measure in pillar 2 an IACS measure? How do you see the timing in line with the time restrictions that are present for IACS measures (payments by 30 june N+1 for 95% of pillar 1)? For example, a disaster happens in april, June or November 2026, when does this need to be paid? What is the final payment date? When an event or natural disaster happened in a calendar year, do you need to pay in the corresponding financial year? Can examples be given? Is there a possibility to have more flexibility to adjust the conditions to the needs in the Member States? What is meant with 'The losses shall be calculated at the level of the holding's activity in the sector concerned or in relation to the specific area concerned Can only be paid by ha or animal?
Article 1	(20)	Article 78a	crisis payments rural development	Why do the beneficiary eligibility criteria differ between the crisis management tool of the first pillar (direct payments) and that of the second pillar (rural development)? (beneficiaries of direct payments vs active farmers)

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Competitiveness/digitalization				
Proposal	**Proposal §**	**Target §**	**Description**	

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			2021/2115	
Article 1	(4) (b)	Article 12 (1a)	small farmers (vrijstelling conditionaliteit)	Regarding paragraph 1a: Paragraph regarding conditionality is an obligation for Member States ('shall'). Not applying conditionality for small farmers is also indicated as 'shall'. Are Member States obliged to apply the exemption anyway? If so, does this not entail discrimination between Member States applying and those not applying of Article 28?
Article 1	(9)	Article 28	payments small farmers (2500€)	Can a Member State add additional criteria (not related to size) to the definition of small farmers besides the size of the farm, f.e. related to sustainability. Is it possible to target more the payment small farmers?
Article 1	(13)	Article 52(2)	increase limits producer organisation	It is unclear what the difference is between the existing regulation and the new proposal. What exactly has been simplified? Shouldn't the "or" in the sentence "objectives referred to in Article 46, points (d), (e), (f), (h), (i) or (j)," be "and" as in the existing regulation or is that precisely the simplification?
Article 1	(14)(a)	Article 69 (e)	new title startup small farms	There is an inconsistency between Article 69 and the extension of the scope of Article 75.
Article 1	(18)	Article 75	startup small farms 50k	How flexible is the MS in defining the criteria for a "small farm"? Can the lump-sum aid also support existing small farms that wish to expand, or is it reserved for new farms? And can this development aid, in the form of a lump sum, also benefit existing farms to support expansion or diversification, or is it strictly reserved for new establishments?
Article 1	(24)	Article 83(2)	calculation methods simplified costs	Why was this article not added to the mirror article 44 on the operational programmes?
			2021/2116	
Article 2	(4)	Article 13a	Interoperability	May the authority coordinating for the Data Act and the Data Governance Act be the authority for CAP data as well? Or is for the agricultural sector a separate authority required?

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Administration				
Proposal	**Proposal §**	**Target §**	**Description**	
		2021/2115		
Article 1	(29)	Article 119	amendments to strategic plans	Can a member state submit more than twice a year an amendment to the CAP strategic plan consisting solely of non-strategic amendments (without prior notification)? Can the Commission still reject a non-strategic amendment that has been notified and to which the Commission has not reacted within 30 days of notification when it is incorporated in the next amendment of the CAP strategic plan? If so, how does the Commission ensure that the amended Article 86§2 is not compromised in terms of the eligibility of expenditure from notification onwards? Is it possible to apply an accelerated approval procedure for an amendment with only non-strategic changes? In this way, Member States could avoid duplication of work by first notifying and then including the amendment in the next amendment (this is not an administrative simplification). Can the Commission confirm that all expenditures (both pillar 1 and pillar 2) are eligible and declarable from the time of submission of the notification or an (not previously notified) amendment of the CAP-SP consisting only of non-strategic amendments? Is a justification required in case of a notification of a non-strategic amendment? What information is expected from the Member States in case of notification?

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				Why is the provision 'a specific justification' included for GAEC 1 and 4? Why does the COM estimate that the amendments apportioned to the maximum unit amounts of the 1st pillar must be considered as strategic elements? (art. 119 2 (b)) Is it the member state itself that assesses and justifies when a change entails changes to milestones or targets under the result indicators mandatory for the Performance Review (=result indicators marked with PR in annex I of Reg. 2021/2115)? Is it correct that an amendment can be seen as a non-strategic amendment if the MS concludes that the modifications doesn't result in modification of the milestones and targets and is not part of the other elements of art.119 paragraph 2? Does the new § 2 point d) of Article 119 cover the entirety of Article 112 - Target plan and financial plan? § 3 of Article 112 concerns the detailed financial plan which breaks down the financial allocations, outputs and unit amounts at the level of each intervention, which would mean that the modification of one of these elements at the level of an intervention would be considered a strategic modification. Changes to planned budgets, planned outputs or planned unit amounts at the level of an intervention should be considered as non-strategic modifications.
Article 1	(35)	Article 159	Annex XIII review deleted	Does this imply that national CAP Plans will not be required to be coherent with the Nature Restoration Law or to contribute to the objectives of this legislation? Will the Annex XIII review be part of the CAP post 2027?
		2021/2116		

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Article 2	(12)	Article 54	deletion	In this simplification proposal, the performance clearance procedures are deleted. In the APR, it is no longer necessary to provide justification if the realised unit amounts exceed the planned unit amounts. We wonder why Article 37(1)(b) of V 2021/2116, on the Eligibility of expenditure by paying agencies for CAP-SP interventions, has been maintained. The first point (i) stipulates that this expenditure is only eligible if it corresponds to a corresponding output, which is the legal basis for the reduction of EU financing in the annual performance clearance. The last sentence of recital (65) of the simplification proposal explicitly refers to this provision and suggests that this is assessed in the conformity procedure. The requirement that expenditure effected by paying agencies is to be matched by a corresponding output is covered by the conformity procedure referred to in Article 55 of that Regulation. Can the COM clarify what the last sentence in recital 65 means? Should an explanation be given in the event of an excess? Will corrections be possible in the future via the conformity clearance for the sole reason that the actual expenditure is higher than the planned expenditure? Following the abolition of the performance clearance system, how will the Commission verify consistency between expenditure and output? We urge the Commission to promptly publish new guidelines on this matter.
Article 2	(14)	Article 60(1)	one control per year	Regarding the on-the-spot controls, can the COM explain how the "once a year" principle will be applied? Is it one visit per year which groups together all the inspections or is it a question of only inspecting a criterion/standard once a year? Is it correct that fast field visits where the farmer is not contacted during the controls, are not included? The new provision states that a beneficiary is in principle only selected once per year for on-the-spot checks. Article 60 concerns IACS and non-IACS, farmers and other beneficiaries such as

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				producer organisations or training centres. Recital 68 and the accompanying text refer to checks on farmers and Article 60 to beneficiaries. Please clarify whether the new provision concerns farmers or all types of beneficiaries? Please allow more subsidiarity for the Member State in this and no obligation.
Article 2	(16), (17), (18), (19)	Article 68(3), 69(6), 70(2), 70a	article 70a quality assessment LIPS, GSA, AMS	We support the principle of merging 3 QAs into 1 QA. However, it is not yet clear how the Commission sees this in concrete terms. This will have to be reflected in the update of the Union Level Methodology and/or the delegated or implementing acts. Can the Commission explain what timing it sees for the elaboration of this?
Article 2	(23)	Article 83	exemptions controls 41a, small farmers, beneficiaries who declared less than 10 hectares in the geo-spatial application	In the context of conditionality checks, can the COM clarify whether there is a difference between the exemption of beneficiaries of the "small farmers' flat-rate payment" and the exemption of farms of less than 10 ha? How can we prevent these exemptions from creating distortions between farmers? Will the reduction in the power of control over certain beneficiaries not limit the ability of MS to ensure compliance with the rules?

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CZECHIA

CZ comments / questions – Block II, III, IV

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II. Crisis and risk architecture	
Art. 1(4)(a) [Art. 12(1) of the Regulation] – conditionality art. 12, 41a; *(Reg. 2115/2021)*	1. Farmers receiving payments under Art 41a should be exempted from conditionality as regards the complementary payment according to the Commission proposal, in this respect, we were wondering why such exemption would not apply to all the payments of the beneficiary not just to the payment under Art 41a.
Art. 1(6) [Art. 14(1) of the Regulation] – social conditionality art. 14, 41a; *(Reg. 2115/2021)*	1. If small farmers (both under Article 28 and applicants up to 10 ha) are exempted from conditionality, why aren´t they exempted from social conditionality? 2. We were also wondering why the exemption from sanctions for social conditionality doesn´t apply to all payments, in case of the activation of crisis payment and not just to complementary crisis payment.
Art. 1(11) [Art. 41a of the Regulation] – complementary crisis payments	Regarding Article 41a and the newly introduced complementary crisis payments, the mechanisms for their financial management under direct payments are not clear to us, could the Commission provide for clarification? Farmers must have a certainty of rates when submitting an application. Given that the payment is provided for on yearly basis, and the funds cannot be transferred between years, how should the payment be programmed into the SP and how to ensure the use of funds that would otherwise be paid in the single application?
Art. 1(20) [Art. 78a of the Regulation] – crisis payments rural development	By way of derogation from Article 111, first subparagraph, points **(h**) and **(i)** of that subparagraph shall not apply to support under this type of intervention.'; In Article 111, the second subparagraph is replaced by the following: 'Point **(e)** of the first subparagraph shall not apply to …..interventions under the type of intervention for crisis payments to farmers under rural development referred to in Article 78a; We propose that the derogation from the point **(k)** should also apply to this intervention. The annual financial allocation for the

	intervention should only be activated when a disaster occurs and is recognised.
III. Competitiveness/digitalization	
Art. 1(4)(b) [Art. 12(1) of the Regulation] – conditionality art. 12 – small farmers; *(Reg. 2115/2021)*	What is the reason for a different approach towards small farmers under Art 28 and applicants who´s declared area does not exceed 10 ha? For what reason aro not these subject to this exemption? What is the background for the statement under recital (74) that small beneficiaries are other than farmers, such as land managers, may not benefit from the exemptions from conditionality?
IV. Administration	
Art. 2(14) [Art. 60(1) of the Regulation] – one control per year; *(Reg. 2116/2021)*	What will be the selection procedure? Will the selection of the control sample for conditionality controls be carried out only from applicants that were not selected for on-the-spot checks of eligibility conditions? We believe that it would be extremely demanding to coordinate the timing of the selection if the selection for checks of payment conditions is carried out several times a year. Could the Commission provide for some guidance in the form of non-paper? Could the Commission provide for a definition of "one control"? What would be the limits of such a control? Is the "one check rule" really to apply across all types of intervention? Will it apply to all control bodies?
Art. 2(23) [Art. 83 of the Regulation] – replacement of point d) - one control per year; *(Reg. 2116/2021)*	With a view to suggested amendment of Art. 60(1), could the Commission clarify the following sentence of paragraph 6. Art. 83 *„Where, pursuant to Article 60(1), third subparagraph, a Member State does not select a beneficiary for a check or control sample, it shall ensure that the minimum control rate is respected; "*? Could again a model example be provided? Do we understand correctly that if applicants are selected for the eligibility checks, then these applicants must not be selected for

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	conditionality checks? And at the same time, other applicants must be selected so that the 1% conditionality control rate is respected? Or, under these circumstances, this control rate doesn´t have to be respected?
Art. 2(23) [Art. 83 of the Regulation] – exemptions controls 41a, small farmers, beneficiaries who declared less than 10 hectares in the geo-spatial application; (Reg. 2116/2021)	The previous amendment referred to "farmers with an area of up to 10 ha **declared** in the geospatial application". The new amendment refers to "applicants whose **eligible** area stated in the geospatial application does not exceed 10 hectares. However, the eligible area is only verified based on a control. However, the selection of the control sample for conditionality is carried out immediately after the submission of applications in a given year. Given the above, will the drawing of check sample need to be carried out only after the verification of the eligible area? What is the difference between "*the control system for conditionality shall not apply to*" as worded under draft Art. 83, paragraph 1a for applicants under small farmers scheme (Art 28), and, "*shall be exempted from controls under the system*" as worded under Art 83, paragraph 2? What is the reason for establishing such two parallel exemptions?
Art. 2(24) [Art. 84 of the Regulation] – exemptions penalties small farmers and beneficiaries who declared less than10 hectares in the geo-spatial application;	Is there any retroactivity envisaged in respect of suggested exemptions from sanctions in respect of claim year 2025?
Art. 1(29) [Art. 119 of the Regulation] – amendments to strategic plans	We would like to ask for clarification on point b) which sets that amendments that lead to changes **of milestones or targets under the result indicators which are marked with 'PR'** in Annex I are the strategic ones. Does this mean that a change in result indicators other than those marked PR is possible **as a notification?** We see here a certain inconsistency with point d, which refers to Article 112 or 109, which deals with result indicators and states that changes in targets are subjects of strategic amendment: „(d) amendments of the **target** and financial plans in the CAP Strategic Plan referred to in Article 112, including amendments to the

	contribution from EAFRD to InvestEU referred to in Article 81, amendments to the EAFRD total contribution to each type of intervention for the entire period covered by the CAP Strategic Plan or amendments related to the EAFRD contribution rates referred to in Article 91.“

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ESTONIA

Estonia's comments and questions regarding second and third blocks of the CAP's omnibus proposal:

II BLOCK

- We would like clarification for the sentence: the losses shall be calculated either at holding level, at the level of the holding's activity in the sector concerned or in relation to the specific area concerned. We ask the COM to explain in more detail, with examples, these three different principles for calculating losses. We understand that losses can be calculated at both the holding level and the crop level, but what about the region? For example, if a specific area has suffered losses, is it not necessary to check losses in holding level in this case, but all operators in that area are entitled to support?
- The use of higher support rates when implementing insurance schemes may lead to unequal treatment of producers. The proposal states that overcompensation related to private insurance schemes must be avoided, but at the same time, a higher support rate should be paid to operators covered by insurance. We see a certain contradiction here.
- Articles 41a and 78a state that events which have directly caused damage resulting in the destruction 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. Young farmers, new farmers and permanent crops growers (young plantations of fruit and berry crops) may not be able to show previous year's production decline, how does the Commission see how the losses are assessed in their case?
- Will the budget of the crisis reserve be reduced as a result of these changes or will it remain the same, which is currently EUR 450 million?
- We believe that crisis payments should not be funded at the expense of other supports (direct payments), therefore a budget for crisis payment should be found outside the agreed CAP.

III BLOCK

- We believe that real simplification would be if small farmers were also exempted from social conditionality.

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IRELAND

Item: Omnibus on Agriculture
Comments from IE on the package

Block 1 – Green Architecture

- Changes to Article 73 investments: Under Articles 31 and 70 the changes allow for payments for the baseline including national legislation. Under Article 73 the grace period is extended by 12 months to 36 months for Union Law. Does this reference to union law also apply to situations where national law is giving effect to union law (e.g. a directive, decision) and it results in new requirements becoming mandatory on the holding?

Block 2 – Crisis Reserve & Risk Management

- We note the new initiatives, but these will most likely be of use for the next period, as financial allocations are expected to be fully utilised within the current suite of interventions. We support the principle of allowing the flexibility to establish these risk and crisis management tools, to face national issues.
- We would like to hear more about the interaction between the EAGF and EAFRD crisis payment tools as they are envisaged:
    - What happens to unspent EAGF expenditure reserved for a crisis payment intervention? Do Member States need to find a mechanism to pay this outside of the crisis reserve if not used, each year?
    - At the meeting on 13th June the Commission colleagues mentioned that BISS was a possible mechanism for payments. Is that the only mechanism, or can it also be redistributed to other payments in the form of Direct Payments, e.g. Eco-schemes?
    - Are transfers between pillars possible? Could a portion of the EAGF allocation be moved to Pillar 2 to create a multi-annual crisis payment intervention?
- For EAGF complementary crisis payment :
    - are there any difficulties with payments that may take place in a different financial year to the crisis? What about across different calendar years?
    - If an incident takes place in December 2026, but the financial allocation for the 2026 complementary crisis payment has already been paid out through the 2026 BISS balancing payments, should the complementary crisis payment for 2027 be used? If so, how does this interact with the requirements of Article 44

of Regulation EU 2021/2116, which states that payments for EAGF expenditure may not be made before 16th October each year?

- Can an entire Member State be an affected area for the purposes of the crisis payment?

Block 3 – Competitiveness (Small farmers) & Digitalisation (interoperability)

- On the addition of a requirement to designate an authority to ensure interoperability of data, this should not be included in the regulation. We should avoid the establishment of new mandatory requirements except where there are clear benefits. The requirement to deliver a roadmap and a designated authority within a short timeframe is burdensome. The scope is clearly beyond the CAP Strategic Plans for the period 2023-2027, so it is not the appropriate vehicle for introducing this requirement.
-

Block 4 – Administrative simplifications

- Some of the elements removed by the deletion of the performance clearance process have been inserted elsewhere into the performance framework, so we are concerned that some of the simplifications are less impactful than we would have liked. The biennial review is now effectively annual. Member States require flexibility to adjust the milestones and targets to take account of the changing circumstances, geopolitical, inflationary, since the plans were approved in 2021.
- The roadmap sets out that the changes to the secondary legislation for the IACS Quality Assurance is scheduled for Quarter Four of 2025. Ireland requests that this is adopted in Quarter Three 2025, as a matter of priority. This would allow the changes to take effect for the next financial year, which may not be achieved by a later adoption.
- There is still scope for further simplification, particularly relating to
    - the potential for a de minimis threshold and tolerance for the accounting process. We need the ability to have small errors and tolerance without penalty. Significant administrative burden arises from the need for total accuracy from a financial and reporting perspective when working across multiple systems. Thresholds need to be established. The deminimis threshold is not sufficient. The SFC system needs to be updated to take account of these thresholds.
    - Advance payments – every year Member States are requesting provision to pay advance payments at a higher rate. A simplification would be to

permanently increase the rate of advance payments permitted to 85% for EAFRD and to 70% for EAGF, as has been requested numerous times in recent years.

- There is opportunity for further simplification on the Area Monitoring System Quality Assurance (AMS QA), and ensuring a smooth transition of commitments and funding between the RDP and CSP.

- The proposal and secondary legislation needs to be progressed urgently, so farmers and administrations can benefit this year from the changes.

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FRANCE

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NOTE DES AUTORITÉS FRANÇAISES
À LA COMMISSION EUROPÉENNE
ET À LA PRESIDENCE DU CONSEIL

Objet : Retours écrits des autorités françaises sur le paquet simplification de la PAC.

Par la présente note, les autorités françaises souhaitent faire part de leurs commentaires sur les propositions de modifications réglementaires dans le cadre du paquet législatif de simplification de la PAC dit « Omnibus III agriculture » publié le 14 mai 2025 par la Commission européenne.

De manière générale, les autorités françaises remercient la Commission européenne pour ce projet et notent que la proposition de règlement comporte plusieurs avancées notables, qui font écho à des demandes qui étaient portées par la France. Certaines propositions suscitent toutefois des interrogations quant à la préservation du caractère commun de la PAC et feront l'objet d'une vigilance particulière de la part des autorités françaises au cours des négociations.

En complément des éléments indiqués dans le cadre des réunions du CSA et des groupes de travail ad hoc organisés par la Présidence, les premières réactions des autorités françaises sur les différentes dispositions sont détaillées ci-après, suivant le découpage proposé par la Présidence pour l'examen de la proposition. Elles pourront être complétées par des commentaires complémentaires dans le cadre des travaux d'examen du projet de texte au sein des instances du Conseil.

S'agissant du premier bloc « architecture verte, conditionnalité et soutiens » :

Les autorités françaises accueillent favorablement les dispositions suivantes :

- La prise en compte de la préoccupation exprimée pour mieux tenir compte des situations structurelles de déprise de l'élevage dans certaines régions s'agissant de la BCAE 1 ;
- La possibilité pour les États membres d'aligner les exigences des normes BCAE établies dans leurs plans stratégiques de la PAC sur les exigences nationales obligatoires existantes, notamment la possibilité de se référer à la définition des cours d'eau établie par la réglementation nationale pour la BCAE 4 ;
- La possibilité de modifier les critères de qualification des prairies permanentes de façon à ce que les États membres qui le souhaitent puissent allonger la période au-delà de laquelle une surface en prairie est qualifiée de prairie permanente.

Elles s'inquiètent cependant de l'introduction de la possibilité de rémunérer, au titre des écorégimes ou des mesures agro-environnementales et climatiques (MAEC), des exigences qui sont déjà obligatoires au titre de la conditionnalité, en particulier la préservation des zones humides (BCAE 2). Cela contrevient en effet au principe même de conditionnalité, qui doit constituer un socle de base d'exigences obligatoires communes à respecter par l'ensemble des agriculteurs européens. Une telle évolution apparaît en contradiction avec la volonté des autorités françaises de défendre le caractère commun de la PAC ; cette disposition ne doit pas constituer un précédent dans la perspective de la définition de la future architecture de la PAC.

S'agissant du deuxième bloc « outils de gestion des crises et des risques » :

Les autorités françaises remercient la Commission pour les évolutions notables proposées dans son projet, et notamment :

- La rationalisation proposée s'agissant du recours à la réserve agricole européenne par le recentrage de ces utilisations qui apparaît conforme à la volonté déjà exprimée à plusieurs reprises par les autorités françaises ;
- La possibilité de mieux tenir compte du changement climatique en allongeant la période de référence pour le calcul de la moyenne olympique, sur lequel sont évaluées les pertes pour le déclenchement de l'assurance climatique. Sur ce point, les autorités françaises tiennent toutefois à souligner qu'il est nécessaire que cette possibilité soit élargie à la réglementation applicable aux aides d'État (lignes directrices agricoles), afin que cette évolution soit pleinement opérante et cohérente pour le système français de gestion des risques qui repose sur une combinaison de dispositifs de la PAC et d'aides d'État. Il sera en effet impossible de modifier la période de référence prise en compte pour le dispositif de l'assurance multirisques climatiques (prise en charge dans le cadre de la PAC) sans faire de même pour le dispositif notifié de l'indemnité de solidarité nationale, dispositif d'aide notifié sur la base des lignes directrices agricoles. Les autorités françaises appellent donc à une modification similaire à celle proposée à l'article 76 du Règlement UE N°2021/2115 (RPS) dans les lignes directrices concernant les aides d'État dans les secteurs agricole et forestier et dans les zones rurales.

Elles émettent par ailleurs des réserves sur les points suivants :

- Les précisions apportées à l'article 76 du RPS sur les modalités de calcul des pertes pour les jeunes et nouveaux agriculteurs n'apparaissent pas nécessaires. En effet, l'adaptation du calcul de la référence de production pour les jeunes et nouveaux agriculteurs peut être gérée par les Etats membres sans que cela ne nécessite de dispositions spécifiques dont la rédaction ne serait pas adaptée à toutes les situations (cas des agriculteurs s'engageant dans de nouvelles productions notamment) ;
- S'agissant des nouveaux dispositifs de gestion de crise créés aux articles 41a et 78a du Règlement UE 2021/2115 (RPS), si les autorités françaises regardent ces nouvelles possibilités avec intérêt, elles tiennent à insister sur l'absolue nécessité de disposer de garanties écrites et d'explications de la part de la Commission (et d'une clarification des dispositions législatives si nécessaire) s'agissant de ce qu'il advient des fonds non-utilisés qui auraient été réservés pour être utilisés sur ces dispositifs par essence pas totalement prévisibles. Il convient en effet d'établir un mécanisme permettant de garantir aux Etats membres que les fonds provisionnés pour utilisation de l'un ou l'autre de ces articles ne sont pas perdus au sein des plans stratégiques nationaux relevant de la PAC si non-utilisés sur ces articles. S'agissant du dispositif du 1er pilier, il convient de s'assurer que les fonds non-utilisés pourront être redistribués en fin de campagne sous forme de paiement complémentaire venant abonder les aides directes déjà versées aux bénéficiaires. En outre, les autorités françaises souhaitent interroger la Commission sur les dispositions et la procédure qui permettent de s'assurer que ces outils ne feront pas l'objet d'un apurement comptable.
  Par ailleurs, l'évolution prévoyant que, en cas de transfert entre les deux piliers pour financer les outils de gestion des risques, la base de prélèvement soit limitée aux seuls agriculteurs couverts par ces outils et non l'ensemble des bénéficiaires des paiements directs comme c'est le cas actuellement. Les autorités françaises sont très défavorables à cette évolution. Elles soulignent l'importance que cela reste une option facultative, considérant qu'il revient aux États membres de déterminer s'il est nécessaire d'appliquer ou non ce resserrement de l'assiette de prélèvement. Cette évolution présente en effet d'importantes difficultés de mise en œuvre, car elle requiert d'identifier précisément les types d'exploitations ou de cultures pour lesquels des outils de gestion des risques existent. Son caractère obligatoire imposerait donc une complexité administrative considérable. Les autorités françaises remercient la Commission de confirmer

que cette disposition est d'application facultative pour les Etats membres en tout état de cause et invitent à une clarification de la rédaction sur ce point.

S'agissant du troisième bloc « compétitivité et numérisation » :

Les autorités françaises sont favorables aux propositions suivantes :
- La réintroduction de la possibilité pour les jeunes agriculteurs d'être accompagnés temporairement par le FEADER pour remettre aux normes les exploitations qu'ils ont reprises ;
- L'assouplissement des conditions de majoration du plafond de l'aide financière pour les programmes opérationnels (PO) dans le secteur des fruits et légumes. Concernant ces programmes, il semblerait par ailleurs utile de travailler à l'assouplissement de la notion de coûts spécifiques, qui constitue une lourdeur administrative réelle pour les organisations de producteurs porteurs des PO.

Elles regrettent en revanche que la Commission n'ait pas retenu les propositions françaises s'agissant de permettre aux exploitations sous forme sociétaire de bénéficier de l'aide complémentaire aux jeunes agriculteurs du premier pilier au-delà des cinq années initialement prévues, dès lors qu'un nouveau jeune agriculteur s'y installe, pour assurer l'équité de traitement avec les jeunes agriculteurs qui s'installent sous forme individuelle. Les autorités françaises sont ouvertes à travailler à une rédaction qui puisse convenir à la Commission.

En complément, les autorités françaises, comme de nombreuses délégations, s'interrogent fortement sur la proposition visant à désigner une autorité responsable de la gouvernance des données et de l'interopérabilité des systèmes d'informations de la PAC, et la mise en place d'une feuille de route pour l'interopérabilité des systèmes. En effet, cette proposition ne constituera pas une simplification pour les agriculteurs et augmentera a priori la charge administrative pour les États membres.

S'agissant du quatrième bloc « administration » :

Les autorités françaises se félicitent des propositions constructives de la Commission s'agissant de :
- La traduction concrète du principe du « contrôle unique » annuel pour un même bénéficiaire appliqué à la PAC, en dehors des cas qui nécessitent plusieurs contrôles pour des raisons de protection des intérêts financiers de l'Union ;
- La suppression de l'apurement annuel de performance qui permet de rendre la logique de performance appliquée aux PSN plus opérationnelle au bénéfice des administrations et des agriculteurs. Sur ce point, les autorités françaises considèrent toutefois nécessaire de clarifier d'une part, que les éventuels écarts entre montants unitaires planifiés et réalisés ne conduiront pas à des corrections financières dans le cadre de l'apurement de conformité ; et d'autre part, de clarifier comment sera vérifiée l'exigence selon laquelle les dépenses effectuées par les organismes payeurs doivent se rapporter à des réalisations correspondantes (prévue à l'article 37 du règlement UE 2021/2116 dit « Règlement horizontal ») ;
- La simplification des modalités de modification des PSN, notamment l'introduction de la notion d'amendements « stratégiques » et l'assouplissement des règles relatives à la prise d'effet des modifications d'un PSN.

En revanche, les autorités françaises rappellent leurs attentes sur des éléments importants de simplification qui ne figurent pas dans la proposition de la Commission :
- Etendre l'application de l'exemption des contrôles conditionnalité pour les exploitations de moins de 10 ha aux bénéficiaires de certaines aides relevant de la programmation précédente (aide à la restructuration du vignoble payée dans le cadre de l'OCM). Les autorités françaises soulignent le fait que ces demandes sont fondées sur le principe d'égalité de traitement entre petits agriculteurs.

Proposition de wording : dans l'article 2 du projet de règlement omnibus PAC est inséré le point *26 bis suivant :*
« (26 bis) à l'article 104, paragraphe 1, deuxième alinéa, les points iii) et iv) sont remplacés par le texte suivant :
*« iii) pour les régimes d'aide visés à l'article 5, paragraphe 6, premier alinéa, point c), et à l'article 5, paragraphe 7, du règlement (UE) 2021/2117 du Parlement européen et du Conseil en ce qui concerne les dépenses encourues et les paiements effectués pour les opérations mises en œuvre en vertu du règlement (UE) n° 1308/2013 après le 31 décembre 2022 et jusqu'à la fin de ces régimes d'aide**, **à l'exception des articles 96 et 97 du règlement (UE) n° 1306/2013 auxquels se substituent les articles 83 à 86 du présent règlement** ;*

- Mieux définir la notion de « défaillances graves » des systèmes de gouvernance ;
- Etendre la possibilité de « carry-over » à l'Indemnité compensatoire de handicaps naturels (ICHN) pour couvrir des dossiers ICHN encore non réglés au titre de la programmation 2014-2022 via les fonds du plan stratégique PAC 2023-2027, afin d'assurer une continuité de paiement cohérente avec ce qui est déjà prévu pour d'autres dispositifs ;
- Supprimer les contrôles ex-post des opérations (article 76 du règlement horizontal).

Les autorités françaises remercient la Présidence et la Commission pour la prise en compte de ces éléments et se tiennent à disposition pour tout complément.

France (English version)

NOTE FROM THE FRENCH AUTHORITIES
TO THE EUROPEAN COMMISSION
AND THE PRESIDENCY OF THE COUNCIL

Subject: Written feedback from the French authorities on the CAP simplification package

PUBLIC

With this note, the French authorities wish to comment on the proposals for regulatory changes in the CAP simplification legislative package known as "Omnibus III agriculture" published by the European Commission on May 14, 2025.

In general terms, the French authorities would like to thank the European Commission for this project, and note that the proposed regulation includes a number of significant advances, echoing demands made by France. Certain proposals, however, raise questions about the preservation of the common character of the CAP, and will be the subject of particular vigilance on the part of the French authorities during the negotiations.

In addition to the information provided during the meetings of the SCA and the ad hoc working groups organized by the Presidency, the initial reactions of the French authorities to the various provisions are detailed below, according to the breakdown proposed by the Presidency for the examination of the proposal. They may be supplemented by additional comments during the examination of the draft text within the Council's bodies.

With regard to the first block, "green architecture, conditionality and support":

The French authorities welcome the following provisions:

- In the case of GAEC 1, the concern expressed to take better account of the structural decline in livestock farming in certain regions has been taken into account;
- The possibility for member states to align the requirements of GAEC standards established in their CAP strategic plans with existing mandatory national requirements, in particular the possibility of referring to the definition of watercourses established by national regulations for GAEC 4;
- The possibility of modifying the criteria for qualifying permanent grassland so that member states wishing to do so can extend the period beyond which a grassland area qualifies as permanent grassland.

However, they are concerned about the introduction of the possibility of remunerating, under eco-schemes or agri-environmental and climate measures (AECM), requirements that are already mandatory under conditionality, in particular the preservation of wetlands (GAEC 2). This contravenes the very principle of conditionality, which is intended to provide a basic foundation of common mandatory requirements to be met by all European farmers. Such a development appears to contradict the French authorities' will to defend the common nature of the CAP; this provision must not set a precedent in the perspective of defining the future architecture of the CAP.

With regard to the second block, "crisis and risk management tools":

The French authorities would like to thank the Commission for the significant evolutions proposed in its draft, and in particular :

- The proposed rationalization of the use of the European agricultural reserve by refocusing its uses, which appears to be in line with the will already expressed on several occasions by the French authorities;
- The possibility of taking better account of climate change by extending the reference period for calculating the Olympic average, on which losses are assessed for triggering climatic insurance. On this point, however, the French authorities would like to emphasize that this possibility needs to be extended to the regulations applicable to State aid (agricultural guidelines), so that this change is fully effective and coherent for the French risk management system, which is based on a combination of CAP measures and State aid. Indeed, it will be impossible to modify the reference period taken into account for the multi-risk climatic insurance scheme (paid for under the CAP) without doing the same for the notified national solidarity indemnity scheme, an aid scheme notified on the basis of the agricultural guidelines. The French authorities are therefore calling for an amendment similar to that proposed in Article 76 of EU Regulation N°2021/2115 in the guidelines for state aid in the agriculture and forestry sectors and in rural areas.

They also have reservations on the following points:

- The clarifications made in article 76 of the EU Regulation 2021/2115 on the methods for calculating losses for young and new farmers do not appear necessary. Indeed, the adaptation of the calculation of the production reference for young and new farmers can be managed by the Member States without the need for specific provisions, whose wording would not be adapted to all situations (in particular with the case of farmers embarking on new productions);
- With regard to the new crisis management mechanisms created by articles 41a and 78a of the EU Regulation N°2021/2115, while the French authorities are interested in these new possibilities, they would like to stress the absolute need for written guarantees and explanations from the Commission (and clarification of legislative provisions if necessary) regarding what happens to unused funds that may have been earmarked for use under these mechanisms, which are by essence not totally predictable. A framework needs to be set up to guarantee Member States that funds earmarked for use under any of the mechanisms created by these articles are not lost within national CAP strategic plans if they are not used under these articles. With regard to the 1st pillar mechanism, it is important to ensure that unused funds can be redistributed at the end of the campaign in the form of complementary payments to direct payments already granted to beneficiaries. In addition, the French authorities would like to ask the Commission about the provisions and procedure for ensuring that these tools will not be subject to a clearance of accounts.
In addition, one evolution provides that, in the event of a transfer between the two pillars to finance risk management tools, the base for collection will be limited to farmers covered by these tools, and not all direct payment beneficiaries as is currently the case. The French authorities are very much opposed to this development. They stress the importance of this development remaining an optional option, considering that it is up to the Member States to determine whether or not to apply this narrowing of the collection base. This change presents major implementation difficulties, as it requires precise identification of the types of farms or crops for which risk management tools exist. Its compulsory nature would therefore impose considerable administrative complexity. The French authorities thank the Commission for confirming that this provision is optional for Member States in any event, and call for a clarification of the wording on this point.

Regarding the third block "competitiveness and digitalization":

The French authorities are in favor of the following proposals:
- The reintroduction of the possibility for young farmers to receive temporary support from the EAFRD to bring the farms they take over up to standard compliance;

- More flexible conditions for increasing the financial aid ceiling for operational programs (OP) in the fruit and vegetable sector. Regarding these programs, it would also seem useful to work on greater flexibility on the notion of specific costs, which represents a real administrative burden for producer organizations carrying out OPs.

However, they regret that the Commission did not adopt France's proposals to allow corporate or collective structure farms to benefit from the first-pillar supplementary aid for young farmers beyond the five years initially envisaged, in the case that a new young farmer joins the farm structure, in order to ensure equal treatment with young farmers setting up as individual farmers. The French authorities are open to working on a wording that would be acceptable to the Commission.

In addition, the French authorities, like many delegations, have serious doubts regarding the proposal to designate an authority responsible for data governance and interoperability of CAP information systems, and the establishment of a roadmap for system interoperability. Indeed, this proposal will not be a simplification for farmers, and will *a priori* increase the administrative burden for member states.

With regard to the fourth block "administration":

The French authorities welcome the Commission's constructive proposals concerning :

- The concrete translation of the principle of an annual "single control" for a given beneficiary applied to the CAP, apart from specific cases requiring several controls for reasons of protection of the Union's financial interests;
- The suppression of the annual performance clearance, which makes the performance logic applied to NSPs more operational, to the benefit of administrations and farmers. On this point, however, the French authorities consider it necessary to clarify, on the one hand, that any discrepancies between planned and actual unit amounts will not lead to financial corrections as part of the conformity clearance; and, on the other hand, to clarify how the requirement that expenditure made by paying agencies must relate to corresponding achievements (provided for in Article 37 of EU Regulation N°2021/2116, known as the "Horizontal Regulation") will be verified;
- Simplification of the procedures for amending NSPs, notably by introducing the notion of "strategic" amendments, and adding flexibility in the rules regarding when amendments to an NSP take effect.

However, the French authorities reiterate their expectations with regard to important simplification elements that are not included in the Commission's proposal:

- Extending the exemption from conditionality controls for farms of less than 10 ha to beneficiaries of certain aids from the previous programming period (aid for vineyard restructuring paid under the CMO). The French authorities stress that these demands are based on the principle of equal treatment between small farmers.

Wording proposal: in Article 2 of the draft omnibus CAP regulation, the following point 26a is inserted:
"(26a) in the second subparagraph of Article 104(1), points (iii) and (iv) are replaced by the following text:
"(iii) for the aid schemes referred to in point (c) of the first subparagraph of Article 5(6) and in Article 5(7) of Regulation (EU) 2021/2117 of the European Parliament and of the Council as

- Better define the notion of “serious failures” in governance systems;
- Extend the possibility of “carry-over” to the ANC support scheme (ICHN) to cover beneficiary files still unpaid under the 2014-2022 programming via funds from the CAP 2023-2027 strategic plan, in order to ensure continuity of payment consistent with what is already applied for other schemes;
- Remove ex-post checks on operations (article 76 of the horizontal regulation).

The French authorities would like to thank the Presidency and the Commission for taking these points into account, and remain available for any further information if needed.

PUBLIC

CROATIA

PUBLIC

III Omnibus for Agriculture – Croatian Comments on Blocks 2 and 3

At this moment, we are still studying Proposal in all the details and therefore, we express a general scrutiny reserve.

In relation to the thematic blocks, The Republic of Croatia would like to highlight the following most important questions:

Block II

Architecture of crises and risks

One of the key issue for Croatia was related to the establishment of efficient, flexible and simple financial aid in the event of a crisis. We therefore welcome Commission's proposal which takes into account common Croatian and Slovenian initiatives from 2023, which have received strong political support among MSs in the past. This provision is voluntary for Member States, and it is up to them to assess whether, when and under what conditions to activate it, in accordance with the proposed legislative framework. However, we see the proposed mechanism as a complementary to the current possibility available to Member States under the Agricultural reserve and which have justified their purpose, especially in the case of natural and climatic disasters or catastrophic events. For this reason, it is not necessary to limit the current possibilities available to Member States in terms of using the Agricultural reserve.

Block III

Competitiveness/digitalisation

We support the proposal to increase the limits of payments to small farmers up to EUR 2,500 with an derogation from conditionality obligations. We are considering the possibility of implementing this provision within our Strategic Plan.

We welcome the proposal to simplify the conditions for the development of new business models for small farmers and the possibility of a flat-rate support of EUR 50,000. Our experience during the call for applications for intervention for small farmers has shown that an exceptionally large number of applications were received. However, the preparation of applications itself represented a significant burden for potential beneficiaries, and the implementation of the procurement process was very extensive and demanding.

Croatia believes that it is necessary to ensure the optimization of the control system in a way that avoids unnecessary duplication. For beneficiaries who have submitted a single application for direct payments and an application for support for rural development interventions, controls may be

repeated. Therefore, certain checks, if carried out under Pillar I, do not need to be repeated for Pillar II interventions.

We consider the proposal for amendments and the eligibility of VAT under Financial Instruments to be very useful. Also, in cases of capital rebates, VAT is not eligible for part of the grants, which we consider appropriate.

We need more details as regards the need to establish a Member State body responsible for coordinating national and cross-border interoperability of CAP-related information systems. Our concerns are aimed at possible administrative burden in year of RDP closure. There is also a very short deadline for establishing such a body. We propose that the EC prepare a working document with all the necessary details.

PUBLIC

ITALY

Ministero dell'agricoltura, della sovranità alimentare e delle foreste

DIPARTIMENTO DELLA POLITICA AGRICOLA COMUNE E DELLO SVILUPPO RURALE

PUBLIC

Comments and questions on
14th May 2025 EC CAP simplification proposal COM (2025)236

Following the debate during the AGS on June 13th on the CAP simplification proposal, please find below questions **on blocks 2 and 3** and related articles, as listed in WK 7343/2025 INIT. **Risk management (block 2)**

In relation to risk management, Italy appreciates the attention to the topic.

In relation to the amendment of **art. 19** regarding the contribution to risk management tools, Italy express its concerns. The proposal seems to require that the contribution to risk management tools is collected from farmers for whom a risk management tool exists in a given year and no longer from all farmers who receive direct payments.

In Italy, risk management tools have been introduced since 2023. For this reason, Italy asks the Commission to confirm that if a Member State has already activated a risk management tool by collecting the contribution from all farmers who receive direct payments it is possible to continue to collect the contribution from all farmers and not only from farmers for whom a risk management tool exists.

In relation to **art. 41 a**) regarding the complementary crisis payments in the context of direct payments, considering the timing for the disbursement of the expenditure of the resources of the first pillar, Italy asks to know if some form of financial flexibility is foreseen to make the instrument compatible with the times necessary for the procedures for verifying the exceptionality of the event and for calculating the losses.

In relation to the amendment of **art. 76 (5)** Italy appreciates the possibility, for the sectoral production risk management tools, to calculate the losses also in relation to the specific "insured" surface. It would be useful to extend the possibility of calculating the losses also in relation to the insured surface to all the risk management interventions that can be activated, including mutual funds.

Furthermore, it is necessary to receive clarifications on **Annex XV** and in particular if a form of flexibility and reuse of those funds set aside and not spent by the Member State is foreseen.
Finally, Italy expresses its concerns about the proposal to exclude the use of the **agricultural reserve** for support measures for farmers affected by natural disasters, adverse weather conditions or catastrophic events.

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The two new risk management tools on the first and second pillars, in fact, do not seem to be able to replace the reserve because they provide for a series of conditions and methods of activation that extend the times for disbursement of aid.

Competitiveness and digitalization (block 3)

On the new **article 13a** about the Authority in charge of data governance under the CAP, Italy would like to know how this new authority fits into the panorama of authorities that operate within the framework of the strategic plan and implementation of the CAP. What type of relationship should it have, for example, with the competent Authority, with the management authority, with the paying agencies and with the certification body.
It is also necessary to define the scope of the information systems to which it refers.
Furthermore, the roadmap will require resources for its implementation. So, Italy would like to know with what resources the roadmap should be implemented considering that we are at the end of programming period.
For this above-mentioned reasons, Italy considers more appropriate to introduce this new Authority starting from 1 January 2028 with the new CAP programming period.

14th May 2025 EC CAP simplification proposal - Regs. Ue 2115 and 2116 amendment proposals

ITALY – Comments on "Block 4 – Administration" (according to WK 7343/20225 INIT 04 June 2025 template)

Reg. (Eu) 2115/2021

Article 1 (29) – Target paragraph art. 119 – Amendments to Strategic Plan

General comments

1) Italy welcomes very much new amendments distinction between “strategic” and “other amendments”, nevertheless EC simplification proposal could have gone further with benefits both for the Member States and for the Commission services itself. In our understanding, from “mutual reduction of red tape” point of view, administrative burden on MSs Strategic plans Managing Authorities does not substantially decrease (because same blocks of piece of information will have to be entered into SFC2021 and same supporting documents will always have to be transmitted to EC via SFC2021). In those regards, please take in consideration following practical simplification proposals.
2) Regarding “enhanced conditionality” related information, please EC confirm that in case of amendments proposal from Member States, such amendments fall within the “other amendments” procedure.
3) Following to comment 2), please EC confirm that regarding “enhanced conditionality” amendments, according to your proposal any amendment shall take effect from a date to be determined by the Member State but not earlier than from the date of submission to the Commission of the request for amendment.

Specific comments and simplification proposals

New article 119, paragraph 2. (a)

Regarding Member States with regionalized rural development interventions implementation, (i.e. IT,

DE, FR, ES), please DG Agri confirm following: a new intervention activation by one or more Regions/Autonomous Provinces within an already existing "National intervention with regional elements" (because already activated by other Regions) in the Community Strategic Plan (CSP) and\or the deactivation by one or more Regions within a "National intervention with regional elements" which remain to be programmed within NSP (since other Regions remain), does not imply a “strategic amendment” (on the opposite, fall within “other amendments” procedure according to new paragraph 9) when such activation\deactivation is in compliance with conditions set out in points (b), (c) and (d) of new paragraph 2). This interpretation would ensure management simplification for both rural development regionalized MSs and EC services and would avoid unequal treatment between Member States with rural development interventions planned and implemented at national level only compared to Member States with rural development interventions planned and implemented at regional level as well.

New article 119, paragraph 2. (b)

Please, consider following simplification proposal: any change to quantitative values of “milestones” should be included in the “other amendments” category referred to in paragraph 9 and therefore not considered as “strategic amendments” in the event that there is no change to values of related final targets of result indicators to which they are related.

New article 119, paragraph 2. (c)

According to EC proposal, any financial change that involves a variation of resources allocated to "*ringfencings*" referred to in articles 92 (leader), 93 (agri – environmental -climate interventions) and 95 (young farmer) or that leads to a variation in the value of technical assistance of the Strategic Plan would always be considered as a "strategic amendment". In our opinion, this approach proposed by the European Commission seems to be excessively rigid, given that small and insignificant variations in these allocations are substantially inevitable in each amendment procedure (especially in case of environmental "ringfencing" consisting of a combination of numerous interventions). In this regard, please consider following simplification proposal: this paragraph should identify specific financial thresholds under which such amendments wouldn't be considered as strategic ones while falling within the simplified procedure of "other amendments" category referred to in paragraph 9.

New article 119, paragraph 2. (d) in relation to paragraph (b)

According to EC proposal, paragraph (d) provides that any change to the "Indicators Plan" (see Section 3.2 of the CSP) which contains the annual breakdown of all R result indicators must be considered as "strategic amendments". This seems to be inconsistent with paragraph (b), which provides that only changes to targets of result indicators marked as PR (Performance Review) are to be considered strategic changes. If this is the case, paragraph (d) EC proposal has to be adjusted accordingly.

New article 119, paragraph 2. (d)

According to EC proposal, any modification to financial plans as referred to article 112 of Reg. (Eu) 2021/2115 falls within the "strategic amendment". In this regard, no simplification for both MSs and DG Agri services compared to current situation, if not even an increase of administrative burden for CSP Managing Authorities (due to the increase in the scope of application).

Taking into consideration CSP Financial Plan content and referring to Section 6.2 of MSs Strategic Plan, please consider the following simplification proposal:

- identify as "other amendments" any changes to values of Planned Unit Amounts already planned in the Plan (on the opposite, introduction of new Planned Unit Amounts and\or deletion of existing Planned Unit Amounts should fall within "strategic amendments");
- identify as "other amendments" introduction and/or modification of Planned Unit Amounts relating to the transition expenditures referred to rural development (Article 155 of Reg. (Eu) 2115/2021);

- identify as “other amendments” introduction and/or deletion of carry over financial lines for rural development interventions as "of which" in the current financial plans.

In practice:

a) any amendments to section 6.2 of the CSP (which are also automatically generated in SFC2021 on the basis of the modification of the expenditure profiles of the interventions) should always fall within the simplified procedure of the “other amendments” category referred to in paragraph 9);
b) simplification proposals for RD carry over are self-justified in relation to their origin (they are a logical follow up from 2014-2022 RDPs as approved by EC Decision).

To sum up, in relation to financial, output and result amendments, in order to ensure an effective simplification to CSP amendments process for both MSs and DG Agri, Italy suggests following legal rules:

Type of amendment	“Strategic amendment”	“Other amendment”
Financial Plan amendments		
Amendments to Section 6.1 of Financial Plan referring to articles 17(5) e 88(7)	X	
Amendments to Section 6.1 of Financial Plan referring to article 92 (leader), 93 (agro environment climate), 95 (young farmer) and technical assistance	X (above a threshold to be determined in this legal disposal)	X (below a threshold to be determined in this legal disposal)
Other amendments to Section 6.1 of Financial Plan	X	
Amendments to Section 6.2 of Financial Plan	X (in case of change to Eu cofinancing rate)	X (in case of no change to Eu cofinancing rate)
Amendments to Indicator Plan		

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Amendments to Section 2.3.1 of Indicator Plan	X (in case of changes to targets related to Performance Review indicators PR)	X (in case of changes to "*milestones*" and/or changes to targets not related to Performance Review indicators PR)
Amendments to Section 2.3.2 of Indicator Plan		X

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New article 119, paragraph 5.

Because of welcomed new clear distinction between "strategic amendments" and "other amendments" which, in principle, should reduce EC services "red tape" in term of assessment of MSs CSP amendment proposal, EC observations could be provided to MSs within 20 working day instead of current 30 working days. New article 119, paragraph 9.

In our opinion, current proposal regarding "other non-strategic changes" appears highly ambiguous, with a realistic risk of restrictive interpretation with respect to Member States simplification needs on those issues. Please take into account following considerations and simplification proposals.

1) In our opinion, 30 working days limit for European Commission to express any objections to the "other amendments" is not consistent with a real process of simplification, reduction of procedural times and ensure as soon as possible legal certainty for MSs on the areas subject to modification. A maximum of 20 working days is more than sufficient, also taking into account that Member States and the European Commission will have to discuss informally - in advance and exhaustively – topics and issues related to "other amendments"

2) EC proposal should establish that DG Agri, in principle, endeavour to express its opinion (especially in case it is a positive opinion – i.e. so called "comfort letter") even before the proposed 30 days (in order to facilitate the shortening of the timeframes for the implementation of the amendments by the Management Authorities of the Strategic Plan in legal certainty);
3) EC proposal should say explicitly that DG Agri note with any objections to the areas subject to amendments should be promptly and duly justified (technically and legally) by the Commission services. Such justifications should highlight whether any failure to amendment acceptability is due to the strategic nature of the proposal (for which therefore is possible to resubmit through the procedure referred to in art. 119.2) or to other reasons (i.e., MS proposal in any case is not legally admissible).
4) It is not clear whether the possible EC note of objection (or acceptance) of the battery of requests for "other amendments" could provide for partial objections and/or acceptances by the European Commission. In this case, it would be necessary to verify that the SFC2021 system allows this hybrid situation (partial acceptance and partial denial).

In our opinion, such possibility of partial acceptance and partial denial of MS amendment proposals is needed and justified for sake of simplification – see following example. In a given "other amendments" notification, for instance 100 amendment requests are submitted of which only 5 are objected to by the Commission. "Other 95 amendments" not objected need necessarily to be considered accepted and implementable by the Management Authorities. If this were not the case, the CSP Managing Authorities, in order to overcome the problem, would then be forced, in a precautionary and preventive manner, to split next single block of amendment requests into single requests (for example, instead of 1 notification containing 100 requests, 100 single notifications would be generated - one for each request). The unsustainable and worsening "administrative burden" of the current notification system referred to in article 119 paragraph 9 is self-evident if "objections and/or partial acceptances" are not also provided for.

5) Finally, from MSs point of view, possible additional burden of providing extra justifications on strategic nature of the proposed modification must be considered if this is not carefully defined upstream (that is, what is considered "strategic" e what is considered "not strategic amendment" should be legally clear and unquestionable).

Article 1 (31) – Target paragraph art. 122 – Time limit for art. 119

Italy, in principle, does not have any problem on delegating power to EC supplementing Reg. (Eu) 2115/2021 on procedures and time limits for submission of request for notifications of "other amendments". For sake of transparency, Italy would welcome very much EC to anticipate, in general manner, contents of such delegation.

Article 1 (33) – Target paragraph art. 134 – Annual Performance Reporting

Could please DG Agri confirm that amended art. 134 will apply to the Annual Performance report due by 15 February 2026 and related to previous financial year 16 October 2024 – 15 October 2025?

Reg. (Eu) 2116/2021

Article 2 (1, 6-11) - Target paragraph articles 9, 10, 12, 21, 32 40, 45, 53

Article 2 (12) - Target paragraph art. 54 - Deletion

Could DG Agri please explain how art. 54 deletion has an impact on articles 9, 10, 12, 21, 32 40, 45, 53 in term of procedures?

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Reg. (Eu) 2116/2021

Article 2 (14) – target paragraph art. 60.1 – One control per year

Could DG Agri please confirm that "one control per year approach" would apply to all rural development interventions? (both IACS and non IACS interventions).

PUBLIC

LATVIA

PUBLIC

Questions of Latvia for Block II, III, IV

(Crisis and risk architecture, Competitiveness/digitalization, Administration)

17.06.2025.

Crisis and risk architecture				
Proposal	**Proposal paragraph**	**Target paragraph**	**Description**	**Questions**
2021/2115				
Article 1	(2)	Article 10	WTO, 41a, 78a	
Article 1	(4) (a)	Article 12(1)	conditionality art. 12, 41a	
Article 1	(6)	Article 14(1)	social conditionality art. 14, 41a	
Article 1	(7)(a)(b)	Article 16	crisis payments direct support	
Article 1	(8)	Article 19	risk management tools uptake	
Article 1	(11)	Article 41a	complementary crisis payments	Can the funding for crisis payments specified in Article 41a be reallocated from direct payments in accordance with Article 19 of Regulation (EU) 2021/2115? Is there any justification for the 30% income drop?
Article 1	(14)(b)	Article 69(i)	title new intervention 78a	
Article 1	(19)	Article 76(5)	loss calculation risk management	What is the EC's justification for the 30% threshold?

Article 1	(20)	Article 78a	crisis payments rural development	What is the EC's justification for having two separate crisis measures (under DP and RD) with the same conditions? In the case of RD intervention, there are no clear rules on the level of co-financing. How to ensure a higher support rate (point 4 of Article 78a) and at the same time avoid overcompensation (point 5 ofArticle 78a) for those farmers, which participate in insurance or other risk management instruments and has already had most or even all of his losses covered by insurance or a risk fund?
Article 1	(25)	Article 86(2)	payments eligibility date EAGF 41a	
Article 1	(25)	Article 86(3)	payments eligibility date EAFRD	
Article 1	(26)	Article 96a	max amount 3%-4%	Does the maximum funding specified in Annex XV include or exclude national co-financing? What happens to the earmarked financial resources if this intervention is not implemented in the given year?"
Article 1	(27)	Article 111	result indicators 41a 78a	
Article 1	(28)	Article 115(5)	additional financing 41a Annex V	
Article 1	(34)	Article 146	additional financing 41a Annex V art. 42 TFUE	
Article 1	(36)	Annex I and II	WTO, 41a, 78a Annex II	

PUBLIC

Article 1	(37)	Annex X	max amount crisis payments MS	
2021/2116				
Article 2	(5)	Article 16(1)	agricultural reserve	

Competitiveness/digitalization				
Proposal	**Proposal paragraph**	**Target paragraph**	**Description**	**Questions**
2021/2115				
Article 1	(4)(b)	Article 12 (1a)	small farmers	Clarification from the Commission is necessary on how in the case of the restoration of permanent grassland areas, the part of permanent grassland ploughed under SFS is intended to be ensured for restoration, and whether this proposal affects changes to the permanent grassland reference?
Article 1	(9)	Article 28	payments small farmers	
Article 1	(13)	Article 52(2)	increase limits producer organisation	
Article 1	(14)(a)	Article 69(e)	new title startup small farms	
Article 1	(18)	Article 75	startup small farms 50k	Can the aid amount be less than EUR 50 000? Is the aid intensity 100%? If the MS provides for a lower aid amount, should justification be provided?
Article 1	(21)	Article 79(1)	selection criteria small farm interventions	
Article 1	(22)(a)	Article 80(2)	audit trail	

PUBLIC

Article 1	(22)(b)	Article 80(3)	max gross ceiling 300k	
Article 1	(22)(c)	Article 80(5)	VAT	
Article 1	(23)(a)(b)(c)(d)	Article 81	transfers InvestEU EAFRD	
Article 1	(24)	Article 83(2)	calculation methods simplified costs	Please clarify the difference in principle between point (ba), proposed as a new proposal, and point (c), currently in force?
2021/2116				
Article 2	(4)	Article 13a	Interoperability	There is a need for more clarity on the functions of such institution, the limits of its competences. We see a lack of clear cost-benefit assessment.

PUBLIC

PUBLIC

Administration				
Proposal	**Proposal paragraph**	**Target paragraph**	**Description**	**Questions**
2021/2115				
Article 1	(3)	Article 11	oilseeds, USA	
Article 1	(12)	Article 48	Operational plans delete APC	
Article 1	(29)	Article 119	amendments to strategic plans	In case of strategic amendments weather aproach of 3 mounth pause after EC observations will be kept? Will the notifications be possible to integrate into the SFC system also at the time when the strategic amendments are in process? How will this be ensured in the SFC? Why the rules for EAGF notifications are more detailed than EAFRD notifications? Why EAGF notification procedure is made more complicated? There are risks for additional adminsitrative burden for Managing authority and Monitoring Committee.
Article 1	(30)	Article 120 deleted	Annex XIII envi law	
Article 1	(31)	Article 122	time limits for art. 119	

Article 1	(32)	Article 124(4)	monitoring committee opinion art. 119(8)	Why EAGF notification procedure is made more complicated? There are risks for additional adminsitrative burden for Managing authority and Monitoring Committee.
Article 1	(33)	Article 134	annual performance reporting - deletion APC	
Article 1	(35)	Article 159	Annex XIII review deleted	
Article 1	(36)	Annex I	output indicators APC deletion	
2021/2116				
Article 2	(1)(2)(3)	Article 9(3), 10(1), 12(2)	technical deletion art. 54	Latvia also asks to change the deadline for submission of the APR to 1 March or later. The current deadline of 15 February matches the deadline for submitting the annual report, and both documents are prepared at the Paying Agency. In practice, this causes considerable difficulties as the final and verified data needed to produce a high quality and reliable APR are not available by this date. This deadline also makes it difficult to coordinate the report with the Certification Body and the Monitoring Committee in a timely manner.
Article 2	(6)	Article 21(1)	monthly payments art. 54 deletion	
Article 2	(7)	Article 21(2)	monthly payments approval art. 119(10)	

PUBLIC

Article 2	(8)	Article 32	interim payments art. 54 deletion	
Article 2	(9)	Article 40	payments suspension art. 54 deletion	
Article 2	(10)	Article 45(1)	revenue assignment art. 54 deletion	
Article 2	(11)	Article 53(1)	annual financial clearance art. 54 deletion	
Article 2	(12)	Article 54	deletion	
Article 2	(13)	Article 57	irregularities and corrections	
Article 2	(14)	Article 60(1)	one control per year	Clarification from the Commission on the applicability of this proposal is needed to avoid problems in cooperation with certification bodies. Latvia is concerned about the practical applicability of the proposal, as different conditions have different deadlines for compliance, which may require repeated inspections.
Article 2	(15)	Article 67(1)	data keeping and sharing art. 54 deletion	
Article 2	(16),(17),(18),(19)	Article 68(3), 69(6), 70(2), 70a	article 70a quality assessment LIPS, GSA, AMS	
Article 2	(20)	Article 72	control flexibility	
Article 2	(21)	Article 74	implementation new art. 70a	

PUBLIC

			quality assessm.	
Article 2	(22)	Article 75	implementaing powers art. 68-70a	
Article 2	(23)	Article 83	exemptions controls 41a, small farmers, beneficiaries who declared less than 10 hectares in the geo-spatial application	Clarification from the Commission is necessary on how in the case of the restoration of permanent grassland areas, the part of permanent grassland ploughed under SFS is intended to be ensured for restoration, and whether this proposal affects changes to the permanent grassland reference?
Article 2	(24)	Article 84	exemptions penalties small farmers and beneficiaries who declared less than 10 hectares in the geo-spatial application	Clarification from the Commission is necessary on how in the case of the restoration of permanent grassland areas, the part of permanent grassland ploughed under SFS is intended to be ensured for restoration, and whether this proposal affects changes to the permanent grassland reference?
Article 2	(25)(26)	Article 102, Article 103	technical deletion concerning art. 54	
Final provision				
Article 3			Transitional provisions	
Article 4			Entry into force and application	What is foreseen timetable/process for the incorporation of simplification amendments in the CAP SP?

PUBLIC

LITHUANIA

LITHUANIA'S COMMENTS
on the Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2021/2115 as regards the conditionality system, types of intervention in the form of direct payment, types of intervention in certain sectors and rural development and annual performance reports and Regulation (EU) 2021/2116 as regards data and interoperability governance, suspensions of payments annual performance clearance and controls and penalties
COM(2025) 236 final

PUBLIC

Block II: crisis and risk architecture

2021/2116
Proposal Article 2
Proposal paragraph (5)
Target paragraph Article 16(1) – Agricultural reserve

The amendments to Article 16(1) concerning the agricultural reserve do not sound like a simplification, but a reform. In our view, these amendments are more relevant to the discussions on the future of the CAP after 2027. The possibilities for using the agricultural reserve are directly linked to the risk management system in a broad sense. A comprehensive assessment is needed. Until then, let's leave all the current possibilities for using the reserve.

Block III: Competitiveness/digitalization

2021/2116
Proposal Article 2
Proposal paragraph (4)
Target paragraph – Article 13a – CAP data and interoperability governance
The creation of a new authority in charge of data governance under the CAP does not sound like simplification, but rather a reform. Lithuania is making efforts to ensure the interoperability of public agricultural information systems even without this additional regulation. We are sufficiently advanced in implementing the "collect once, use multiple times" principle. Therefore, in our case, we do not see the added value of these provisions, but only additional administrative burden and costs.

Block IV: Administration

2021/2116
Proposal Article 2
Proposal paragraph (14)
Target paragraph Article 60(1) – One control per year

We would like to receive confirmation as to whether we correctly understand the proposed amendment regarding the addition of a new paragraph to Article 60(1) of Regulation (EU) No 2021/2116:
"Where a beneficiary has been selected for an on-the-spot check on an aid application or on a payment claim or on conditionality pursuant to Article 83, Member States shall, to the extent possible

and taking account of the associated risks, not select that beneficiary for a subsequent check and control sample for that year, except when the circumstances require a second control in order to ensure the effective protection of the financial interests of the Union. This provision shall not reduce the level of checks."

First of all, does this amendment apply to investment measures?

Secondly, during the 2014–2020 programming period, the legislation applicable to IACS measures allowed the application of the so-called cascade principle. It also permitted the selection of farms for cross-compliance checks from the pool of farms selected for eligibility checks, thereby reducing the administrative burden on control authorities. The legislation for the 2023–2027 programming period allows AMS QA checks, selected by combining various support measures in accordance with the Commission's EU-level quality control guidelines, to be counted as part of the random sampling checks, also reducing the burden on control authorities.

From the proposed amendment, we understand that the administrative burden on control authorities would increase significantly, as the amendment essentially eliminates the so-called cascade principle, possibility to combine eligibility and conditionality checks and the possibility to use AMS QA checks as part of the random sample, since AMS QA checks combine various support measures, which naturally requires multiple visits to the farm. Preliminary assessments indicate that implementing the "one control per year" principle would increase the number of IACS support measures checks by at least 85%, for instance, instead of 3,000 farms being checked in 2024, as originally planned, 5,000 farms would need to be checked.

Problems we identify:

First of all, there would be a significant increase in the administrative burden for control authorities: not only because of the increased number of farms that would need to be checked, but also due to the challenges in managing resulting debts. If this provision also applies to investment measures, it becomes clear that in most cases payments would be made before checks are carried out, since the timing of checks for area-based and investment support measures differs significantly and cannot be combined into a single inspection. For example, a payment claim for an investment measure submitted in January would not be checked until September, together with area-based measures.

Secondly, we presume a sharp rise in costs related to human resources and fuel, which clearly does not contribute to the implementation of the EU's green policy.

We also see a major risk of harm to the EU funds, as farmers, knowing they can only be checked for one aspect, might start massively disregarding requirements, assuming they won't be inspected anyway.

We suggest leaving the choice to the Member States by replacing "shall" with "may":

"Where a beneficiary has been selected for an on-the-spot check on an aid application or on a payment claim or on conditionality pursuant to Article 83, Member States ~~shall~~ may, to the extent possible and taking account of the associated risks, not select that beneficiary for a subsequent check and control sample for that year, except when the circumstances require a second control in order to ensure the effective protection of the financial interests of the Union. This provision shall not reduce the level of checks."

1. **Is the new amendment to Article 60, which introduces the one control per year principle, compatible with the previously applied cascading control approach?** Does it override the previous practice or complement it?
2. **How should the one control per year principle be applied in practice, considering the differences in the administrative and control logic of area-based and investment measures, as well as eco-schemes and CAP interventions in general?** Does the Commission plan to provide more detailed methodological guidance on how this principle should be implemented across different types of measures?

HUNGARY

Crisis and risk architecture

Proposal	Proposal paragraph	Target paragraph	Description
2021/2115 Article 1	(2)	Article 10	***In our assessment, the new instrument in Art 41a will not be applicable to support the livestock sectors if it remains a green box in its current form. We recommend classifying it as a amber box support scheme.***
Article 1	(8)	Article 19	***We would like to clarify whether the modification of the Plan is necessary for the application of the reworded Article 19.***
Article 1	(11)	Article 41a	***It would be important to know the Commission's position on the operating mechanism of the new instrument. The ad hoc tasks of crisis management are difficult to fit into the operational logic of direct payments. We therefore have the following questions:*** • ***Should the instrument be introduced into the Plan in advance? With what allocations? With the full amount set out in Annex XV?*** • ***Can the 30% damage threshold required to activate the instrument also be interpreted at the level of individual damaged crops?*** • ***Are these payments subject to late payment rules if they activation becomes necessary towards the end of the financial year?*** • ***How can the loss of funds be avoided in a given financial year if the planned amount is not fully paid?*** • ***Should the serious event leading to the activation of the instrument and the eligibility conditions be defined in the Plan or should it be sufficient to do so later, in national legislation?*** • ***Why is it necessary to plan output indicators for an measure aimed at instant response for unexpected circumstances, in particular in view of the deletion of the annual performance clearance?***

PUBLIC

			• ***Should the level of co-financing be fixed in advance in the CAP SP or can a case-by-case approach be applied per event?***
Article 1	(37)	Annex XV	***It should be clarified why the proposed Table 1 and 2 of Annex XV does not include allocations for Calendar year 2027 even though all direct payment related allocations (e.g. Annex VIII, XI, XI and XII of the SPR) include such a column for 2027.***
2021/2116 Article 2	(5)	Article 16(1)	***The Commission is requested to explain how the interventions under Article 41a & 78a and the agricultural reserve complement each other.***

Competitiveness/digitalization

Proposal	Proposal paragraph	Target paragraph	Description
2021/2115 Article 1	(9)	Article 28	***The current maximum annual payment for small farmers of 1 250 EUR is unchanged since 2015. However, even with 2 500 EUR it is not realistic to be able to provide a decent level of subsidy in 2025. Member States willing to switch to a simpler implementation for small farmers - which is currently to most acute need identified, and the aim of this simplification package – cannot do this, because with 2 500 EUR/farmer, the minimum spending requirement for redistribution cannot be met. A meaningful increase (e.g. to 5 000 EUR) would give Member States a real choice on how to achieve the EU objective of a fairer distribution of direct payments.***
Article 1	(24)	Article 83(2)	***In line with (24) of Article 1 of the proposal, the same amendment should be inserted in Article 44 of the Regulation (EU) 2021/2115 so that the same forms of support could be applied also for the interventions in certain sectors as for the interventions for rural development.***
2021/2116 Article 2	(4)	Article 13a	***The proposed approach to stimulate interoperability among the different data sources in connection with the CAP spending is a good and forward-looking idea. It can contribute to a more effective governance at***

			Member State level and thus to simplification of certain processes. However, it is not fortunate to add a novelty of such a magnitude for the final 2 years of the current programming period. It is not realistic to expect Member States to implement such a big IT development to connect all CAP related databases. As it does not allow for a simplification in the short run (e.g. in the current programming period), we propose to include this new Chapter into the legislative proposal forming the CAP post 2027.

Administration

2021/2115 Article 1	(29)	Article 119	***Is it well understood that a change in the eligibility condition of a direct support measure would not be considered as a strategic modification?***
Article 1	(33)	Article 134	***The Hungarian authorities welcome the Commission's proposal to discontinue the Annual Performance Clearance (APC) procedure.*** ***The APC exercise did not serve its intended purpose as an assurance tool. Following its removal, the eligibility of expenditure remains adequately safeguarded. Moreover, this simplification represents a significant reduction in the administrative burden for Member States.*** ***The proposal also emphasizes the need to strengthen the link between the Annual Performance Report (APR) and the Biennial Performance Review (BPR).*** ***The Hungarian authorities have repeatedly expressed concern that the delegated acts related to the BPR—specifically those governing the rate and duration of payment suspension—have not yet been adopted by the Commission.*** ***We would like to reiterate that such rules, which define the system, should be clearly established at the beginning of the programming period.***
2021/2116 Article 2	(14)	Article 60(1)	***The amendment aims at limiting the number of on-the-spot checks per year, which is a good direction.*** ***However, the second sentence of the new subparagraph clearly contradicts the first sentence, as it states that this should not lead to a reduction in the level of controls. This contradiction needs to be clarified.***
Article 2	(23)	Article 83	***With regard to the proposed amendments to Articles 83 and 84, we propose that small farms be exempted not only from conditionality but also from social conditionality.***
Article 2	(24)	Article 84	

PUBLIC

			Furthermore, the concept of intentionality should be deleted from the assessment of non-compliances. Instead of judging whether it was intentional or not, it would be appropriate to judge the non-compliance based on its severity and impact on the environment, nature, and public plant and animal health. In practice, it is very difficult to prove a case of intentionality.

PUBLIC

MALTA

Malta's Written Comments on the Proposed Simplification package on Agriculture (Omnibus III) – Blocks 2 and 3

PUBLIC

Proposed Complementary Crisis Payments

Malta acknowledges the proposal for a new crisis tool, which is a step in the right direction. However, as currently formulated, the mechanism appears too burdensome to implement, potentially preventing Member States from responding swiftly and effectively to crisis situations.

In Malta, the requirement to demonstrate 30% losses at the individual farmer level presents particular challenges, given the small geographic size of the country and the likelihood of disasters affecting the entire region. This increases the burden on both farmers and the national administration to provide and process individual proof of loss.

Thus, Malta proposes the insertion of an additional paragraph under Article 41a of the draft Regulation:

> ***8. As regards the implementation of Regulation (EU) 2021/2116 for the purposes of the financing, management and monitoring of the CAP, when applying a 'force majeure' principle, as referred to in Article 3(2) of that Regulation, where a severe natural disaster or severe meteorological event gravely affects a well-determined area, the Member State concerned may consider that whole area to be gravely affected by that disaster or event. In such cases, by way of derogation from Article 41a(2) of this Regulation, Member States may issue direct aid based on lump sum payments, which aid is calculated on the general increase in costs and income loss associated with the natural disaster, adverse climatic event, or catastrophic event, without the need to establish the losses for every farmer.***

This additional proposed paragraph would thus allow for lump sum payments in the event of a severe disaster, without the need to assess individual losses when the entire area is demonstrably affected.

Malta would also like to see the inclusion in the text (possibly in the preambles), that the establishment of an adverse climatic event/natural disaster could also entail droughts even though such conditions may be prevalent in particular regions, specifically when it is evident that such conditions were worse than other years when compared to the data of previous years for that same region/s.

Furthermore, Malta would appreciate clarification about how these proposed payments are to be programmed. Would such instruments need to be included in the CSP before a crisis takes place and then be activated subject to eligibility conditions? Or will it be applied similarly to Measure 23 under the RDP which would require a CSP amendments after the crisis event takes place?

In the latter case, we need to ensure faster procedures for strategic CSP amendments in crisis situations. Given that currently amendments are subject to a lengthy process (which will now only apply for strategic amendments, if Omnibus III is adopted as currently proposed), we propose introducing a dedicated, expedited amendment mechanism specifically for crisis response. This would help ensure timely support within timeframes that are shorter than for typical CSP revisions.

POLAND

Issues to be clarified regarding the CAP simplification package (COM(2025)236)_Poland

Thematical block 2 (Crisis and risk architecture)
and block 3 (Competitiveness/digitalization)

PUBLIC

1. **Complementary crisis payments -** Article 41a reg. 2021/2115
   - Can losses at the farm level be calculated using an index?
   - Will the EC establish rules for determining losses in case where there is no historical data for a specific crop over a 3 or 5 year period for the agricultural plot where losses occurred?
2. **CAP data and interoperability governance** – Article 13 a reg. 2021/2116

   Poland requests the EC to clarify the reasons for designating the interoperability authority (Article 13a of Regulation 2021/2116), in particular with regard to how the interoperability of systems would be ensured in practice.

   In which systems does the EC identify problems with interoperability, especially in the exchange of cross-border data? How would this cross-border exchange of data work in practice, particularly in the context of the protection of beneficiaries' personal data? For what purposes would this data be used?

   Is the establishment of a new authority necessary to address the issues identified by the Commission? Have alternative solutions been considered?

   Poland also draws attention to the costs and administrative burdens for Member States associated with the functioning of such an authority. Such solutions should be approached with caution during the ongoing programming period, as the current focus should be on measures that are essential and feasible for prompt implementation.

   The designation of new authorities should be preceded by an in-depth discussion with Member States, including a costs - benefits analysis of the proposed simplification effects for farmers and for the administrations of the Member States.

ROMANIA

PUBLIC

Crisis and risk management			
Proposal	Proposal paragraph	Target paragraph	RO questions and observations
2021/2115			
Article 1	(8)	Article 19	We appreciate the adaptation of the provision of art. 19, so as to ensure a correlation of the typologies of risks and the available management tools with the categories of direct payment beneficiaries who are exposed to those risks. However, we consider that additional clarifications are necessary for the situation in which art. 19 was activated prior to the adoption of the proposal.
Article 1	(11)	Article 41a	Regarding the method of calculating losses at the level of activity in the respective sector, we would like clarifications on whether the sector can be understood as a type of crop or species of animal or if not, what is the interpretation intended by the COM.
Article 1	(19)	Article 76(5)	Regarding the method of calculating losses, we would like to clarify why the possibility to apply the 20% loss percentage at the insured area level is provided only for sectoral instruments. RO has requested on numerous occasions the amendment of the provisions related to the establishment of production loss, so as to allow for the flexible application of this mechanism depending on the specifics of agricultural holdings and the available data. For these reasons, it is essential that within all articles on risk management instruments there is the possibility of reporting the loss at the level of agricultural area (crop) or livestock, and not at the level of the entire holding. At the same time, we would like the same clarification regarding the meaning of the term "sector", namely whether a sector can be understood as a type of crop or animal species or if not, what is the interpretation intended by the COM Can a risk management instrument aimed at subsidizing production insurance premiums be sectoral if it aims at the support granted through this intervention only for certain sectors, regardless of whether the policies cover a wider range of crops (sectors)?

			What type of methods does the COM aim at regarding the possibility of applying alternative methods for assessing losses in the case of young farmers and new farmers?
Article 1	(26)	Article 96a	Regarding art. 96a which aims at financing the new support instruments for farmers in case of crises, given the current stage of implementation of the strategic plans and the remaining resources available, we consider it appropriate, for flexibility reasons, that the use of this instrument can be financed including by applying art. 19 of the Regulation, so that the retention of 3% from direct payments can be taken into account in order to establish the budget for this support.

Competitiveness/digitalization			
Proposal	Proposal paragraph	Target paragraph	RO observations
2021/2116			
Article 2	(4)	Article 13a	We consider that further clarification is needed regarding the justification to introduce this legal provision. What is the purpose of using this platform in a cross-border context? Is this authority intended to be one of the entities with responsibilities in implementing the CAP Strategic Plan or will it be a third-party institution, distinct from the structures already responsible?

PUBLIC

PUBLIC

Administration			
Proposal	Proposal paragraph	Target paragraph	RO observations
2021/2116			
Article 2	(14)	Article 60 (1)	We support the idea of reducing the burden and pressure of controls on farmers by introducing the objective of "one control per year". However, we have reservations regarding limiting controls to one control per year given the different areas of control applicable to a holding (plants, livestock, etc.), the relevant control periods of the different requirements and the complexity of the checks (e.g. in the case of commitments under Article 71 of Regulation (EU) 2021/2115).
Article 2	(23)	Article 83	We propose that the exemption from the application of the conditionality system should be applied also to the beneficiaries of payments granted under Art. 70 and Art. 72 for commitments on forest land. Given that the agricultural area managed by forest owners benefiting from payments under the interventions referred to in Articles 70 and 72 of Regulation (EU) 2021/2115 is limited, the application of the conditionality system to these beneficiaries, who manage significant forest areas, produces insufficient benefits compared to the significant costs and imposes a significant administrative burden on these beneficiaries and on the national administrations; potential sanctions applied to payments related to forest land based on irregularities for a secondary activity of these beneficiaries. In order to reduce these costs and facilitate the related administrative burden, it is appropriate to exempt beneficiaries of payments granted under Art. 70 and 72 for commitments on forest land from the application of the conditionality system.
Article 2	(23)	Article 84	We propose that the exemption from the application of the conditionality system should be applied also to the beneficiaries of payments granted under Art. 70 and Art. 72 for commitments on forest land. Given that the agricultural area managed by forest owners benefiting from payments under the interventions referred to in Articles 70 and 72 of Regulation (EU) 2021/2115 is limited, the application of the conditionality system to these beneficiaries, who manage significant forest areas, produces insufficient benefits compared to the significant costs and imposes a significant administrative burden on these beneficiaries and on national administrations and potential sanctions applied to payments related to forest land based on irregularities for a secondary activity of these beneficiaries. In order to reduce these costs and facilitate the related administrative burden, it is appropriate

			to exempt beneficiaries of payments granted under Art. 70 and 72 for commitments on forest land from the application of the conditionality system.

PUBLIC

SLOVENIA

Questions (BLOCKS 2, 3 and 4) regarding Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2021/2115
as regards the conditionality system, types of intervention in the form of direct payment, types of intervention in certain sectors and rural development and annual performance reports and Regulation (EU) 2021/2116 as regards data and interoperability governance, suspensions of payments annual performance clearance and controls and penalties

PUBLIC

BLOCK 2 CRISIS AND RISK ARCHITECTURE

- Article 1, point 6: Is the reference to Art. 78a missing? It would make sense to exempt from social conditionality the beneficiaries of crisis payments according to Article 78a given that beneficiaries of crisis payments according to Article 41a are exempted.
- Article 1, point 11 of proposal: about a new Article 41a for Complementary crisis payments:
- for the intervention Complementary crisis payments, if a Member State applies paragraph 1 of Article 96a and grants aid for intervention under Articles 41a and 78a, what percentage of the funds in Annex XV, Table 1, must it use? Can it choose any percentage, or is it intended that 50% of the funds be granted from the EAFRD and 50% from the EAGF?
- Does a MS have to insert the intervention »Complementary crisis payments« in its CSP just 'in case if needed' and implements it only if natural disasters etc. occur that are confirmed at the level of the MS? Or the MS includes the intervention in the CSP only after the confirmation of the natural disaster at the level of the MS (Art. 41a(2)), meaning that the implementation of the “Complementary crisis payment” can start immediately even if the amendment of the CSP is approved later (2nd subpara.of Article 86(2) namely states:" the eligibility of EAGF-financed expenditure relating to amendments to the CAP Strategic Plan related to interventions referred to in Article 41a may start from the date on which the event occurred.") ?
- Why only calendar years 2025 and 2026, but not also calendar year 2027, are covered in Annex XV for national ceilings for the intervention Complementary crisis payments?
- Can we implement the intervention Complementary crisis payments already in the calendar year 2025 in the event of the natural disaster even if the period for submitting single applications for the calendar year 2025 has just ended? By submitting the aid application under the single application for the calendar year 2026, hence being paid by funds from the ceiling for CY 2026 (FY 2027)? The same question is for the year 2026 in case the event takes place after the closure of the application period for the year 2026 – is the claim for this aid submitted under the 2027 aid application and is paid out under financial year 2028?

- If a MS decides to implement Complementary crisis payments under direct payments in Pillar I, can funds that are needed for this measure be obtained by reducing only indicative ceiling for the basic income support for sustainability?
- concerning national co-financing: Please explain national co-financing if a MS chooses to implement intervention for crisis payment also under new Article 78a and by using first subparagraph of Article 96a.
- How and on which basis must a MS define the amount per unit for this crisis payment (and how is this payment classified for the purpose of WTO classification)?

ADDITIONAL PROPOSED AMENDMENTS

SOCIAL CONDITIONALITY

In view of simplification, we suggest amendments for social conditionality:

- to add in Art. 88(1) of Reg. 2021/2116 a paragraph that is currently already in Art. 84(1) for conditionality: » For the purposes of the first subparagraph, point (a), 'transfer' means any type of transaction whereby the agricultural land, or the agricultural holding, or part thereof, ceases to be at the disposal of the transferor.«.
- to amend Art. 88 of Reg. 2021/2116 as to take into account that in some cases the official notification to be received by the paying agency cannot include also an assessment and grading of the severity, extent, permanence or reoccurrence and intentionality of the non-compliance concerned.

BLOCK 3 COMPETITIVENESS /DIGITALIZATION

- Article 1, point 9 of proposal (concerning payments for small farmers in Article 28): Slovenia currently does not apply payments for small farmers, therefore we have general questions about eligibilty conditions. Does a farmer, while participating in the intervention for small farmers, have to maintain the number of eligible hectares with which he entered the intervention in the first year of implementation? Can a farmer opt out of the intervention scheme for small farmers (Art 28) before the start of the submission of the single application for a given calendar year?

RURAL DEVELOPMENT

Article 1 of the regulation proposal, point 18 (the annual lump-sum payment limit for small farmers under pillar II):

It will be necessary to amend the csp and design a new intervention. The purpose of the intervention is the business development of small farms, as determined by the Member States in accordance with point (b) of the second subparagraph of Article 73(4), which speaks of the highest possible support

rate, i.e. 85%. Therefore, we ask whether this is still a lump-sum payment or a small farm will have to provide a 15% own contribution for investments?

DATA GOVERNANCE

Article 2 of the regulation proposal, point 4:

Given that the legislative proposal provides for the designation of one authority responsible for governance data under the CAP (Article 4, point 4 proposes a new article 13a in new Chapter III), we believe that the following questions need to be answered and the legislative proposal amended accordingly to enable its implementation:

- choose an appropriate timeframe for MSs to introduce adjustments (organisational, defining competences, responsibilities, powers and tasks) for introducing the change;
- a more precise definition of the inclusion of individual databases that support the implementation, monitoring, management, and evaluation of the CAP;
- further definition of uniform (technical) standards for interoperability and a unified methodology for data quality to ensure the successful implementation of the principle of data interoperability within the CAP;
- establishing a legal framework from the perspective of data governance.
- development of guidelines and technical solutions for effectively integrating different national information systems within a data ecosystem (Common European Data Spaces for agriculture).

BLOCK 4 ADMINISTRATION

AMENDMENT OF CAP STRATEGIC PLAN

Article 1 of the regulation proposal, point 29 regarding Art. 119 of Reg. 2021/2115:

- Article 119(9), paragraph 2, point d: Does this mean that any change to the financial table in chapter 6.1 or chapter 4.7.4 of the CAP Strategic Plan constitutes a strategic amendment?
- What does “observations” mean in Article 119(5) – observations (as in the current regulation) or response (even positive, meaning that the Commission has no observations)? Given that the proposal for a regulation states that the Commission shall make observations (while the current regulation states that the Commission may make observations), does this mean that the Commission will in any case send a response (positive or negative)?
- Slovenia proposes that the procedure for including other amendments to the CAP Strategic Plans, than strategic amendments, in the next request for strategic amendment should be more clearly defined in Article 119(9). Will the Commission also asses and by means of a Commission Implementing Decision approve other amendments to the CAP Strategic Plans, than strategic amendments, that will be added to the amended CAP Strategic Plan submitted together with the next request for strategic amendment? If the Commission will not asses and approve these other amendments together with strategic amendment, this should be clearly stated in the Regulation. Slovenia asks the Commission to clerify how SFC2021 will show which changes to the CAP Strategic Plan are based on a strategic amendment and which are

based on prior notification. Slovenia also asks the Commission to specify which elements the notification will contain.

- Article 119(9), subparagraph 3: Does the stated mean that the Commission objects to a notified amendment only if it finds that the amendment is not compatible with this Regulation and Regulation (EU) 2021/2116, as well as in the delegated and implementing acts adopted pursuant to them? If a Member State does not receive an objection to the notified amendments from the Commission within 30 working days from the submission of the notification, does this mean that the Commission approved the notified amendments?
- Article 119(9), subparagraph 4: The provisions are unclear. If we understand correctly, the subparagraph refers to the case where a Member state does not wait for a possible objection from the Commission within 30 working days and adds the notified amendments to the amended CAP Strategic Plan and submits them to the Commission for approval together with the request for strategic amendment? The provisions should be clearer and more detailed.
- Slovenia is preparing the 4th amendment of the CAP Strategic Plan. Can Slovenia include in the request for amendment changes that shall take effect in the calendar year 2026, which are enabled by this proposal for a regulation?

ANNUAL PERFORMANCE REPORT AND ANNUAL PERFORMANCE CONFIRMATION

Article 1 of the regulation proposal, point 33, concerning Article 134 of Regulation 2021/2115, and Article 2 of the proposal for the regulation, points 3, 9 and 12, concerning Articles 12(2), 40(2) and 54 of Regulation 2021/2116, relating to the annual performance report and the annual performance clearance:

We support all proposed simplifications concerning the annual performance report and the annual performance clearance. This gives rise to the following question: What is the implications of these simplifications in the context of the changes to the unit amounts of the Strategic Plan? Specifically, following the adoption of the simplifications, will it be possible to adjust the unit amounts retroactively for previous years (to align with actual implementation), or will the existing rules remain unchanged?

FINAL PROVISIONS

- Article 3 & 4 of proposal: For interventions proposed in the simplification package, what timeline is foreseen for including them in the national CAP strategic plan (CSP)? Is it possible to add them in the proposal for amendment of the CSP already on the basis of this legal proposal (in case of Slovenia 4the amendment is being prepared), discuss them informally with the Commission and these new interventions can be implemented already in the calendar year 2026 and onwards? Or is it

meant that the new interventions will be implemented as of 2027 and included in the CSP next year (2026) after the adoption of the EU regulation?

PUBLIC

SLOVAKIA

PUBLIC

Comments of the Slovak Republic on the Commission Proposal of the OMNIBUS on Agriculture

Block II, III & IV

Crisis and risk architecture				
Proposal	**Proposal paragraph**	**Target paragraph**	**Description**	**SK position**
			2021/2115	
Article 1	(2)	Article 10	WTO, 41a, 78a	
Article 1	(4) (a)	Article 12 (1)	conditionality art. 12, 41a	
Article 1	(6)	Article 14 (1)	social conditionality art. 14, 41a	**SK** requests the complete deletion of Article 14 from the Regulation, which in our opinion would mean a real simplification. Compliance with employment conditions cannot be achieved through other policies.
Article 1	(7) (a)(b)	Article 16	crisis payments direct support	
Article 1	(8)	Article 19	risk management tools uptake	
Article 1	(11)	Article 41a	complementary crisis payments	**SK** is of opinion that the new interventions and crisis payments proposed in the simplification package should only be implemented in the new programming period after 2027.
Article 1	(14)(b)	Article 69 (i)	title new intervention 78a	
Article 1	(19)	Article 76(5)	loss calculation risk management	**SK** welcomes this proposal.
Article 1	(20)	Article 78a	crisis payments rural development	**SK**: the position is the same as in the article 41a. The proposed text will give MS more flexibility in setting and redistributing crisis payments, but their introduction will be at the expense of existing interventions under direct payments and rural development. Moreover, we believe that such changes will require significant legislative adjustments and a lengthier process in case any MS makes use of the possibility of applying the additional crisis payment (Article 41a)
Article 1	(25)	Article 86(2)	payments eligibility date EAGF 41a	This is a positive change for MS as well as for the applicants for the support.
Article 1	(25)	Article 86(3)	payments eligibility date EAFRD	
Article 1	(26)	Article 96a	max amount 3%-4%	
Article 1	(27)	Article 111	result indicators 41a 78a	
Article 1	(28)	Article 115(5)	additional financing 41a Annex V	

Article 1	(34)	Article 146	additional financing 41a Annex V art. 42 TFUE	
Article 1	(36)	Annex I and II	WTO, 41a, 78a Annex II	
Article 1	(37)	Annex XV	max amount crisis payments MS	
			2021/2116	
Article 2	(5)	Article 16(1)	agricultural reserve	Regarding the crisis reserve, **SK** does not consider it appropriate to amend the legislation during the "ongoing" programming period. We find it more appropriate to postpone the proposal to change the use of the agricultural reserve to the new period from 2028. Given that within the current programming period, farmers who suffered losses due to natural disasters or adverse weather events have already been compensated from the agricultural reserves for this purpose, so the limitation of its use would lead to an unequal treatment.

Competitiveness/digitalization				
Proposal	**Proposal paragraph**	**Target paragraph**	**Description**	**SK position**
			2021/2115	
Article 1	(4) (b)	Article 12 (1a)	small farmers	
Article 1	(9)	Article 28	payments small farmers	
Article 1	(13)	Article 52(2)	increase limits producer organization fruit and vegetable	**SK** can support this proposal. The amendment to the wording will have a positive impact on meeting sectoral objectives or rewarding beneficial practices.
Article 1	(14)(a)	Article 69 (e)	new title startup small farms	
Article 1	(18)	Article 75	startup small farms 50k	
Article 1	(21)	Article 79(1)	selection criteria small farm interventions	
Article 1	(22)(a)	Article 80(2)	audit trail	
Article 1	(22)(b)	Article 80(3)	max gross ceiling 300k	
Article 1	(22)(c)	Article 80(5)	VAT	
Article 1	(23)(a)(b)(c)(d)	Article 81	transfers InvestEU EAFRD	
Article 1	(24)	Article 83(2)	calculation methods simplified costs	
			2021/2116	

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Article 2	(4)	Article 13a	Interoperability	**SK**: While we see the benefits of this proposal, we are concerned that its implementation would represent an additional administrative burden and significant financial costs. (The proposal for a new Article 13a requires further technical examination.) Our current position is to postpone the deadline for the obligation for MS to submit plans to the Commission to achieve and maintain interoperability by one year (until 16 September 2027).

Administration				
Proposal	**Proposal paragraph**	**Target paragraph**	**Description**	**SK position**
			2021/2115	
Article 1	(3)	Article 11	oilseeds, USA	
Article 1	(12)	Article 48	Operational plans delete APC	**SK** can support this proposal.
Article 1	(29)	Article 119	amendments to strategic plans	**SK** welcomes this proposal; it is a very positive change. This amendment will simplify the process of implementing measures. At the same time, we would welcome the shortening of the approval period for strategic changes from 3 to 2 months. The last comment on this block concerns financial transfers. We would welcome the possibility of financial transfers between pillars throughout the programming period. This would allow us to respond quickly to unpredictable challenges.
Article 1	(30)	Article 120 deleted	Annex XIII envi law	**SK** welcomes this proposal.
Article 1	(31)	Article 122	time limits for art. 119	
Article 1	(32)	Article 124(4)	monitoring committee opinion art. 119(8)	
Article 1	(33)	Article 134	annual performance reporting - deletion APC	**SK** can agree with this change.
Article 1	(35)	Article 159	Annex XIII review deleted	
Article 1	(36)	Annex I	output indicators APC deletion	
			2021/2116	
Article 2	(1)(2)(3)	Article 9(3), 10(1), 12(2)	technical deletion art. 54	

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Article 2	(6)	Article 21(1)	monthly payments art. 54 deletion	
Article 2	(7)	Article 21(2)	monthly payments approval art. 119(10)	**SK** welcomes this proposal.
Article 2	(8)	Article 32	interim payments art. 54 deletion	
Article 2	(9)	Article 40	payments suspension art. 54 deletion	
Article 2	(10)	Article 45(1)	revenue assignment art. 54 deletion	
Article 2	(11)	Article 53(1)	annual financial clearance art. 54 deletion	
Article 2	(12)	Article 54	deletion	**SK** welcomes this proposal. Deletion of the need for Annual Performance Clearance is a significant step towards achieving a real simplification.
Article 2	(13)	Article 57	irregularities and corrections	
Article 2	(14)	Article 60(1)	one control per year	**SK** supports reducing the control pressure on farmers by introducing one control per year.
Article 2	(15)	Article 67(1)	data keeping and sharing art. 54 deletion	
Article 2	(16), (17), (18), (19)	Article 68(3), 69(6), 70(2), 70a	article 70a quality assessment LIPS, GSA, AMS	
Article 2	(20)	Article 72	control flexibility	
Article 2	(21)	Article 74	implementation new art. 70a quality assessm.	
Article 2	(22)	Article 75	implementaing powers art. 68-70a	
Article 2	(23)	Article 83	exemptions controls 41a, small farmers, beneficiaries who declared less than 10 hectares in the geo-spatial application	
Article 2	(24)	Article 84	exemptions penalties small farmers and beneficiaries who declared less than 10 hectares in the geo-spatial application	
Article 2	(25) (26)	Article 102, Article 103	technical deletion concerning art. 54	
Final provisions				
Article 3			Transitional provisions	
Article 4			Entry into force and application	

PUBLIC

FINLAND

PUBLIC

BLOCK 2: Crisis and risk architecture

Complementary crisis payments

If a Member State decides to offer a complementary crisis payment, how does the process work? Does it function like the financial discipline mechanism during the previous programming period? Should the Member State reserve funding annually, and what happens if the funding is not used? Will the unused funds be reimbursed to farmers or can it be carried over?

Does the mechanism function in the same way in both cases, under Article 41a and Article 78a, given that the direct payments are based on annual support and rural development support is based on multiannual commitments?

Furthermore, is the farmer required to provide individual evidence that he or she has suffered a 30% loss in the average annual production? Does the actual reduction need to be demonstrated, or can it be based on standard reference levels or other general formulas?

BLOCK 3 Competitiveness/digitalization

CAP data and interoperability governance
Could the Commission clarify how the provisions regarding interoperability governance are linked to the Regulation (EU) 2024/903 on the Interoperable Europe Act? Why is the Commission proposing separate provisions for the CAP data governance?

Furthermore, the Article states that designated authority is responsible for ”achieving and maintaining national and cross border interoperability…” Is our interpretation correct that the national authority is also responsible for cross border interoperability of data between Member States. We would have expected this to fall more under the Commission’s responsibilities.

Does the data-sharing obligation apply solely to files held by agricultural authorities, and not to those of other public bodies or private entities?

BLOCK 4 Administration

CAP-strategic plans

The burden on the Member State would be eased if a definitive deadline for the closure of the annual performance report would be se, after which the Commission could no longer request additional information. The deadline could be set for 30 of April, aligning with the current deadline for the clearance of accounts.

Quality assessments:

We are concerned that the merging may increase the number of financial corrections received by the Member States. If the error rate for one part of the quality assessment exceeds 2%, will the other parts also be affected, even if their individual error rates are below 2%, thus resulting in a higher financial correction than before?

Control and penalty system:

In the Roadmap for simplifying the CAP legal framework it is stated that the Commission will propose amendments to a delegated act under the HZR concerning IACS quality assessment. The goal is to reduce the workload for farmers and administrations by limiting the Area Monitoring System quality assessment only to monitorable eligibility conditions. In our view, when drafting the delegated act, the quality assessment should focus solely on those eligibility criteria that monitorable through AMS.

Outside of the BLOCKS

Force majeure

The explanatory memorandum accompanying the proposal states that the concept of *force majeure* could also cover situations not specifically mentioned in Article 3 of the Horizontal Regulation, such as armed conflict, hybrid influencing activities or threats (such as GPS jamming) or infrastructure sabotage within the territory of a Member State, provided that the relevant conditions are met.

However, this is not reflected in the Articles of the proposal. Could the Commission clarify how such cases would be applied in practice?

PUBLIC

SWEDEN

Written comments on Omnibus för agriculture (block 3 and 4)

PUBLIC

Sweden welcomes the simplification package on CAP and prefers urgent adoption.

As regards the proposed addition to Article 60 in Regulation (EU) 2021/2116 Sweden would like to submit following questions to get necessary clarifications on how the provision should be applied in practice:

- Should the proposal be interpreted as the authority only being able to take out one control sample per applicant? The administrative burden increases if the authority needs to visit more farmers to fill the control sample quotas.

- Could the Commission clarify the wording “taking account of the associated risks”? Today, on-the-spot checks are selected based on both risk and random selection. All checks that are not randomly selected are chosen based on risk. Is it only the random selection or also the risk-based control that is affected by the change in Article 60? Does the wording about risk refer to checks where we see a particularly high risk and therefore need to conduct a check? How should the authority distinguish between the different risks if not all are exempted?

- On-the-spot checks include various methods, such as digital control, field control, phone calls, requesting documents, and requesting geotagged photos. Are all these included in the” one visit per farm”, or only checks that involve a field visit?

- Could the Commission clarify how the ex-post-checks should be handled in relation to the proposed article?

Regarding the amendment of Article 83 paragraphs 2 and 3 of Regulation (EU) 2021/2116 Sweden would like a clarification on how to interpret the article as regards to area. Does “area eligible for the payments” mean the area in the application that has been granted support? Previously, it was agricultural area declared in the geospatial application. If it is only the area that has been granted support, the authority will not be able to know at the time of application who should be exempted, but only later in the year when they may already have been selected for control.

As regards to proposal for a new Article 13a Sweden would like to highlight that to be able to take advantage of the opportunities with data governance it is crucial that the Commission, in its review of the roadmaps, shows understanding of the Member States' support systems and

national conditions. It is also crucial that the Member States are given sufficient implementation time.

Sweden would propose that changes to the roadmap should only be sent to the Commission if they are of a strategic nature and that the Member States need a longer deadline to submit revised plans.

PUBLIC