



**Direct payments 2017-2022**  
**Decisions taken by Member States:**  
**State of play as from December 2022**  
*Information note*

This note provides an overview of the main features of the implementation of the direct payments for the period 2016-2021. It is based on the decisions taken by the Member States and notified to the Commission (as they stood in September 2022 for the chapters 1 to 3 of this note and in December 2022 for the greening component in chapter 4.

## 1. INTRODUCTION

Regulation (EU) No 1307/2013 and its delegated and implementing acts require Member States to notify to the Commission their decisions made in accordance with the underlying legal provisions. This was done in different steps.

By 1 August 2014, Member States had to notify to the Commission their main policy choices in respect of the direct payments' implementation and their corresponding financial allocations from claim year 2015:

- (1) **Main policy choices in relation to the compulsory direct payment schemes** (single area payment scheme/[basic payment scheme](#) (SAPS/BPS) and payment for young farmers (YFP)) **and the voluntary schemes** (redistributive payment, natural constraints payment (ANC), (VCS) and [Small farmer scheme](#) (SFS)), including their financial allocations.
- (2) For BPS, redistributive payment, ANC, VCS and SFS, **further detailed requirements specifying the content and the justifications of the decisions.**
- (3) Decisions taken by the Member States on **reduction of payments**, application of some schemes at the level of members of legal persons or groups including financial discipline, **minimum requirements** for receiving direct payments and decisions related to the **active farmer clause**.
- (4) Main policy choices as regards the "**greening**" component: equivalence, level of application of the ratio of permanent grassland, list of ecological focus areas (EFA) and use of corresponding conversion and/or weighting factors, application of collective/regional EFA, use of the EFA forest exemption. Additional detailed information on EFA was notified by 1 October 2014. Member States may review some of these choices annually.
- (5) Delayed decision regarding the **flexibility between pillars** for those Member States that did not transfer funds already for 2014.

By 15 December 2014, Member States notified how they will grant the **greening payment** (national/regional flat-rate per hectare or as a percentage of the BPS) and whether they decided to designate additional sensitive areas where **permanent grassland** should not be converted or ploughed.

By 31 January 2015, Member States notified their decisions regarding the **definitions** of permanent grassland and agricultural activity, the **payment for young farmers**, the **use of the national/regional reserves** for granting entitlements under the BPS, and the rules on **transfer** of payment entitlements.

By 31 March of each year (since 2015), Member States applying SAPS notified their decisions regarding the granting of **transitional national aid** for the year in question.

By 1 August 2015, Member States notified their possible reviews of the financial allocations for the overbooking of BPS and for YFP, as well as their potential review regarding the redistributive payment. The notified changes applied from claim year 2016.

By 1 August 2016, Member States notified their possible reviews of the overbooking of BPS, the financial allocations for the YFP, for the Payment for areas with natural constraints (ANC) and for the Voluntary Coupled Support (VCS), as well as their potential review regarding the redistributive payment. The notified changes applied from claim year 2017.

By 1 August 2017, Member States notified their possible reviews of the overbooking of BPS, the financial allocations for YFP as well as their potential review regarding the redistributive payment and the flexibility between pillars. The notified changes applied from claim year 2018.

On 30 June 2017 Regulation (EU) 2017/1155 was published in the Official Journal of the European Union amending Delegated Regulation (EU) No 639/2014. For greening, among others, the amendments merged some of the EFA types and provided for an obligation for Member States to notify a period for checking compliance with the crop diversification obligation. For 2018 claim year, the choices on EFA are integrated within the notification due by 1 August 2017. The 2018 claim year is the second year when Member States notify their crop diversification period choices (due 1 August).

On 13 December 2017 Regulation (EU) 2017/2393 was published in the Official Journal of the European Union amending the four Basic Acts of the CAP (the so-called "Omnibus Regulation). With regard to Regulation (EU) 1307/2013, more flexibility has been given to Member States with respect to the definition of permanent grassland<sup>1</sup> and the active farmer provision<sup>2</sup>. Under greening, certain aspects were simplified and three new EFA types added<sup>3</sup>. The scope of the young farmer payment has been extended<sup>4</sup>. Clarifications and an annual review possibility have been introduced to the Voluntary Coupled Support<sup>5</sup>, along with some more minor amendments<sup>6</sup>.

By 31 January 2018, following the modification of the regulation, the SAPS MS could notify their decision to introduce overbooking (in analogy to 'BPS overbooking' that has existed since 2015) as from claim year 2018.

By 1 March 2018, following the modification of the regulation, Member States could notify their possible reviews of their decisions on definitions, the active farmer clause and the ecological focus area. The notified changes applied from claim year 2019.

By 1 August 2018, Member States could notify their possible reviews of the overbooking of the basic payment (SAPS and BPS), the financial allocations for YFP and VCS as well as their potential review regarding the flexibility between pillars and the reduction of payments. Those MS not having applied the redistributive payment up to CY2018 could also notify their potential decision to do so as from CY2019 as well as the respective percentage of the DP ceiling dedicated to this scheme. The notified changes applied from claim year 2019.

By 1 August 2018, Member States notified their possible reviews of their VCS decisions. The notified changes will apply as from claim year 2019.

Because of adverse weather events (exceptional heavy rainfalls/floods, snowfalls, drought) several derogation options from some greening rules were granted to the affected Member States for 2018 claim year. Each of these derogations carried a notification requirement including that of Member State's decision to apply particular derogations. They will be followed up with a view to assessing the impact in terms of both contribution to alleviating fodder shortages and reduction of the benefits for the environment.

By 1 August 2019, Member States notified their possible reviews of the overbooking of BPS/SAPS, the financial allocations for the YFP and for the Voluntary Coupled Support, as well as their potential review regarding the redistributive payment. The notified changes applied from claim year 2020.

Because of the drought in 2019, several derogation options from some greening rules were granted to the affected Member States for the 2019 claim year. Each of these derogations carried a notification requirement including that of Member State's decision to apply the derogations.

Following the entry into force of Regulation (EU) 2019/288 of 13 February 2019, Regulation (EU) No 1307/2013 was amended in respect of calendar year 2020. As a result, MS were also

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<sup>1</sup> Art 4(1)(h)

<sup>2</sup> Art 9

<sup>3</sup> Art 44(2), (3), (4) and Art 46 (1), (2) and (4)

<sup>4</sup> Art 50

<sup>5</sup> Art 52(5) and (6), Art 52(10), Art 53(6)

<sup>6</sup> Reduction of payments review – Art 11, Flexibility between pillars review- Art 14, Replenishment of the reserve- Art 31, SAPS overbooking – Art 36

allowed to apply flexibility between pillars (Article 14) and a notification date for the product of reduction (Article 11) was set. Notification related to these Articles were due by 31 December 2019. The notified decisions applied from claim year 2020.

As an agreement on the MFF was not reached by 31 December 2019, the envelope for EAFRD was not known at 31 December 2019, making it impossible for MS to notify a transfer between pillars from rural development to direct payments. Consequently, Regulation (EU) No 127/2020 was adopted setting maximum amounts that MS could transfer from rural development to direct payments. In addition, MS were allowed to adjust their VCS notifications in order to ensure consistency. These notifications were due by 8 February 2020 and applied for claim year 2020.

The legislative procedure regarding the CAP reform was not concluded in time for MS to adopt it as from 1 January 2021. Following the entry into force of Regulation (EU) No 2220/2020 of 28 December 2020 laying down transitional provisions, Regulation (EU) No 1307/2013 was amended in respect of calendar years 2021 and 2022. As a result by 19 February 2021, Member States notified their decisions relating to the overbooking of BPS/SAPS, the financial allocations for the YFP, the areas with natural constraint and for the Voluntary Coupled Support, the redistributive payment the flexibility between pillars and the reduction of payments. The notified changes applied from claim year 2021.

By 1 August 2021, Member States could notify their possible reviews of the overbooking of the basic payment (SAPS and BPS), of the financial allocations for the YFP, of the redistributive payment, of the ANC, and of the VCS as well as their potential review regarding the active farmer clause, the flexibility between pillars and the reduction of payments. Those MS not having applied the redistributive payment up to CY2021 could also notify their potential decision to do so as from CY2022 as well as the respective percentage of the DP ceiling dedicated to this scheme. The notified changes applied from claim year 2022.

By 1 August 2021, Member States notified their possible review of their decisions on the continuation of internal convergence. The notified changes applied as from claim year 2022.

Following Russia's invasion of Ukraine on 24 February 2022, several derogation options from some greening rules were granted to the Member States for the 2022 claim year to increase the food and feed supply. Each of these derogations carried a notification requirement including that of Member State's decision to apply the derogations.

This note summarises the main decisions only.

## **2. PROCEDURE**

DG AGRI services have assessed the completeness and consistency of the notifications transmitted by Member States. Member States had to fill around 100 different ISAMM forms (depending on their political decisions) reflecting the numerous implementing decisions they had to take (more than 70). Where notifications were incomplete or unclear, bilateral contacts were taken with Member States to guide them in clarifying/adding information to their notifications. In line with the relevant regulatory framework, the Commission does not approve/reject the notifications and Member States remain the only ones responsible for the decisions they have taken in implementing the reformed CAP. Consequently, it was made clear to Member States that the exchanges with the Commission do not prejudice any findings on their final notifications and in no way rules out other investigations concerning the same subject or financial corrections in the future in the framework of clearance of accounts.

There are two exceptions to the general rule that the Commission does not approve/reject the decisions Member States notify:

- (1) The Voluntary Coupled Support (VCS): If certain conditions specified under Article 55 of Regulation (EU) No 1307/2013 are met, a Member State may decide to allocate more than 13(+2)% of its national ceiling available for direct payments to VCS. Should this be the case, the Commission shall verify the fulfilment of these

conditions, and, accordingly, approve, or reject the Member State support decision by way of an implementing act. Three Member States decided to use this possibility and received the Commission's approval (BE, FI, PT). In terms of the original support decisions, the respective implementing acts (approval in each case) were adopted in early 2015. In terms of their (optional) reviews notified by 1 Aug. 2016 (these three Member States opted for a review of their decisions), similar implementing acts (i.e. approvals in each case) were adopted in early 2017. As far as the review by 01/08/2018 is concerned, none of the above mentioned Member States (BE, FI, PT) reviewed their decisions for the period 2019-2020. BE and PT however reviewed their decisions with application as from claim year 2020<sup>7</sup>. By 19 February 2021, the three Member States notified their decisions with application for claim year 2021; and by 1/8/2021 t their decisions for claim year 2022.

- (2) The **equivalence mechanism under greening**: for the eight Member States that by 2018 opted for equivalent practices under the greening (FR, IE, IT-Marche, NL, AT, PL, PT and UK-Scotland ), the Commission had three months, counting from the day of complete notification, to react with comments, and seven months from the notification to possibly reject the Member States' choice(s) by way of an implementing act, pursuant to Article 10(4) of Commission Regulation (EU) No 641/2014. Further to intensive exchanges of view and subsequent modifications to the national schemes, the Commission was able to recognise them as equivalent by way of an internal Commission decision. In the years subsequent to the initial notification, the Commission applies the procedure only in case Member States notify changes to the previously assessed equivalent practices.

### 3. MAIN RESULTS PART I: DIRECT PAYMENTS EXCEPT GREENING<sup>1</sup>

#### 3.1. Flexibility between pillars

The percentages of the annual financial envelope for direct payments<sup>8</sup> (in the case of FR, LV, LT, BE, CZ, DK, EE, DE, EL, NL, RO) and of the annual envelope available for Rural Development<sup>9</sup> (for BG, HR,LU, HU, MT, PL,PT, SK) that these Member States have decided to transfer to the other pillar are displayed in the following table.

**Table 1: Flexibility between pillars**

From DP to RD in % of national ceilings (max percentage 15%)									
Financial year	2015	2016	2017	2018	2019	2020	2021	2022	2023
Claim year	2014	2015	2016	2017	2018	2019	2020	2021	2022
FR	3.0%	3.3%	3.3%	3.3%	7.5%	7.5%	7.5%	7.5%	7.5%
LV	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%	0.0%	7.4%	7.3%
LT					3.4%	6.5%	0.0%	0.0%	0.0%
BE		2.3%	3.5%	3.5%	4.6%	4.6%	0.0%	0.0%	4.6%
CZ		3.4%	3.4%	3.4%	1.3%	1.3%	0.0%	0.8%	0.8%
DK		5.0%	6.0%	7.0%	7.0%	7.0%	8.0%	7.0%	9.2%

<sup>7</sup> Besides the annual review due by 01/08/2019, took place additional reviews to adjust to the flexibility between pillars, due by 31/12/2019 (from DP to RD) and 8/2/2020 (from RD to DP) and a additional review by 18 May 2020, to take into account special flexibility between pillars due to COVID crisis.

<sup>8</sup> Fixed in Annex II to Regulation of the European Parliament and the Council (EU) No 1307/2013

<sup>9</sup> Fixed in Annex I to Regulation of the European Parliament and the Council (EU) No 1305/2013

<b>DE</b>		4.5%	4.5%	4.5%	4.5%	4.5%	6.0%	6.0%	8.0%
<b>EE</b>		6.1%	14.3%	15.0%	14.9%	15.0%	0.0%	0.0%	0.0%
<b>EL</b>		5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
<b>NL</b>		4.0%	4.1%	4.2%	8.3%	8.4%	9.8%	7.8%	15%
<b>RO</b>		1.8%	2.3%	2.2%	0.0%	0.0%	0.0%	0.0%	0.0%

**From RD to DP in % of national ceilings (max percentage 15% or 25% for some MS)**

Financial year	2015	2016	2017	2018	2019	2020	2021	2022	2023
Claim year	2014	2015	2016	2017	2018	2019	2020	2021	2022
<b>BG</b>	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	20.4%	0.0%	0.0%
<b>HR</b>	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	11.6%	6.9%	9.6%
<b>DK</b>	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	9,4	0.0%	0.0%
<b>LU</b>	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	12.3%	5.6%	5.6%
<b>HU</b>		15.0%	15.0%	15.0%	15.0%	15.0%	12.3%	15%	15%
<b>MT</b>	0.0%	0.8%	1.6%	2.4%	3.1%	3.8%	2.3%	3.3%	3.3%
<b>PL</b>	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	20.4%	25.0%	25.0%
<b>PT</b>	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	12.8%	15.7%	15.7%
<b>SK</b>	21.3%	21.3%	21.3%	21.3%	21.3%	21.3%	0.0%	10.0%	0.0%

NB: Figures appear here rounded to one decimal (notifications include more decimals).

**The total number of Member States that transferred funds from pillar I to pillar II amounts to 12 (including UK).** The total amount transferred over the 9 years is **10.96 billion EUR**.

**Seven Member States have operated transfers from pillar II to pillar I.** The total amount transferred over the 9 years is **5 billion EUR**.

The **net result** of all these transfers is thus a **total transfer from pillar I to pillar II of EUR 5.98 billion over 9 years**.

The financial annexes II and III to Regulation (EU) No 1307/2013 and I to Regulation (EU) No 1305/2013 have been amended accordingly via delegated act.

### 3.2. Main policy choices for CY2022

An overview of the Member States' main policy choices is included in Table 2.

**Table 2: Main policy decisions from CY 2022**

	SAPS	Regionalised BPS in accordance with Article 23	Redistributive payment	No reduction of payment	Payment for areas with natural constraints	VCS	SFS
<b>BE</b>			✓ <sup>10</sup>	✓ <sup>11</sup>		✓	
<b>BG</b>	✓		✓			✓	✓
<b>CZ</b>	✓					✓	
<b>DK</b>					✓	✓	
<b>DE</b>		✓	✓	✓			✓

<sup>10</sup> Wallonia only

<sup>11</sup> Wallonia only

EE	✓					✓	✓
IE						✓	
EL		✓				✓	✓
ES		✓				✓	✓
FR		✓	✓	✓		✓	
HR			✓	✓		✓	✓
IT						✓	✓
CY	✓					✓	
LV	✓					✓	✓
LT	✓		✓	✓ <sup>12</sup>		✓	
LU						✓	
HU	✓					✓	✓
MT						✓	✓
NL						✓	
AT						✓	✓
PL	✓		✓			✓	✓
PT			✓			✓	✓
RO	✓		✓	✓		✓	✓
SI					✓	✓	✓
SK	✓		✓			✓	
FI		✓				✓	
SE						✓	
	10	5	10	6	2	26	15

- **The 10 Member States currently applying the SAPS have decided to maintain** this form of basic payment until the end of 2022<sup>13</sup>. This also means that no Member State has opted for the possibility to differentiate the SAPS payment which was conditioned to the need to switch to BPS by 2020 at the latest;
- Amongst the 18 other Member States, **5 opted for the possibility offered under Article 23 of the basic act to regionalise the BPS;**
- A total of **10 Member States having implemented the redistributive payment in claim year 2018, continued to do so in claim years 2019, 2020, 2021 and 2022:** BE (Wallonia only), BG, DE, FR, HR, LT, PL, PT<sup>14</sup> and RO. SK started to implement the redistributive payment in 2021. Amongst these, **6 have decided not to apply the reduction of payments mechanism.** PL, PT, SK and BG grant the redistributive payment while applying the reduction of payments mechanism. LT has decided to apply the reduction of payments for CY 2019 only;
- **2 Member States (DK, SI) have put in place the ANC payment** under the first pillar;
- **26 Member States have decided to keep implementing the VCS** (the only one not applying VCS is DE). Several Member States decided to review their support decisions

<sup>12</sup> LT applied a reduction of payment for CY 19 only

<sup>13</sup> All SAPS MS (except Estonia and Cyprus) opted for granting transitional national aid (TNA) in 2015. Decision on granting TNA is annual and TNA can be granted in any year until 2022 as long as the Member State applies SAPS.

<sup>14</sup> PT decided to implement the redistributive payment as from claim year 2017

(number of measures, financial allocation and/or other elements) in the course of the annual reviews.

- **15 Member States have implemented the SFS.**

### **3.3. The corresponding financial allocations**

In financial terms, the policy choices described in the previous section translate in the following shares of the national envelopes being used for each scheme:

- The so-called mechanism of **overbooking** of BPS/SAPS allows Member States to increase the amount for BPS/SAPS by up to 3% of Annex II after deduction of the greening payment. This mechanism allows compensation for expected unspent funds in BPS/SAPS and other DP schemes so that Member States can optimise the use of available funds. The percentage can be revised each year based on the experience of the previous year. The possibility to overbook the BPS ceiling exists since claim year 2015, while the possibility to apply the overbooking to SAPS is available to MS since claim year 2018.
- The share of the amount of direct payments available for EU-28 on the basis of Annex II of the basic act<sup>15</sup> that is left for the **basic payment (BPS/SAPS) amounts to 42.9% in 2018, to 42.8% in 2019 in total before overbooking<sup>16</sup>, ranging between 38% (LT) and 68% (IE, LU, NL)**. With the Brexit, the share of the direct payments available for EU 27 that is left for the **basic payment (BPS/SAPS) amounts to 41.3% in 2020, 41.3% in 2021 and to 40% in 2022, ranging between 38% (LT) and 68% (IE, LU, NL)**.
- MT is an exception in view of its decision to opt for the possibility to allocate up to EUR 3 million to VCS; it will thus grant only 12.4% of its Annex II amount in the form of BPS for CY15 to CY22.
- In average (EU27), the Member States decided to allocate some **11,2% of their national ceiling** available for direct payments to **VCS**. Though some Member States decided to adjust their VCS envelope in the framework of the reviews so far (i.e. 2016, 2018, 2019, 2020, 2021 and 2022), their budget shares earmarked to VCS remained basically stable between 2015 and 2022. Still, the average share at EU level changed (i.e. increased from around 10% to 11%), which was a statistical effect arising from the Brexit (the UK had low VCS share in their relatively high national ceiling, given that only UK/Scotland granted some VCS between claim years 2015 and 2019).
- The funds allocated to the **redistributive payment** are significantly lower than those potentially available for the scheme in accordance with the regulation (30%), with Member States having allocated **between 2 and 15% of their national envelope to the scheme for the period 2018-2022**. To be noted that the ceiling for the redistributive payment may be modified on a yearly basis; subject to a possible review.
- The allocation for the young farmer scheme and the overbooking of BPS and SAPS have been modified by some MS with effect from 2018 and, in some cases, subsequent years. That has an effect on the BPS allocation from 2018 onward.
- The estimated needs for the **YFP** on average for the EU were **1.2% of total DP** in 2018, 2019 and 2020, **1.4 %** in 2021 and in 2022.

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<sup>15</sup> Annex II to Regulation (EU) No 1307/2013 provides for national ceilings for direct payments

<sup>16</sup> As provided for in Article 22(2) and 36(4) of Regulation (EU) No 1307/2013



- For 2022, 14 out of 17 Member States applying BPS and 2 out of 10 Member States applying SAPS have decided to use the overbooking possibility to a certain extent: BE, DE, IE, EL, ES, FR, HR, IT, CY, NL, AT, PT, RO, SI, FI and SE.

	2015	2016	2017	2018	2019	2020	2021	2022
BE	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
DE	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
IE	0.6%	0.7%	0.6%	0.6%	0.6%	0.6%	1.3%	1.3%
EL	3.0%	3.0%	3.0%	2.0%	2.0%	2.0%	2.0%	2.0%
ES	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
FR							1.3%	1.4%
HR	0.5%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
IT	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
CY				1.0%	0.5%	0.5%	1.0%	1.0%
NL	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
AT	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	2.5%	2.5%
PT	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
RO				3.0%	3.0%	3.0%	0.7%	0.7%
SI	0.3%	0.3%	0.3%	1.5%	3.0%	3.0%	1.5%	1.5%
SK				2.0%	2.0%	2.0%	0%	0%
FI	3.0%	3.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
SE	0.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%

**Table 3: Financial allocations amongst the schemes for the years 2016-2022 (in terms of percentages of Annex II)**

NB: Figures appear here rounded to one decimal (notifications include more decimals).

MS	Redistributive in % from 2016 to 2022							Basic Payment Scheme in % from 2016 to 2022							Single Area Payment Scheme in % from 2016 to 2022							
	16	17	18	19	20	21	22	16	17	18	19	20	21	22	16	17	18	19	20	21	22	
BE	9.5	9.5	9.6	9.6	9.1	9,1	9.6	42.2	42.2	41.7	41.7	42.5	42,5	41.7								
BG	7.1	7.1	7	7	7	7,0	7.0							47.8	47.8	47.8	47.8	47.4	47.4	47,7		
CZ															54.8	54.8	54.8	54.8	54.8	54,8	54.8	
DK								66.2	66.2	66.1	65.9	66.1	63,6	63.4								
DE	7	7	7	7	7	7,0	7.0	62	62	62	62	62	62,0	62.0								
EE															66	64.7	65.1	65.4	66	65,8	65.8	
IE								67.8	67.8	67.8	67.8	67.8	67,7	67.7								
EL								60.2	58.1	58.1	58.1	58.5	58,1	58.1								
ES								55.9	56	56	56	56	56,0	56.0								
FR	10	10	10	20	20	10,0	10.0	44	44	44	34	34	44,0	44.0								
HR	10	10	10	10	10	10,0	10.0	43	43	43	43	43	43,0	43.0								
IT								58	57	57	57	57	55,1	55.1								
CY															61.3	61.2	61	61	61	61,0	61.0	
LV															53.4	53.6	53.7	53.9	53.9	53,8	54.9	
LT	15	15	15	15	15	15,0	15.0								38.8	38.8	38.8	38.8	38.8	38,8	38.8	
LU								68	68	68	68	68	68,0	68.0								
HU										54.6					54.6	54.6		54.6	54.6	54,6	54.6	
MT								12.4	12.4	12.4	12.4	5.6	12,8	12.4								
NL								67.5	67.5	67.5	67.5	67.5	67,5	67.5								
AT								65.9	65.9	65.9	65.9	65.9	65,9	65.9								
PL	8.3	8.5	8.6	8.6	8.3	8,3	8.3								45.7	45.7	45.7	45.7	45.7	45,7	45.7	
PT		4	3.9	3.8	3.8	8,1	11.4	47.5	43.8	44.2	44.5	44.5	40,3	37.0								
RO	5.3	5.4	5.3	5.3	5.5	5,5	5.6							48.8	50.7	51	50.7	50	49,2	49.0	48.8	
SI								53.5	53.9	53.9	53.9	53.9	53,9	54.2								
SK						2,7	2.7								56.7	56.9	56.8	56.8	56.8	51,9	51.9	
FI								49.4	49.4	49.4	49.4	49.4	49,4%	49.4								
SE								55.5	55.5	55.5	55.5	55.5	55,0%	55.0								
UK	1	1.5	2	2.5	2.7																	

Direct payments post 2014 – Decisions taken by Member States

MS	Natural Constraints in % from 2016 to 2022							Young Farmer in % from 2016 to 2022							Voluntary coupled support in % from 2016 to 2022						
	16	17	18	19	20	21	22	16	17	18	19	20	21	22	16	17	18	19	20	21	22
BE								1.7	1.7	1.9	1.9	1.9	1.9	1.9	16.7	16.7	16.8	16.8	16.5	16.5	16,8
BG								0.1	0.2	0.2	0.6	0.6	0,3	0.2	15	15	15	15	15	15,0	15,0
CZ								0.2	0.2	0.2	0.2	0.2	0,2	0.2	15	15	15	15	15	15,0	15,0
DK	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.6	0.5	0.6	0.8	0.8	1.9	2.0	2.8	2.9	2.9	2.9	4	4,1	4,2
DE								1	1	1	1	1	1,0	1.0	0,0	0,0	0,0,	0,0	0,0	0,0	0,0
EE								0.3	0.3	0.3	0.3	0.3	0,7	0.7	3.7	5	4.6	4.3	3.7	3,6	3,5
IE								2	2	2	2	2	2,0	2.0	0.2	0.2	0.2	0.2	0.2	0,3	0,3
EL								2	2	2	2	2	2,0	2.0	7.8	9.9	9.9	9.9	9.9	9,9	9,9
ES								2	2	2	2	2	2,0	2.0	12.1	12	12	12	12	12,0	12,0
FR								1	1	1	1	1	1,0	1.0	15	15	15	15	15	15,0	15,0
HR								2	2	2	2	2	2,0	2.0	15	15	15	15	15	15,0	15,0
IT								1	1	1	1	1	2,0	2.0	11	12	12	12.9	12.9	12,9	12,9
CY								0.7	0.8	1	1	1	1,0	1.0	8	8	8	8	8	8,0	8
LV								1.6	1.4	1.3	1.1	1.1	1,2	0.8	15	15	15	15	15	145,4	14,3
LT								1.3	1.3	1.3	1.3	1.3	1,3	1.3	15	15	15	15	15	15,0	15,0
LU								1.5	1.5	1.5	1.5	1.5	1,5	1.5	0.5	0.5	0.5	0.5	0.5	0,5	0,5
HU								0.4	0.4	0.4	0.4	0.4	0,4	0.4	15	15	15	15	15	15,0	15,0
MT								0.4	0.4	0.4	0.4	0.4	0,0	0.4	57.2	57.2	57.2	57.2	57.2	57,2	57,2
NL								2	2	2	2	2	2,0	2.0	0.5	0.5	0.5	0.5	0.5	0,5	0,5
AT								2	2	2	2	2	2,0	2.0	2.1	2.1	2.1	2.1	2.1	2,1	2,1
PL								1	1	1	1	1	1,0	1.0	15	14.8	14.7	14.7	14.9	15,0	15,0
PT								2	2	2	2	2	2,0	2.0	20.5	20.2	19.9	19.6	19.6	19,6	19,6
RO								0.8	1	1	1	1	1,1	1.2	13.1	12.6	13	13.6	14.3	14,4	14,4
SI		1.6	1.6	1.6	1.6	1.6	1.6	1.5	1.5	1.5	1.5	1.5	1,5	1.2	15	13	13	13	13	13,0	13,0
SK								0.3	0.1	0.2	0.2	0.2	0,4	0.4	13	13	13	15	15	15,0	15,0
FI								1	1	1	1	1	1,0	1.0	19.6	19.6	19.6	19.6	19.6	19,6	19,6
SE								1.5	1.5	1.5	1.5	1.5	2,0	2.0	13	13	13	13	13	13,0	13,0
UK								1.6	0.5	0.5	0.5	0.5			1.7	1.7	1.7	1.7	1.7		

### 3.4. Reduction of payments' mechanism

The decisions Member States have taken regarding the application of the reduction of payments' mechanism are as follows (see also Table A.2 in Annex):

- In parallel with their decision to implement the redistributive payment, **6 Member States do not apply the reduction of payments' mechanism** (BE (Wallonia only), DE, FR, HR LT and RO. LT has decided to apply the reduction of payments for CY 2019 only. In total, 21 MS apply the reduction of payments (with or without redistributive payment) as from CY2015
- **9 Member States have capped (i.e. reduced payments by 100% from a certain threshold) the amounts of the basic payments** for CY 2022 (BE-Flanders, BG, IE, EL, HU, IT, AT, PL, PT), at maximum amounts ranging from EUR 150 000 (BE-Flanders, IE, EL, AT, PL), EUR 300 000 (BG, PT) and to 500 000 (IT). To be noted that LT applied capping for the year 2019 only by reducing the payment by 100% above EUR 150 000.
- **13 Member States** (CZ, DK, EE, ES, CY, LV, LU, MT, NL, SI, SK, FI, SE) **opted for applying only the minimum reduction of 5%** on amounts of basic payments above EUR 150 000 in 2022.
- Also to be noted that 10 Member States will make use of the possibility to **subtract the salaries actually paid** by farmers before applying the reduction of payments' mechanism: BG, EE, EL, ES, IT, LV, LU, AT, PT and SI in 2022.
- Based on the notifications from Member States regarding their estimates, **the estimated product of the reduction of payments' mechanism for the 7 years 2015-2022 amounts to MEUR 763.1**. As foreseen by the EU legislation, such amounts have been transferred to Rural Development<sup>17</sup>.

### 3.5. The [basic payment scheme](#)

Amongst the 18 Member States that will implement the BPS, **5 opt for the possibility offered under Article 23 of the basic act to regionalise the scheme**: DE (by Länder), EL (3 regions according to historical land uses: arable land, grassland, permanent crops), ES (50 regions based on historical land use and comarcas), FR (2 regions: Corsica and rest of France), FI (2 regions).

In terms of the value of the payment entitlements Member States have opted for **a form of flat-rate at national or regional level**: DE, FR-Corsica, MT from 2015, NL, AT and FI by 2019, and SE in 2020. In 2021, only ES and PT will apply further convergence. In 2022, only ES, PT and EL will apply further convergence. ES and EL continue to apply convergence at regional level.

The 2 MS that will apply convergence in 2021, will not use the possibility to **limit the decrease in the value of the entitlements** compared to their initial unit value **to a specific percentage** as provided for in Article 25(7) of Regulation (EU) No 1307/2013. In 2022, EL will limit the decrease to 30% while ES and PT will not limit it.

### 3.6. The voluntary coupled support

Out of the 26 Member States that will implement the VCS in 2022:

- **9 Member States** have allocated **8% or less** to the scheme from 2015 (CY, DK, EE, EL, IE, LU, NL, AT, UK). This reduced to 8 once EL increased its share to around 10% from 2017 and further to 7 with the brexit from 2020. .
- **3 Member States have allocated more than 8%, but less than 13(+2)% (ES, IT, RO) from 2015**. EL joined this club following their review from 2017. Strictly speaking PL also belong to this group, though they only dedicate very to VCS very slightly less than 13(+2)% (i.e. 12,6-12,9(+2)%).

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<sup>17</sup> Commission Delegated Regulation (EU) No 1378/2014 of 17 October 2014, O.J. L367 of 23.12.2014, p.16

- **10 Member States allocated the maximum percentage of 13(+2)%** (BG, CZ, FR, HR, HU, LT, LV, SE, SK, SI). This only changed with the EL review from 2017, as mentioned above.
- **3 MS (BE, FI, PT)** needed to obtain **approval from the Commission** in view of their decision to allocate **more than 13% (+ 2%)** to the VCS. Their respective percentages did not substantially change following the reviews which were due by 01/08/2016 and 01/08/2018, 01/08/2019 and 19/02/2021 for the periods 2017-2020, 2019, 2020 and 2021 respectively.
- MT applied the derogation that allows to allocate up to EUR 3 million instead of the 13(+2)% budgetary ceiling between 2015 and 2022.
- 10 MS (BG, CZ, FR, HR, LV, LT, HU, PL, RO, SI) decided to use the +2% optional top up for protein crops from CY2015. Besides, EL started, whereas SI stopped to apply this possibility as from CY2017. SK decided to use this option as from CY2019.
- In Annex (Table A.3) you can find a table with the percentage of the national envelope allocated to the Implementation of VCS by Member States. Three MS grant more than 13 (or 13+2)% to VCS upon approval by the Commission. MT uses the derogation allowing Member States to use EUR 3 million for VCS setting the percentage of its national envelope allocated to the scheme in 2021 at 57.2%. An overview of the sectors Member States have decided to support by implementing the VCS is also available in Annex (also in Table A.3). The total amount Member States are planning to spend between **EUR 4.1-4,22 billion** per year (which shows only small fluctuation across the years, in light of the successive reviews). This amount is distributed among some **260 measures** (which number also showed small changes across years, during the successive reviews).
- The most supported sectors in 2022 are the three animal-related sectors, with almost 73% of all VCS money earmarked (beef and veal with some 38,8%, dairy products with around 21,4%, and sheep and goat meat with some 12,8%). Besides, MS decided to grant more substantial amounts to protein crops (some 11,3%), fruit and vegetables (some 4,5%), and sugar beet (some 4,3%).<sup>18</sup> The remaining supported sectors in order of percentage are cereals, rice, olive oil, grain legumes, nuts, starch potato, seeds, hops, hemp, oilseeds, silkworms, flax.
- From the potentially eligible sectors or productions, no MS decided to grant support to cane & chicory, short rotation coppice and dried fodder.

### 3.7. The redistributive payment in 2022

As regards the implementation of the **redistributive payment**, it should be noted that no Member State opted for the possibility to regionalise the scheme. On the other hand, **4 Member States opted for the possibility to establish a graduation in the amount of aid**: DE (higher amount for the 1<sup>st</sup> to the 30<sup>th</sup> ha compared to the next 16 ha), PL (no payment for the first 3 ha), RO (lower amount for the first 5 ha), SK (higher amount for the 1<sup>st</sup> tranche compared to the 2 following tranches). More detailed information about the redistributive payments is summarised in the following table:

**Table 4: Redistributive payment**

MS	Units supported under the redistributive payment		Estimated unit rate of the redistributive payment (provisional data based on notifications)
BE-Wallonia	The first	<b>30</b> entitlements activated	<b>124</b> EUR
BG	The first	<b>30</b> eligible hectares	<b>70</b> EUR

<sup>18</sup> These percentages also include regional measures implemented in IT (olive oil, soya, protein crops, grain legumes, and durum wheat), EL(Corinthian currant), FR (cereals), CY (Citrus plantation), PL (hops) and SI (dairy products).

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			declared		
HR	The first	<b>20</b>	entitlements activated	<b>68</b>	EUR
FR	The first	<b>52</b>	entitlements activated	<b>50</b>	EUR
DE	The tranche of the first	<b>30</b>	entitlements activated	<b>50</b>	EUR
	The following tranche of	<b>30.01-46</b>	entitlements activated	<b>30</b>	EUR
LT	The first	<b>30</b>	eligible hectares declared	<b>72</b>	EUR
PL	The tranche of the first	<b>3</b>	eligible hectares declared	<b>0</b>	EUR
	The following tranche of	<b>3.01-30</b>	eligible hectares declared	<b>40</b>	EUR
RO	The tranche of the first	<b>5</b>	eligible hectares declared	<b>5</b>	EUR
	The following tranche of	<b>5.01-30</b>	eligible hectares declared	<b>48</b>	EUR
SK	The first	<b>1-4.99</b>	eligible hectares declared	<b>60</b>	EUR
		<b>5-14.99</b>		<b>45</b>	
		<b>15-28</b>		<b>30</b>	
PT	The first	<b>5</b>	entitlements activated	<b>120</b>	EUR

Besides, it is worth mentioning that BG, DE and LT already implemented the redistributive payment in 2014 pursuant to the so-called Transitional Regulation (Regulation 1310/2013 amending among others Regulation 73/2009). SK decided to implement the redistributive payment from CY2021.

### **3.8. The young farmer payment**

The Young Farmer Payment (YFP) is a compulsory one for Member States targeting farmers of no more than 40 years of age who are setting up for the first time an agricultural holding as head of the holding, or who have already set up such a holding during the five years preceding the first application for the scheme.

The method for calculating the YFP, the maximum limit of payment entitlements or the number of hectares, and any additional eligibility criteria for the skills and/or training of applicants (in case Member States have decided to use this option) had to be notified by 31 January. The ceiling for the YFP is 2% of the direct payments envelope. Member States had to notify their initial decisions on estimated financial needs for YFP before 1 august 2014 (revision possible before 1 August of each year preceding the year of implementation).

If the amount needed in a Member State exceeds the percentage notified, then Member States have to apply a linear reduction to all basic payments and/or use their national or regional reserves to cover this shortage up to the 2% limit, that cannot be exceeded.

- 9 Member States notified the maximum 2% as **estimated financial needs** for the YFP for 2021 (IE, EL, ES, HR, IT, NL, AT, PT, SE), 12 Member States notified between 1 and 2% (BE, DK, DE, FR, CY, LV, LT, LU, PL, RO, SI, FI), and 6 Member States notified less than 1% (BG, CZ, EE, HU, MT, SK). The estimated allocations for YFP account for 1.4% of total DP, slightly changed compared to the 1.2% estimated in 2018, 2019 and 2020.
- With regard to the **calculation of** the YFP in 2020,

- The majority of Member States (18) opted for 25%-50%<sup>19</sup> of the national average DP per ha: BE (F and W), BG, DE, DK, HR, IE, EE, ES, FI, FR, CY, LT, LV, HU, NL, AT, PL, PT, SK, SE;
- 5 Member States chose to calculate it as percentage (25%-50%) of basic payment (CZ, RO) or average value of entitlements held by the farmer(EL, IT, MT);
- 2 Member State opted for a lump-sum payment (LU, SI).

16 Member States decided to increase the percentage for the calculation above the minimum of 25%.

- 16 MS place the **limit** of payment entitlements or number of hectares at the maximum allowed of 90 PE/ha (BE(F-W) CZ, DE, DK, ES, IT, CY, LT, LV, HU, MT, NL, PT, SI, FI, SE), while 1 MS chose to place it at the minimum allowed of 25 PE/ha (EL); the other 10 Member States placed the limit between 25 and 90.
- The majority of countries chose not to implement **additional eligibility criteria with regard to appropriate skills and training**: 9 Member States added such criteria (BE(F-W), BG, IE, ES, HR, FR, AT, PT, SK). Of these, BE-W, ES, PT and SK implement both the criteria related to skills and the criteria related to training, mostly as alternatives. In addition, IE, ES, HR, SK apply the additional eligibility criteria to all young farmers in control over a legal person applying for YFP.

### 3.9. The [small farmers scheme](#)

From the **15 Member States** that implement the **SFS**, **9** have opted for **simply granting the amount due every year** on the basis of the standard system BG, DE, EE, EL, HR, MT, AT, PL and RO. BG in addition rounds up lower amounts to EUR 500.

**4 Member States** have opted for the possibility to grant the **amount of aid due to each participant for 2015**: ES, IT, HU and SI. **3 Member States** (IT, HU, SI) however adjust the payments in line with the external convergence, as foreseen by the Regulation. HU in addition rounds up lower amounts to EUR 500.

**2 Member States** will grant the SFS in the form of **a lump-sum equal for all participants**: LV and PT (respectively EUR 500 and EUR 1000<sup>20</sup>).

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<sup>19</sup> Omnibus Regulation (Regulation (EU)2017/2393) enabled Member States to increase the multiplier used in the YFP calculation methods, defined under Article 50(6) to (8) and (10) of Regulation (EU) No 1307/2013, from 25% up to 50%.

<sup>20</sup> In 2015 the lump-sum applied to small farmers in PT was EUR 500, in 2017 a higher lump-sum of EUR 600 was applied as a result of a review of PT policy decision since 2020 the lump sum applied to small farmers in PT is EUR 850.

### 3.10. The minimum requirements and the active farmer clause

Concerning the **minimum requirements to be eligible for DP<sup>21</sup>**, Member States have decided to put the threshold amount between € 100 and € 500 (below which no payment is made). As far as the area threshold is concerned, it is ranging from 0.3 ha (CY and MT) to 4 ha (SE)

**Table 5: Minimum requirements**

MS/region	Point a (amount threshold) – EUR	Point b (area threshold) – ha	Farmers implementing animal related VCS, with less than area threshold
BE/FL	€ 400		
BE/W	€ 100		
BG		0.5	€ 100
CZ		1	€ 100
DK		2	€ 300
DE		1	
EE		1	€ 100
IE	€ 100		
EL	€ 250		
ES	€ 300		
FR	€ 200		
HR		1	€ 100
IT	€ 300		
CY		0.3	€ 100
LV		1	€ 100
LT		1	€ 100
LU	€ 100		
HU		1	€ 100
MT		0.3	€ 100
NL	€ 500		
AT		1.5	€ 150
PL		1	€ 200
PT		0.5	€ 100
RO		1	€ 100
SI		1	€ 100
SK		1	€ 100
FI	€ 200		
SE		4	€ 100

As regards the implementation of the **active farmer clause**, the decisions of Member States are shown in Table A.5 of the Annex.

7 MS and 2 regions continue to apply the negative list (art. 9(2) of the basic act) after the Omnibus regulation made the negative list optional and 4 MS make use of Article 9(3) of the basic act.

In respect of the implementation of the negative list:

- 3 Member States (BG, MT, RO) decided to add activities or businesses **to the negative list** (full list of entities added to the negative list is available in Table A.5bis).

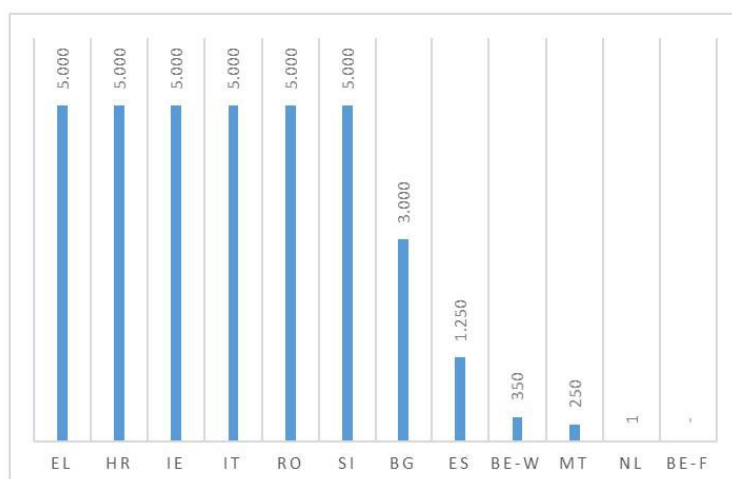
<sup>21</sup> Article 10 of Regulation (EU) No. 1307/2013



- To allow entities on the list to **prove that their agricultural activities are not insignificant** (Article 9.2.b of the basic act), 7 Member States will offer the evidence proposed in the delegated act<sup>22</sup>, namely that more than one third of total income is obtained from agricultural activities..
- To allow entities on the list to **prove that their principal business or company objects consist of exercising an agricultural activity** (Article 9.2.c of the basic act), 3 Member States will use the official business register or equivalent register(s), 2 will use equivalent evidence, 4 will use an alternative criteria, and 1 Member States decided to combine the use of register(s) and alternative criteria.

**Four Member States** (EL, IT, NL and RO) will make use of Article 9(3) of the basic act to **further exclude natural or legal persons** whose agricultural activity form only an insignificant part of their overall economic activity (Article 9.3.a) or whose principal activity or company objects does not consist of exercising an agricultural activity (Article 9.3.b) or whose who are not registered for their agricultural activity in the National fiscal or social security register(Article 9(3a)).

Concerning the **threshold of direct payments under which the farmer is exempted from the application of the active farmer clause**<sup>23</sup>, one region (BE-Flanders) decided to set it at 0 , one regions (BE\_WA) to set it at 350 Eur, NL set it at 1 Eur, Malta – at 250 Eur, Spain – at 1 200 Eur, Bulgaria – at 3 000 Eur, Italy decided to use EUR 5 000 for mountain areas.while the other 5 MS decided to use the maximum threshold of EUR 5 000.



### 3.11. Definitions and Eligibility

Six Member States and 1 region communicated that in their territory they have identified Areas naturally kept in a state suitable for grazing or cultivation on which a minimum activity has to be carried out according to Article 4(1)(c)(iii) of R 1307/2013.

Member States having notified to have areas naturally kept						
BE_FL	CY	FR	DE	IT	RO	SK

Nine Member States (DE, EL, ES, FR, IT, CY, PT, IE and SE) decided to extend the definition of permanent grassland to land which can be grazed and which forms part of established local practices (ELP) where grasses and other herbaceous forage are traditionally not

<sup>22</sup> Article 13(1) of Commission Regulation (EU) No 639/2014, O.J. L 181, 20.06.2014, p. 1

<sup>23</sup> The exemption does not apply where he has mainly areas naturally kept in a state suitable for grazing and cultivation and does not carry out on those areas the minimum activity defined by Member States – see Article 9(1) of Regulation (EU) No 1307/2013.

predominant in grazing areas. The justification of the established local practices is based on the traditional character of livestock grazing, and/or on the importance for the conservation of habitats and biotopes covered by Directives 92/43/EEC and 2009/147/EC.

Member States having extended definition of PG in case of ELP a) traditional and/or b) conservation habitats of Art 7 of R. 639/2014								
DE	EL	ES	FR	IT	CY	PT	SE	IE
a+b	a+b	a+b	a	a	a	a	a+b	a

The Omnibus Regulation (Regulation (EU) No. 2017/2393) introduced the possibility of applying new criteria to define "Permanent Grassland".

The decision had to be notified by 31 March 2018<sup>24</sup>. 22 MS/Regions decided to review these definitions as follows:

X : no modifications	MS	grassland is not considered "permanent grassland" if ploughed within a period of five years	PG includes shrubs and/or trees which produce animal feed	apply the decision to whole or part of the territory	PG includes land which can be grazed where grasses and other herbaceous forage are not predominant or are absent in grazing areas	apply the decision to whole or part of the territory	Amnesty clause: Land laying fallow remains Arable land if accepted as such prior to 1 January 2018
	X	AT					
X	BE-FL						
	BE-W						✓
	BG	✓					✓
	HR	✓					✓
	CY	✓					✓
	CZ						✓
X	DK						
X	EE						
X	FI						
	FR		✓	Whole	✓	Département 01 04 05 06 07 09 11 12 13 15 19 2A 2B 23 24 26 30 31 32 34 38 42 43 46 47 48 63 64 65 66 69 73 74 81 82 83 84 87.	
	DE	✓					✓
	EL	✓	✓	Whole	✓	Whole	✓
X	HU						
	IE						✓
	IT	✓					✓
X	LV						
	LT	✓					✓

<sup>24</sup> Including possible reviews based on Article 76 of Regulation (EU) No 639/2014

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x	LU						✓
	MT						✓
	NL						
	PL						✓
	PT		✓	Whole			✓
	RO						✓
	SK	✓					
	SI						✓
	ES	✓	✓	Whole	✓	Whole	✓
	SE						✓

## 4. MAIN RESULTS PART II: THE GREENING COMPONENT OF DIRECT PAYMENTS<sup>25</sup>

### 4.1. Method for granting the payment

As a general rule, the greening payment is to be granted as a flat-rate payment per eligible hectare declared under the SAPS or per entitlement activated under the BPS. However, all but two (LU and UK-Scotland) Member States [that do not grant the BPS in the form of a flat rate payment at regional or national level] have decided to apply the derogation to grant the greening payment as a percentage of the value of the entitlements activated.

Also to be noted that FI, UK-England and UK-Scotland differentiate the greening payment granted as a flat rate amongst the regions established for the purpose of the BPS.

### 4.2. Equivalence

Eight Member States opted to offer their farmers the possibility to meet (some of) their greening obligations through equivalent practices between years 2014 and 2022. Four of them through agri-environment and climate measures (IE, IT-Marche, AT and PL) and four under certification schemes (FR, NL, PT and UK-Scotland). Four Member States chose equivalence to crop diversification, three to EFA, and one to permanent grassland obligation. (see Table A.7 in the Annex).

### 4.3. Crop diversification

Member States choices of the **period for the control of the respect of the crop diversification obligation** are listed in table A.8 of the Annex. Besides Member States that decide on all relevant aspects of greening at sub-national level i.e., BE and UK, two Member States (ES, SE) also decided to differentiate the period at sub-national level. Others set one period for the whole country. The length of the period differs among Member States, from less than 2 months (AT, DE) to some 7 months (BE-Wallonia and ES-Catalonia). Most Member States opted for around 2 to 3 months.

For the 2018 claim year, because of exceptional weather (heavy rainfalls/floods, exceptional snowfalls), eight Member States (DK, EE, LV, LT, IE, PL, FI, UK) were granted an option to provide - subject to conditions - (differentiated) **derogations to crop diversification** rules to farmers in affected areas. In addition, to tackle the impact of a severe drought in 2018 on the availability of fodder for livestock, 10 Member States (BE, DK, EE, FR, LV, LT, PT, PL, SE, FI) were granted an option to derogate from the 'no-production' requirement on land lying fallow in areas affected. Table A.16 in the Annex summarised the conditions of each derogation and Member States' choices on the application of these derogations.

### 4.4. Ecological Focus Area (EFA)

Member States decisions on EFA are detailed in Tables A.6 and A.9-A.12 in Annex.

Only two Member States (NL and PL) allow for collective implementation of EFA obligations. No Member State decided to apply regional level implementation.

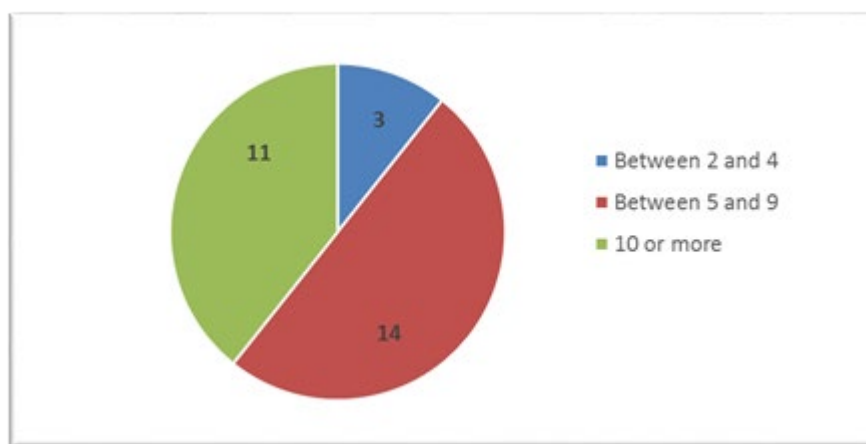
Four (EE, FI, LV, SE) out of the five Member States which met the criteria apply "the forest exemption" as regards EFA.

The **choice of EFA types**<sup>26</sup> that farmers may use to fulfil their EFA obligation varies between Member States: from 8 to 18 EFA types per Member State. A group of three Member States offers a limited selection of elements (2-4): MT, SI and FI. In contrast, another group of 11 MS offers an extensive list of elements (10 or more): BE, CZ, DE, FR, HR, IT, LU, HU, AT, PL and RO. 14 Member States opted for an intermediate list: DK, EE, EL, CY, LV, LT, NL, AT, PT, SE and UK (see Graph 2).

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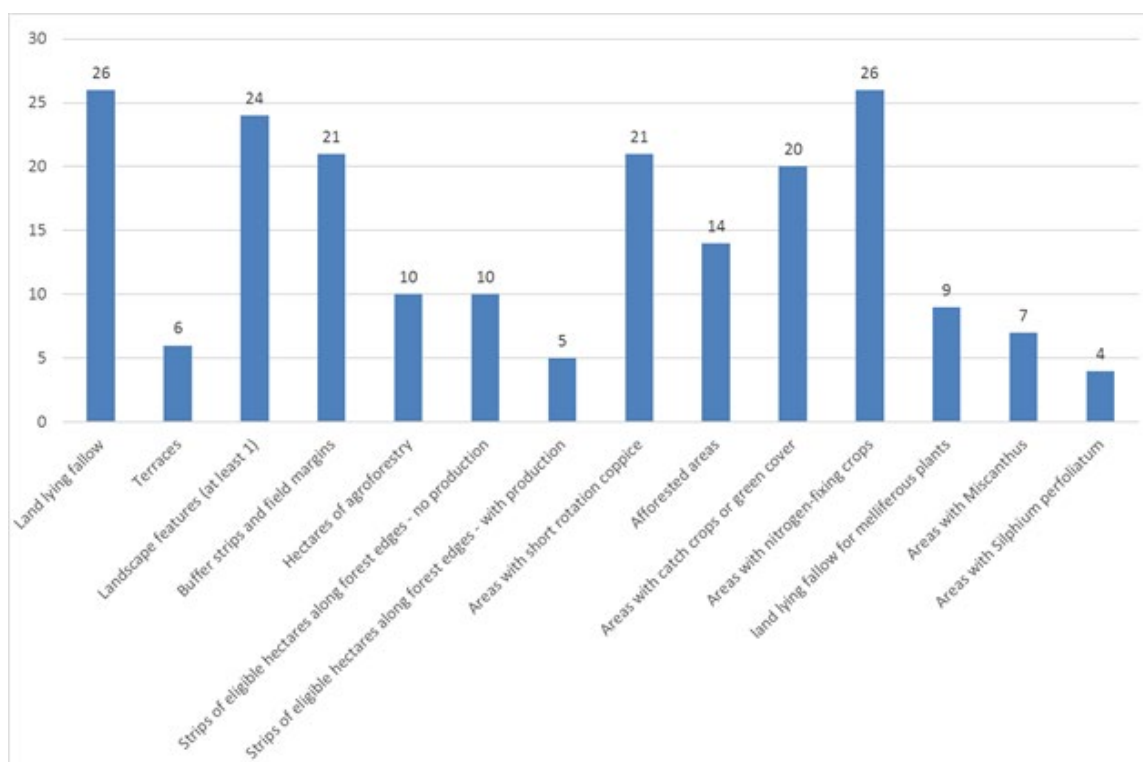
<sup>25</sup> UK and BE sent notifications on regional basis; unless otherwise indicated in this chapter UK and BE are counted if at least one region made a given choice. Following the withdrawal of the UK from the EU, greening is no longer applied after the BREXIT. However, the choices made by the UK under greening remain presented in this note as they applied between 2015 and January 2020.

<sup>26</sup> Based on the modified menu of EFA types following changes to the legislation in 2017 and 2018

**Graph 2: Grouping of Member States depending on the number of activated EFAs**

Among the chosen EFA elements, the most dominant is the nitrogen-fixing crops (all MS except DK and IE) and land lying fallow (all except NL, RO) (see Graph 3).

The application of **conversion factors** is also uneven among Member States. Some apply them widely (BE, BG, HR, FR, IE, LU, LT, PL, RO, UK) while others take actual dimensions into account for many or all EFA elements (CZ, EE, DE, HU, IT, SK). However, the application of **weighting factors** appears to be widespread, with a few exceptions (e.g., EE does not use them).

**Graph 3: Number of Member States selecting each EFA type**

In terms of EFA detailed choices:

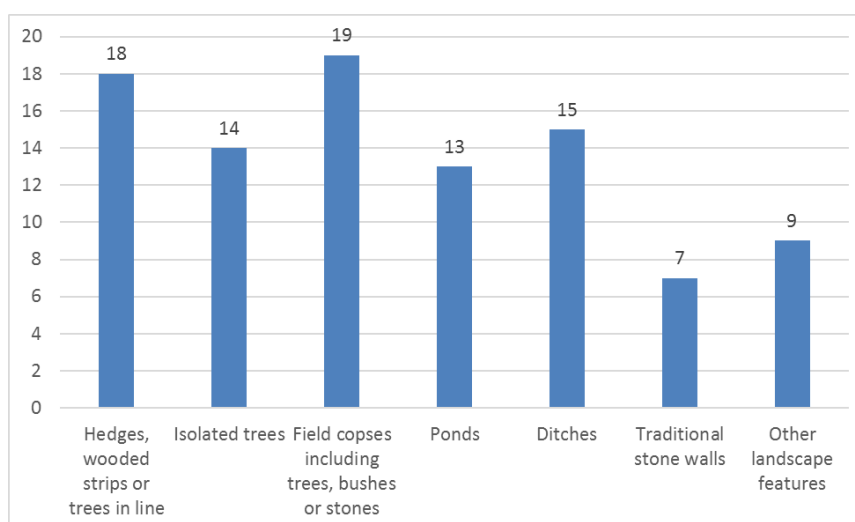
- For **land lying fallow** and **land lying fallow for melliferous plants**<sup>27</sup>, Member States had to establish a 'retention period' not shorter than 6 months. For the former, most Member States opted for 6-7 months minimum and, usually, a longer period for the latter (see table A.10 in the Annex).
- For 2018, to tackle the impact of the drought on the availability of fodder for livestock, 10 Member States (BE, DK, EE, FR, LV, LT, PT, PL, SE, FI) were granted an option to

<sup>27</sup> Added by Regulation (Eu) 2017/2393

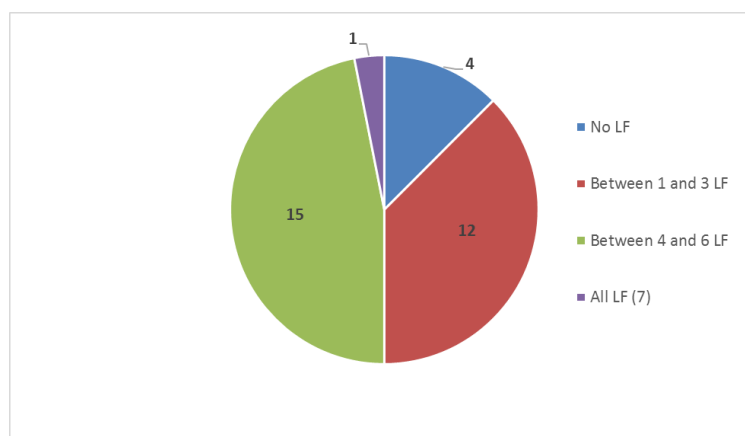
derogate from the 'no-production' requirement on land lying fallow in areas affected. Table A.16 in the Annex summarised the conditions and Member States' choices on the application of this derogation.

- For the 2019 claim year, because of the drought, six Member States (BE, FR, ES, LT, PL, PT) were granted an option to derogate from the 'no-production' requirement on land lying fallow in areas affected. Table A.18 in the Annex summarised the conditions of each derogation and Member States' choices on the application of these derogations.
- For the 2022 claim year, because of Russia's invasion in Ukraine, all Member States were granted an option to derogate from the 'no-production' requirement on land lying fallow. Table A.19 in the Annex summarised the conditions of each derogation and Member States' choices on the application of these derogations.
- As regards **landscape features**, 24 Member States activated at least one landscape feature (see Graph 4, Graph 5 and table A.10bis in the Annex). The most popular was the EFA type of 'hedges, wooded strips or trees in line'. Member States could choose landscape features defined in Article 45 of Delegated Regulation 639/2014 and/or those defined under their national cross-compliance rules. Five countries (BG, CY, LT, NL, UK-WA) decided to apply only the Article 45 definition while nine countries (BE-FL, CZ, DK, EE, LU, AT, PT, SK, FI) only the cross-compliance definition. The remaining countries allow a mix of features defined under Article 45 and under cross-compliance. GAEC 7 was the main choice for countries, which opted for cross-compliance on their own or in addition to those defined in Article 45 (see table A.11 in the Annex).

**Graph 4: Number of Member States selecting a particular landscape feature (LF)**



**Graph 5: Grouping of Member States depending on the number of selected landscape features (LS) \***



Note: \* BE and UK regions are counted separately

- Countries that activated **short rotation coppice (SRC)** chose between 1 to 10 species, most popular being willow (*Salix*) (19 MS), poplar (*Populus*) (16), alder (*Alnus*) (13), ash (*Fraxinus*) (11) and birch (*Betula*) (10). Almost all Member States specified which inputs (either mineral fertilisers and/or plant production products) should be banned or be subject to restrictions.
- Approaches to the categorisation of crop mixtures required under the **catch crop EFA** also differs depending on Member States. The indicated 8-week period during which the catch crop must be maintained falls usually within August and December, however some Member States notified a period longer than 8 weeks and/or one stretching into year N+1. Some differentiated the timing depending on the type of catch crop. In a few countries, the calculation of the period starts from the moment of sowing and subject to farmers' declaration. The approach to establishing the list of crops differs, ranging from setting broadly families of crops to detailed listing of species. Some countries developed different technical criteria on the way the mixed crops are to be established (e.g. percentages of crop in the mixture, choice from specified crop categories).
- For 2018, to tackle the impact of the drought on the availability of fodder for livestock and address the risk of late sowing of winter crops, 11 Member States (BE, DE, DK, FR, LV, LT, IE, NL, PL, SE, UK) were granted an option to **derogate** from some conditions attached to catch crop/green cover EFA. Table A.16 in the Annex summarised the conditions and Member States' choices of derogations. For 2019 and 2022, the application of the derogations is available in respectively Table A.18 and A.19.
- Countries opting for **nitrogen-fixing crops (NFC)** chose between 5 and 19 crops. The most popular being: clover (*Trifolium*) (23), faba bean (*Vicia faba*) (22), alfalfa (*Medicago*) (22), pea (*Pisum spp*) (21) and lupin (*Lupinus*) (19). The majority elaborated on biodiversity criteria underlying their choice of NFC, while the arguments given by few Member States were short and generic. Some countries specified production methods, including on how the requirement of predominance of nitrogen-fixing crop in case of mixtures with other crops is to be ensured.

#### 4.5. Permanent grassland

- Almost all Member States decided to manage the ratio of permanent grassland at national level. Only four MS opted for the calculation of the ratio at the regional level (BE, FR, DE, UK). MT reported having no permanent grassland in the period 2007-2013.

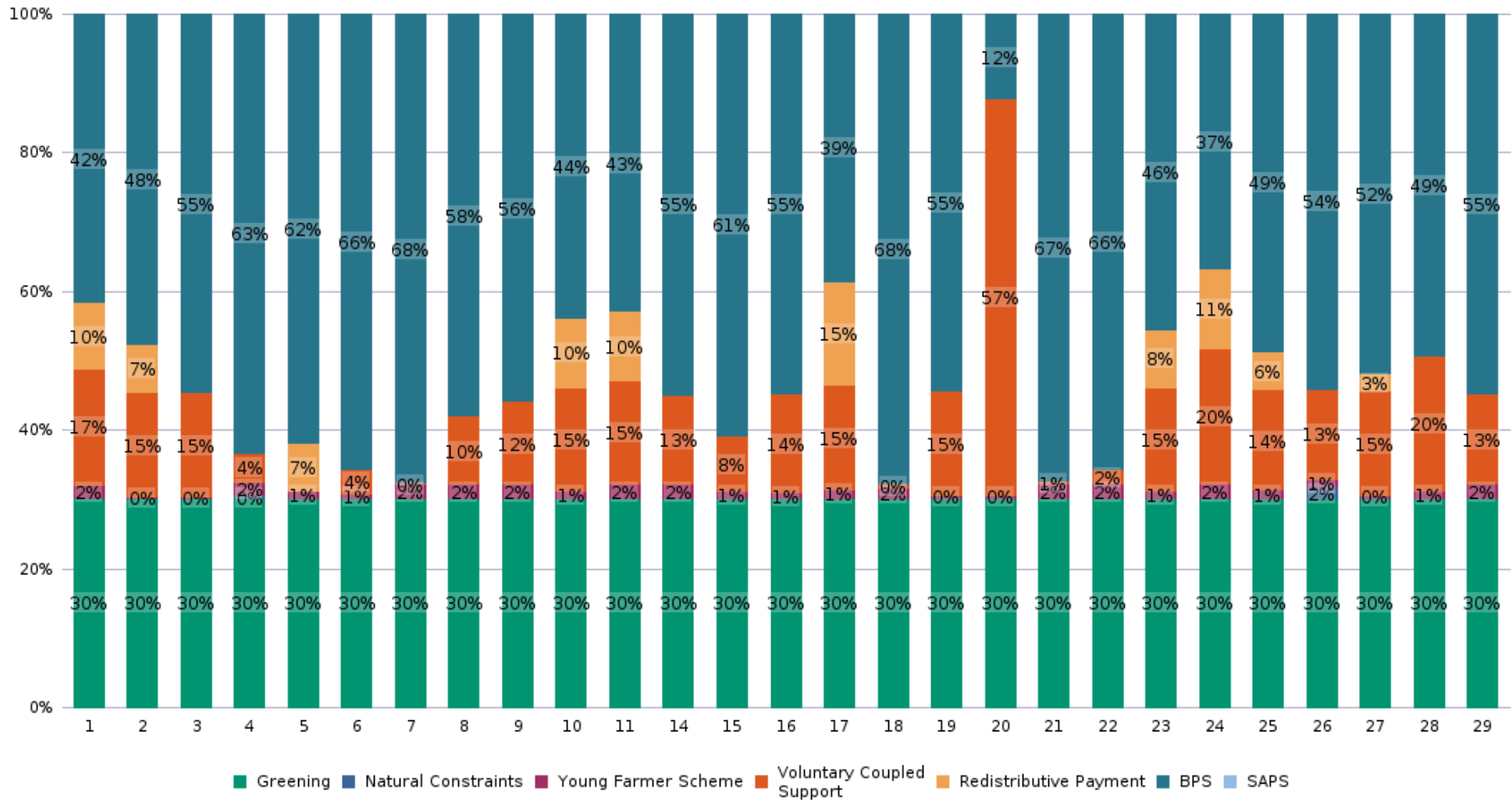
By mid-December Member States notified their choices concerning the environmentally sensitive permanent grassland (ESPG). These are detailed in Table A.15.

- The approaches to the designation of ESPG in Natura 2000 areas differ among Member States. Eight Member States designated all the grassland in Natura 2000, eight Member States between 50% and 100%, while 11 Member States designated less than half of the grassland.
- 7 Member States decided to designate ESPG outside Natura 2000 areas (BE-FI, CZ, IT, LV, LU, NL, UK-WA).

## ***Annexes***



**Graph A.1: Distribution of funds amongst the DP schemes – Claim year 2022**



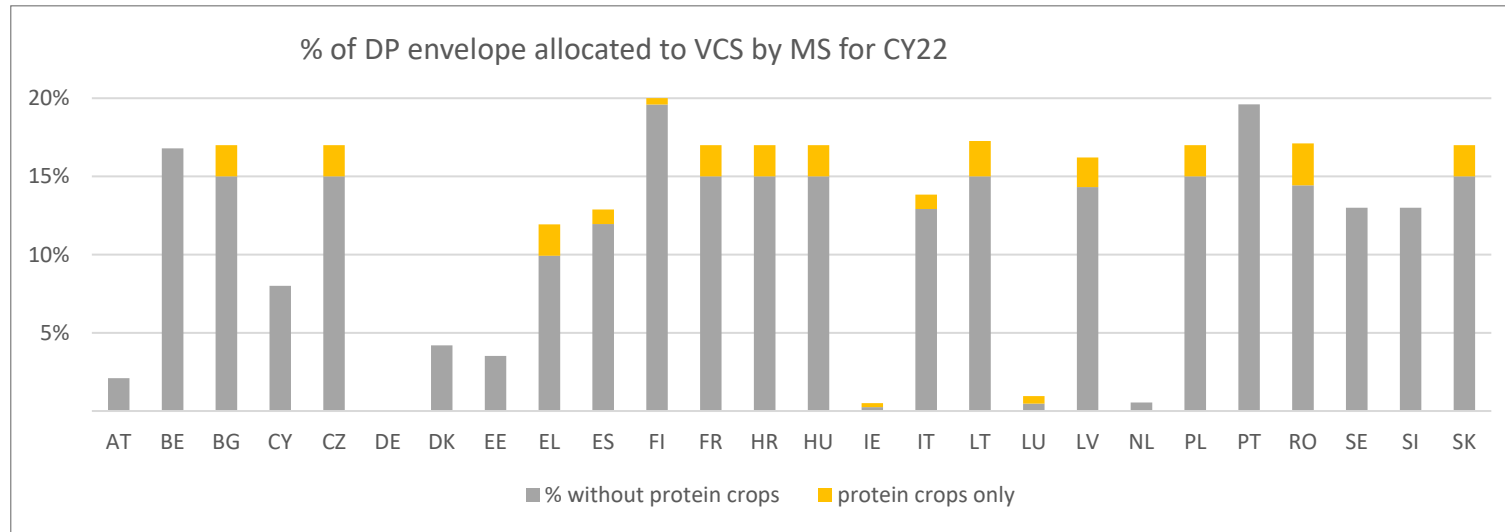
NB: The percentages reflected here are before overbooking of the BPS ceiling as provided for in Article 22(2) of Regulation (EU) No 1307/2013.

**Table A.2: Reduction of payments as from 2022**

		BE	BG	CZ	DK	EE	IE	EL	ES	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	SI	SK	FI	SE	
€150,000	5%		√	√	√	√			√		√	√		√	√	√	√		√	√	√	√	√	√	√
€150,000	15%																								
€150,000	50%									√															
€150,000	100%	√					√	√										√	√						
€176,000	100%														√										
€200,000	30%																								
€250,000	55%																								
€300,000	100%		√																		√				
€500,000	100%									√															
€600,000	100%																								
<b>Subtraction of salaries</b>			√			√		√	√	√		√		√				√		√	√				

**Table A.3: Voluntary coupled support – from Claim year 2022 - Sectors supported**

	BE/F	BE/W	BG	CZ	DK	EE	IE	EL	ES	FR	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	Count	
Beef and veal	√	√	√	√	√			√	√	√	√	√		√	√		√	√	√	√	√	√	√	√	√	√	√	√	23
Cereals								√		√		√		√	√									√		√		7	
Flax																					√							1	
Fruit and vegetables			√	√		√		√	√	√	√	√	√	√	√		√	√			√	√	√	√	√	√	√	19	
Grain legumes									√														√				2		
Hemp										√											√		√					3	
Hops				√						√											√		√		√			5	
Milk and milk products		√	√	√		√			√	√	√	√	√	√	√		√	√			√	√	√		√	√		18	
Milk and milk products - regional																								√				1	
Nuts								√	√																			2	
Oilseeds														√														1	
Olive oil												√																1	
Protein crops			√	√		√	√	√	√	√	√	√		√	√	√	√				√		√		√	√		16	
Rice								√	√	√		√					√					√	√					7	
Seeds								√		√				√	√									√				5	
Sheepmeat and goatmeat		√	√	√		√		√	√	√	√	√		√	√		√	√	√	√	√	√	√	√	√	√	√	21	
Silkworms								√															√					2	
Starch potato				√						√				√							√					√		5	
Sugar beet				√				√	√		√	√			√		√				√		√		√	√		11	



MT will use the derogation allowing Member States to use EUR 3 million for VCS setting the percentage of its national envelope allocated to the scheme in 2022 at 57.2%

**Table A.4: Small farmers scheme (SFS) in 2022**

MS	Date fixed by MS	Automatic inclusion of farmers	Method used to set the amount of payment	a. (Maximum) amount
Bulgaria	15.10.2015	No	Amount due each year, in accordance with Article 63(2)(a)	€ 1,250.00
Germany	15.05.2015	No	Amount due each year, in accordance with Article 63(2)(a)	€ 1,250.00
Estonia	15.08.2015	No	Amount due each year, in accordance with Article 63(2)(a)	€ 1,250.00
Greece	15.10.2015	Yes	Amount due each year, in accordance with Article 63(2)(a)	€ 1,250.00
Spain	15.10.2015	Yes	Amount due in 2015, in accordance with Article 63(2)(b)	€ 1,250.00
Croatia	15.10.2015	Yes	Amount due each year, in accordance with Article 63(2)(a)	€ 657.00
Italy	15.10.2015	Yes	Amount due in 2015 adjusted in line with Annex II, in accordance with Article 63(2)(b)	€ 1,250.00
Latvia	15.06.2015	No	A lump sum, in accordance with Article 63(1)(b)	€ 500.00
Hungary	15.08.2015	No	Amount due in 2015 adjusted in line with Annex II, in accordance with Article 63(2)(b)	€ 1,250.00
Malta	15.06.2015	Yes	Amount due each year, in accordance with Article 63(2)(a)	€ 1,250.00
Austria	15.10.2015	Yes	Amount due each year, in accordance with Article 63(2)(a)	€ 1,250.00
Poland	10.07.2015	Yes	Amount due each year, in accordance with Article 63(2)(a)	€ 1,250.00
Portugal	09.06.2015	Yes	A lump sum, in accordance with Article 63(1)(b)	€ 1,000.00
Romania	15.10.2015	No	Amount due each year, in accordance with Article 63(2)(a)	€ 1,250.00
Slovenia	15.10.2015	No	Amount due in 2015 adjusted in line with Annex II, in accordance with Article 63(2)(b)	€ 1,050.00

**Table A.5: Active farmer clause: overview**

	Number of MS/region concerned	MS
Decision to discontinue applying Art. 9(2), i.e. decision to stop applying the negative list: application of Art. 9(8)	19	AT, CY, CZ, DK, FR, DE, EL, HU, IT, LV, LT, LU, NL, PL, PT, SK, SE, EE, FI
Decision to continue applying Art. 9(2)	8	BE, BG, HR, ES, IE, MT, RO, SI
Additions to the negative list	3	BG, MT, RO
<b>Article 9.2.b "agricultural activities are not insignificant"</b>		
Agricultural income > 1/3 total income	6	BG, HR, MT, RO, SI, BE
Alternative criteria	2	ES, IE
<b>Article 9.2.c "principal business or company objects consist of exercising an agricultural activity"</b>		
Official business register or equivalent register	1	HR
Equivalent evidence	2	BG, ES
Alternative criteria	3	MT, BE, IE
<b>Article 9.3</b>		
Of which implementation of <b>9.3.a</b> (exclusion of claimants whose agricultural activities form only an insignificant part of their economic activity)	2	EL, NL
Of which implementation of <b>9.3.b</b> (exclusion of claimants whose principal activity or company objects is not the exercise of an agricultural activity)	1	NL
Of which implementation of <b>9(3a)</b> (exclusion of claimants who are not registered for their agricultural activity in the National fiscal or social security register)	2	IT, RO
<b>Exemption threshold under Article 9.4 (level of direct payments under which the farmer is exempted from the application of Article 9.2 and Article 9.3)</b>		
Threshold = EUR 5 000	6	HR IE IT (in mountains areas) RO EL SI
Other thresholds	5	BE-FL (EUR 0) NL (EUR 1) MT (EUR 250) BE-WA (EUR 350) ES (EUR 1 250) BG (EUR 3 000)

**Table A.5 bis: Active farmer clause - List of entities added to the negative list**

<b>Member State</b>	<b>Businesses/activities added to the negative list pursuant to Article 9.2 of Regulation (EU) No 1307/2013</b>
<b>BG</b>	- Governmental and municipal administrations and divisions of those.
<b>MT</b>	- Governmental entities
<b>RO</b>	- Building companies - National Forest - RNP - Private forest managers - Prisons - Communes, towns, municipalities, counties

Table A.6: Member States' main greening choices (For EFA choices see table A.7)

MS or region	Activation of equivalent practices	Permanent grassland Ratio and obligation level (national OR regional)	Activation of EFA regional / collective approach	Activation of EFA forest exemption
AT	Only RDP	national	No	No
BE	No	regional	No	No
BG	No	national	No	No
HR	No	national	No	No
CY	No	national	No	No
CZ	No	national	No	No
DK	No	national	No	No
EE	No	national	No	Yes
FI	No	national	No	Yes
FR	Only Certification Scheme	regional	No	No
DE	No	regional	No	No
EL	No	national	No	No
HU	No	national	No	No
IE	Only RDP	national	No	No
IT	Only RDP (Marche)	national	No	No
LV	No	national	No	Yes
LI	No	national	No	No
LU	No	national	No	No
MT	No	N/A	No	No
NL	Only Certification Schemes	national	Only collective implementation	No
PL	Only RDP	national	Only collective implementation	No
PT	Only Certification Scheme	national	No	No
RO	No	national	No	No
SK	No	national	No	No
SI	No	national	No	No
ES	No	national	No	No
SE	No	national	No	Yes
UK	Only Certification Scheme (Scotland)	regional	No	No



**Table A.7: Member States' equivalence choices**

<b>MS / region</b>	<b>Standard greening practice</b>	<b>Equivalent practice – N as per Annex IX to Regulation 1307/2013</b>	<b>RDP or certification scheme based equivalence</b>	<b>1<sup>st</sup> year of application</b>
<b>AT</b>	EFA	III (1) Ecological set –aside	RDP	<b>2015</b>
<b>FR</b>	CD	I (3) Winter soil cover	Certification scheme (single-crop maize farming)	<b>2015</b>
<b>IE</b>	CD	I (4) Catch crops	RDP	<b>2015</b>
<b>IT-Marche</b>	EFA	III (3) Management of uncultivated buffer strips and field margins	RDP	<b>2016</b>
<b>NL (1)</b>	EFA	III (3) Management of uncultivated buffer strips and field margins III (4) Borders, in-field strips and patches III (5) Management of landscape features III (7) Production on arable land with no use of fertilizers	Certification scheme ( <i>'Akkerbouw-strokenpakket, incl Vogelakker'</i> )	<b>2015</b>
<b>NL (2)</b>	EFA	III (3) Management of uncultivated buffer strips and field margins III (7) Production on arable land with no use of fertilizers	Certification scheme ( <i>'Skylark foundation'</i> )	<b>2015</b>
<b>NL (3)</b>	EFA	III (7) Production on arable land with no use of fertilizers	Certification scheme ( <i>'Vezelhennepe'</i> ) (hemp)	<b>2016</b>
<b>PL</b>	CD	I. (2)/(3) Crop diversification: min. 4 crops, main not more than 75%	RDP	<b>2015</b>
<b>PT</b>	CD	I (3) Winter soil cover	Certification scheme (tomato and maize growers)	<b>2016</b>
<b>UK-SC</b>	PG	II (1) Management of meadows or pastures	Certification scheme (mandatory use of the scheme)	<b>2016</b>

**Table A.8: Crop diversification: Member States' choices for the crop diversification period**

<b>MS/region</b>	<b>start date</b>	<b>end date</b>
BE-FL	15/05	31/08
BE-WA	01/03	30/09
BG	15/05	15/07
CZ	01/06	31/08
DK	15/05	25/07
DE	01/06	15/07
EE	15/06	15/08
FR	15/06	15/09
IE	16/05	15/07
EL	01/06	31/10
ES / Galicia	15/01	15/04
ES / Asturias	01/01	15/05
ES / Cantabria	01/03	31/07
ES / Cataluña	01/03	30/09
ES / Other regions	01/05	31/07
HR	15/05	15/08
IT	01/04	09/06
CY	15/03	15/06
LV	15/06	31/08
LT	01/06	31/07
LU	15/05	31/07
HU	01/05	30/09
MT	01/02	31/03
NL	15/05	15/07
AT	15/05	15/06
PL	15/05	15/07
PT	01/05	31/07
RO	01/05	30/09
SI	07/05	31/07
SK	15/05	15/09
FI	30/06	31/08
SE / north of 62 parallel	01/06	31/07
SE / south of 62 parallel	01/05	30/06
UK-EN	01/05	30/06
UK-NI	01/06	31/07
UK-SC	01/05	30/06
UK-WA	01/05	15/07

**Table A.9: Member States' choices on elements qualifying for Ecological Focus Area (EFA) (See explanation on the next page)**

MS / region	a. Land lying fallow	b. Terraces	C	W	c. Landscape features	d. Buffer strips and field margins	C	W	e. Hectars of agro/forestry	f. Strips eligible hect. along forest edges / NO PRODUCTION	C	W	f. Strips eligible hect. along forest edges / WITH PRODUCTION	C	W	g. Areas with short rotatio copice	h. Afforested areas	i. Areas with catch crops or green cover	j. Areas with nitrogen fixing crops	m. Land lying fallow with melliferous plants	C	W	k. Areas with Miscanthus	i. Areas with Silphium perfoliatum	EFA per MS/region
BE/FL	Yes	No	/	/	4	Yes	n.a.	1.5	Yes	Yes	6	1.5	Yes	6	0.3	Yes	Yes	Yes	Yes	No	/	/	No	No	13
BE/WA	Yes	No	/	/	5	Yes	n.a.	1.5	No	No	/	/	No	/	/	Yes	No	Yes	Yes	No	/	/	Yes	No	11
BG	Yes	No	/	/	2	Yes	6	1.5	No	Yes	6	1.5	No	/	/	Yes	No	Yes	Yes	No	/	/	No	No	8
CZ	Yes	Yes	n.a.	n.a.	5	Yes	n.a.	1.5	No	No	/	/	No	/	/	Yes	Yes	Yes	Yes	No	/	/	No	No	12
DK	Yes	No	/	/	2	Yes	n.a.	1.5	No	No	/	/	No	/	/	Yes	No	Yes	No	Yes	n.a.	1.5	No	No	7
DE	Yes	Yes	2	1	6	Yes	n.a.	1.5	Yes	Yes	n.a.	1.5	No	/	/	Yes	Yes	Yes	Yes	Yes	n.a.	1.5	Yes	Yes	18
EE	Yes	No	/	/	4	No	/	/	No	No	/	/	No	/	/	Yes	No	No	Yes	No	/	/	No	No	7
IE	Yes	No	/	/	3	Yes	6	1.5	No	No	/	/	No	/	/	Yes	Yes	Yes	No	No	/	/	No	No	8
EL	Yes	No	/	/	3	Yes	6	1.5	No	No	/	/	No	/	/	No	No	No	Yes	No	/	/	No	No	6
ES	Yes	No	/	/		No	/	/	Yes	No	/	/	No	/	/	No	Yes	No	Yes	Yes	n.a.	1.5	Yes	Yes	7
FR	Yes	No	/	/	6	Yes	6	1.5	Yes	Yes	6	1.5	Yes	6	0.3	Yes	Yes	Yes	Yes	Yes	n.a.	1.5	Yes	No	17
HR	Yes	No	/	/	6	Yes	6	1.5	No	Yes	6	1.5	No			Yes	No	Yes	Yes	No	/	/	No	No	12
IT	Yes	Yes	n.a.	n.a.	7	Yes	n.a.	1.5	Yes	Yes	n.a.	1.5	Yes	n.a.	0.3	Yes	Yes	No	Yes	Yes	n.a.	1.5	No	No	17
CY	Yes	No	/	/	1	Yes	6	1.5	Yes	No	/	/	No	/	/	No	Yes	No	Yes	No	/	/	No	No	6
LV	Yes	No	/	/	5	Yes	6	1.5	No	No	/	/	No	/	/	No	No	Yes	Yes	No	/	/	No	No	9
LT	Yes	No	/	/	3	Yes	6	1.5	No	No	/	/	No	/	/	Yes	No	Yes	Yes	No	/	/	No	No	8
LU	Yes	No	/	/	4	Yes	6	1.5	Yes	Yes	6	1.5	No	/	/	Yes	Yes	Yes	Yes	Yes	n.a.	1.5	Yes	Yes	15
HU	Yes	Yes	2	1	5	Yes	n.a.	1.5	Yes	Yes	n.a.	1.5	Yes	n.a.	0.3	Yes	Yes	Yes	Yes	No	/	/	No	No	15
MT	Yes	No	/	/		No	/	/	No	No	/	/	No	/	/	No	No	No	Yes	No	/	/	No	No	2
NL	No	No	/	/	4	Yes	n.a.	n.a.	No	Yes	n.a.	n.a.	No	/	/	Yes	No	Yes	Yes	No	/	/	No	No	9
AT	Yes	No	/	/	4	No	/	/	No	No	/	/	No	/	/	Yes	No	Yes	Yes	Yes	n.a.	1.5	Yes	Yes	11
PL	Yes	No	/	/	5	Yes	6	1.5	No	Yes	6	1.5	Yes	6	0.3	Yes	Yes	Yes	Yes	No	/	/	No	No	13
PT	Yes	No	/	/	2	No	/	/	Yes	No	/	/	No	/	/	No	Yes	No	Yes	No	/	/	No	No	6
RO	No	Yes	2	1	5	Yes	6	1.5	No	No	/	/	No	/	/	Yes	Yes	Yes	Yes	No	/	/	Yes	No	12
SI	Yes	No	/	/		No	/	/	No	No	/	/	No	/	/	No	No	Yes	Yes	Yes	n.a.	1.5	No	No	3
SK	Yes	Yes	n.a.	n.a.	3	Yes	n.a.	1.5	No	No	/	/	No	/	/	Yes	No	Yes	Yes	No	/	/	No	No	9
FI	Yes	No	/	/	1	No	/	/	No	No	/	/	No	/	/	Yes	No	No	Yes	No	/	/	No	No	4
SE	Yes	No	/	/		Yes	6	1.5	No	No	/	/	No	/	/	Yes	No	Yes	Yes	Yes	n.a.	1.5	No	No	6

MS / region	a. Land lying fallow	b. Terraces	C	W	c. Landscape features	d. Buffer strips and field margins	C	W	e. Hectars of agro/forestry	f. Strips eligible hect. along forest edges / NO PRODUCTION	C	W	f. Strips eligible hect. along forest edges / WITH PRODUCTION	C	W	g. Areas with short rotatio copice	h. Afforested areas	i. Areas with catch crops or green cover	j. Areas with nitrogen fixing crops	m. Land lying fallow with melliferous plants	C	W	k. Areas with Miscanthus	i. Areas with Siphium perfoliatum	EFA per MS/ region
UK/EN	Yes	No	/	/	1	Yes	6	1.5	No	No	/	/	No	/	/	No	No	Yes	Yes	No	/	/	No	No	5
UK/NI	Yes	No	/	/	4	No	/	/	Yes	No	/	/	No	/	/	Yes	Yes	No	Yes	No	/	/	No	No	9
UK/SC	Yes	No	/	/	1	Yes	n.a.	1.5	Yes	No	/	/	No	/	/	No	No	Yes	Yes	No	/	/	No	No	6
UK/WA	Yes	No	/	/	2	No	/	/	No	No	/	/	No	/	/	Yes	Yes	No	Yes	No	/	/	No	No	6
MS	26	6				21			10	10			5			21	14	20	26	9			7	4	

### CHOICES ON ECOLOGICAL FOCUS AREAS

Yes: EFA activated

No: EFA not activated

### CHOICES ON CONVERSION (C) AND WEIGHTING (W) FACTORS

N.A	MS chose the option "Factor not activated"
/	MS did not activate the EFA type

### LANDSCAPE FEATURES

Further to Article 45 of Reg. (EU) No 639/2014MS can choose from 6 types of landscape features.

Column c. "Landscape features" indicates a number of landscape features activated by each MS.

Column N of EFA (\*): the number of activated EFA includes all activated landscape features.

**Table A.10: Ecological Focus Area (EFA) – Member States' choices for land lying fallow (period) and land lying fallow for melliferous plants**

MS/ region	Land lying fallow		Land lying fallow for melliferous plants	
	start date	end date	start date	end date
BE-FL	01/03	31/08		
BE-WA	15/02	15/08		
BG	01/01	15/07		
CZ	01/01	15/07		
DK	01/01	31/12 (Exceptions: 1/07 if follow-up crop, 1/10 or 1/11 if spring crop on clay soils); selective cutting of undesirable plants allowed)	01/01 (Mechanical soil treatment and seedling of a mixture of pollen and nectar rich species by 30/04)	31/12
DE	01/01	31/12 (exceptions: 1/08 for winter crops and grazing of sheep and goats; from 1/07 Länder may permit grazing in specific circumstances).	01/01 (if sowing in the year of application - by 31/05)	31/12
EE	15/02	15/08 (at least 6 months before the date)		
IE	01/01	31/07		
EL	01/01	31/10		
ES	01/01	30/06 (No production min 9m from the previous harvest including Oct of N-1)	1/01	30/09
FR	01/03	31/08	01/03	31/08
HR	15/02	15/08		
IT	01/01	30/06	01/01	31/07
CY	01/02	31/07		
LV	15/01	15/07		
LT	01/01	31/07		
LU	01/01	30/06	01/01	30/06
HU	01/01	31/08		
MT	01/01	30/06		
AT	01/01	31/07	01/01	31/08
PL	01/01	31/07		
PT	01/02	31/07		
SI	01/01	31/07	01/05	31/10
SK	01/03	01/09		
FI	01/01	15/08		
SE	01/01	15/07	01/01	15/07
UK-EN	01/01	30/06		
UK-NI	01/02	31/07		
UK-SC	15/01	15/07		
UK-WA	01/02	31/07		

**Table A.10bis: Ecological Focus Area (EFA) – Member States' choices for Landscape Features**

MS	Hedges, wooded strips or trees in line	C		Isolated trees	C		Field copses including trees, bushes or stones	C		Ponds	C		Ditches	C		Traditional stone walls	C		Other landscape features	EFA per MS/region
		W	W		W	W		W	W		W	W								
BE-FL	Yes	n.a.	2	No	/	/	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	3	2	No	/	/	No	4
BE-WA	Yes	5	2	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	3	2	No	/	/	No	5
BG	Yes	5	2	No	/	/	Yes	n.a.	1.5	No	/	/	No	/	/	No	/	/	No	2
CZ	Yes	n.a.	2	Yes	n.a.	1.5	Yes	n.a.	1.5	No	/	/	Yes	n.a.	2	No	/	/	Yes	5
DK	No			No	/	/	No			Yes	n.a.	n.a.	No	/	/	No	/	/	Yes	2
DE	Yes	n.a.	2	Yes	20	1.5	Yes	n.a.	1.5	No	/	/	Yes	n.a.	2	Yes	1	1	Yes	6
EE	Yes	n.a.	n.a.	No	/	/	Yes	n.a.	n.a.	No	/	/	Yes	n.a.	n.a.	Yes	n.a.	n.a.	No	4
IE	Yes	5	2	No	/	/	Yes	n.a.	1.5	No	/	/	Yes	3	2	No	/	/	No	3
EL	Yes	5	2	No	/	/	Yes	n.a.	1.5	No	/	/	Yes	3	2	No	/	/	No	3
ES	No			No	/	/	No			No	/	/	No	/	/	No	/	/	No	
FR	Yes	5	n.a.	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	3	2	Yes	1	1	No	6
HR	Yes	5	2	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	3	2	Yes	1	1	No	6
IT	Yes	n.a.	2	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	n.a.	2	Yes	n.a.	n.a.	Yes	7
CY	No			Yes	20	1.5	No			No	/	/	No	/	/	No	/	/	No	1
LV	Yes	n.a.	2	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	3	2	No	/	/	No	5
LT	No			No	/	/	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	3	2	No	/	/	No	3
LU	Yes	5	2	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	No	/	/	No	/	/	No	4
HU	Yes	n.a.	2	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	No	/	/	No	/	/	Yes	5
MT	No			No	/	/	No			No	/	/	No	/	/	No	/	/	No	
NL	Yes	5	2	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	No	/	/	No	/	/	No	4
AT	No			No	/	/	No			Yes	n.a.	n.a.	Yes	n.a.	n.a.	Yes	n.a.	n.a.	Yes	4
PL	Yes	5	2	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	3	2	No	/	/	No	5
PT	No			No	/	/	Yes	n.a.	1.5	No	/	/	No	/	/	No	/	/	Yes	2
RO	Yes	5	2	Yes	20	1.5	Yes	n.a.	1.5	Yes	n.a.	1.5	Yes	3	2	No	/	/	No	5
SI	No			No	/	/	No			No	/	/	No	/	/	No	/	/	No	
SK	Yes	n.a.	2	Yes	n.a.	1.5	Yes	n.a.	1.5	No	/	/	No	/	/	No	/	/	No	3
FI	No			No	/	/	No			No	/	/	No	/	/	No	/	/	Yes	1
SE	No			No	/	/	No			No	/	/	No	/	/	No	/	/	No	
UK-EN	Yes	5	2	No	/	/	No			No	/	/	No	/	/	No	/	/	No	1
UK-NI	Yes	5	2	No	/	/	No			No	/	/	Yes	3	2	Yes	1	1	Yes	4
UK-SC	Yes	5	2	No	/	/	No			No	/	/	No	/	/	No	/	/	No	1
UK-WA	Yes	5	2	No	/	/	No			No	/	/	No	/	/	Yes	1	1	No	2
<b>MS</b>	18			14			19			13			15			7			9	

**CHOICES ON LANDSCAPE FEATURES**

Yes: EFA activated

No: EFA not activated

**CHOICES ON CONVERSION (C) AND WEIGHTING (W) FACTORS**

N.A	MS chose the option "Factor not activated"
/	MS did not activate the EFA type

**Table A.11: Ecological Focus Area (EFA) – Member States' choices for Landscape Features (LF)**

MS/region	Hedges, wooded strips or trees in line	Isolated trees	Field copses including trees, bushes or stones	Ponds	Ditches	Other landscape features under GAEC or SMR	Traditional stone walls	No of LF per MS/region
BE-FL	GAEC 7 SMR 2 SMR 3		GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3			4
BE-WA	GAEC 7	Art. 45	Art. 45	GAEC 7	GAEC 7			5
BG	Art. 45		Art. 45					2
CZ	GAEC 7	GAEC 7	GAEC 7		GAEC 7	GAEC 7		5
DK				GAEC 7		GAEC 7		2
DE	Art. 45 GAEC 7	Art. 45 GAEC 7	Art. 45 GAEC 7		Art. 45 GAEC 7	GAEC 7	Art. 45 GAEC 7	6
EE	GAEC 7		GAEC 7		GAEC 7		GAEC 7	4
IE	GAEC 7		Art. 45		GAEC 7			3
EL	Art. 45 GAEC 7		Art. 45		Art. 45			3
FR	Art. 45 GAEC 7	Art. 45	Art. 45 GAEC 7	Art. 45 GAEC 7	Art. 45		Art. 45	6
HR	Art. 45 GAEC 7	Art. 45 GAEC 7	Art. 45 GAEC 7	Art. 45 GAEC 7	Art. 45 GAEC 7		Art. 45 GAEC 7	6
IT	Art. 45 GAEC 7 SMR 2 SMR 3	Art. 45 GAEC 7 SMR 2 SMR 3	Art. 45	Art. 45 GAEC 7 SMR 2 SMR 3	Art. 45 GAEC 7 SMR 2 SMR 3		Art. 45 GAEC 7 SMR 2 SMR 3	6
CY		Art. 45						1
LV	GAEC 7	GAEC 7	Art. 45 GAEC 7	Art. 45	Art. 45			5
LT			Art. 45	Art. 45	Art. 45			3
LU	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3				4
HU	Art. 45	GAEC 7	GAEC 7	GAEC 7		GAEC 7		5
NL	Art. 45	Art. 45	Art. 45	Art. 45				4
AT				GAEC 7	GAEC 7	GAEC 7	GAEC 7	4
PL	Art. 45	Art. 45 GAEC 7	Art. 45	Art. 45 GAEC 7	Art. 45 GAEC 7			5
PT			GAEC 7			GAEC 7 SMR 2 SMR 3		2
RO	Art. 45 SMR 2 SMR 3	Art. 45 GAEC 7 SMR 2 SMR 3	Art. 45 SMR 2 SMR 3	Art. 45	Art. 45			5
SK	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3					3
FI						GAEC 7		1
UK-EN	Art. 45 GAEC 7							1
UK-NI	Art. 45 GAEC 7				Art. 45 GAEC 7	GAEC 7	GAEC 7	4
UK-SC	Art. 45 GAEC 7							1
UK-WA							Art. 45	1

Art. 45: Indicates MS applies requirements set in Article 45 of Regulation (EU) No 639/2014; GAEC7 – SMR 2 – SMR 3: Indicates MS activated EFA cross/compliance elements.

**Table A.12: Ecological Focus Area (EFA) – Member States' choices for catch crops/green cover**

MS / regions	Geographical level for the definition of the period	Period for growing / retention period	
		Start date	End date
BE FI	Regional	Polders: 20/08; loam region: 01/10; other regions: 01/11.	Polders: 15/10; loam region: 30/11; other regions: 31/01.
BE Wa	Regional (actual period set at farm level)	Sowing between 1/06 and 1/10	8 weeks from the date of sowing
BG	National	1/10	1/12
CZ	National	31/7 (summer option) 6/9 (winter option) 1/8 (undersowing)	24/9 (summer) 31/10 (winter) 24/9 (undersowing)
DK	National	30/6	19/10
DE	national	2/10	31/12
IE	national	15/09	01/12
FR	Sub- national / departmental (8 weeks within the set period)	2/07 (not earlier than)	31/12 (not later than)
HR	National	20/08	15/10
LV	National	1/09	31/10
LT	National	15/08 (for undersowing – the period to undersow between 1/04 and 30/06)	15/10 (to be sown after 30/06) & be visible starting 1/09
LU	National	1/11	1/01
HU	National (actual period set at farm level)	60 days of the period, farmers declare sowing date within 15 days of sowing	1/10
NL	National (8 weeks within the set period)	15/07	15/10
AT	National, periods depend on the pre/defined type of mixture	1) 31/07 2) 20/08 3) 31/08 4) 20/09	1) 15/10 2) 15/11 3) 15/02 4) 01/03
PL	National (possibility of setting the actual period at farm level)	1) 20/08 (sowing from 1/07) (stubble intercrop) 2) 1/10 (sowing from 1/07) (winter intercrop)	1) 15/10 (or 8 weeks from the date of sowing upon a declaration by a farmer) 2) 15/02 (winter intercrop)
RO	National (period set at farm level)		8 weeks, farmers declare the date of sowing
SI	National	15/08	16/10
SK	National (period set at farm level)	1) sowing by 31/07 (summer catch crops) 2) sowing by 30/09	8 weeks from the date of sowing
SE		1/09	31/10 (Undersowing to be established and maintained until 31/10)
UK-EN	Regional	Catch Crops 20/08 (crops established by 14/08) & Cover Crops 30/09	Catch Crops 14/10 & Cover Crops 15/01
UK-SC	Regional	<i>Not specified</i>	31/12



**Table A.13: Ecological Focus Area (EFA) – Member States' choices for Short Rotation Coppice**

MS / Species	Maple	Alder	Birch	Sweet chestnut	Hornbeam	Hazel	Ash	Mulberry	Poplar	Wild cherry	Plane	Oak	Willow	Rowan	Lime	Elm	SRC / MS or region	Requirements for mineral fertilisers and plant protection products	
	Acer	Alnus	Betula	Castanea sativa	Carpinus	Corylus spp.	Fraxinus spp.	Morus	Populus	Prunus avium	Platanus	Quercus	Salix	Sorbus aucuparia	Tilia	Ulmus		Mineral fertilisers	Plant Protection Products
BE/FL	x	x				x	x		x				x			x	7	Not allowed	Pesticides not allowed
BE/WA	x	x	x		x	x			x	x			x	x	x		10	Not allowed	Pesticides not allowed. Herbicides allowed 1st year
BG		x				x		x	x		x		x		x	x	8	Not allowed	PPP allowed only for poplars and willow up to 2y of age.
CZ		x				x	x		x				x				5	Not allowed	Not allowed
DK	x	x	x		x	x	x		x			x	x			x	10	Allowed with limits	Not allowed
DE		x	x				x		x			x	x				6	Not allowed	Not allowed
EE													x				1	Not allowed	Not allowed
IE	x	x	x	x		x	x		x			x	x		x		10	Not allowed	Herbicides and insecticides not allowed for 2 years with exceptions
FR	x	x	x	x	x		x		x	x			x				9	Not allowed	Not allowed
HR		x	x	x	x		x		x				x				7	Not allowed	Pesticides not allowed
IT		x							x		x		x			x	6	Not allowed	Not allowed, except bio insecticides
LT		x							x				x				3	Not allowed	Allowed (except on flowering SRC) with conditions
LU	x	x	x						x				x				5	Not allowed	Herbicide allowed in 1 <sup>st</sup> year
HU	x	x					x		x				x				5	Not allowed	Not allowed
NL													x				1	Not allowed	Not allowed
AT		x	x				x		x				x				5	Not allowed	Allowed in 1st year ; later for specific purposes
PL			x						x				x				3	Allowed with limits	Not allowed
RO									x				x				2	No information	No information
SK		x	x	x	x		x		x	x			x				8	Not allowed	Not allowed
FI									x				x				2	Not allowed	Herbicides allowed in year 1 and after 31/08 in last year
SE													x				1	Allowed only in 1st year	Pesticides allowed in 1st year
UK-NI	x	x	x	x		x	x		x				x		x		9	Not allowed	Allowed until end of 2 year
UK-WA	x	x	x	x		x	x		x				x		x		9	Not allowed	No information
MS /SRC	7	15	11	5	5	6	12	1	18	3	2	3	21	1	4	4			

**Table A.14: Ecological Focus Area (EFA) – Member States' choices for nitrogen-fixing crops**

Common name	Botanical name	AT	BE FL	BE Wa	BG	CR	CY	CZ	EE	FI	FR	DE	GR	HU	IT	LV	LT	LU	MT	NL	PL	PT	RO	SK	SI	ES	SE	UK EN	UK NI	UK SC	UK WA	MS /NFC	
Kidney vetch	<i>Anthyllis</i>						X																										1
Pinut	<i>Arachis</i>				X						X		X		X							X					X						6
Crown vetch	<i>Coronilla varia</i>							X						X																			1
Chickpea	<i>Cicer</i>	X			X	X	X	X			X		X	X	X			X	X		X	X	X			X	X	X		X	X		17
Dolichos	<i>Dolichos lala</i>														X																		1
Galega	<i>Galega</i>													X		X	X																3
Soybean	<i>Glycine</i>	X	X	X	X	X		X		X	X	X		X	X	X				X	X	X	X	X	X	X	X	X	X		X		22
Liquorice	<i>Glycyrrhiza glabra</i>														X																		1
French honeysuckle	<i>Hedysarum coronarium</i>														X				X								X						3
Vetchlings	<i>Lathyrus</i>					X	X	X						X	X						X					X	X						8
Lentil	<i>Lens</i>	X			X	X	X	X			X	X	X	X	X		X	X			X			X	X		X			X	X		17
Birds foot/trefoil	<i>Lotus</i>			X	X	X		X	X		X	X	X	X	X	X	X			X	X							X		X	X		15
Lupin	<i>Lupinus</i>	X	X	X	X	X		X		X	X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	23
Alfalfa	<i>Medicago</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	25
Sweet Clover	<i>Melilotus</i>							X	X	X	X	X		X		X	X				X							X				X	10
Sainfoin	<i>Onobrychis</i>			X	X			X	X		X	X		X	X	X	X			X	X		X				X		X			X	15
Bird's/foot	<i>Ornithopus</i>							X			X	X					X				X	X											6
Bean	<i>Phaseolus</i>				X	X	X	X	X	X	X	X	X	X	X				X		X	X	X	X	X		X	X	X	X	X	X	19
Pea	<i>Pisum</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	25
Clover	<i>Trifolium</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	26
Fenugreek	<i>Trigonella</i>							X			X			X	X												X		X			6	
Vetch (exc. Faba bean)	<i>Vicia (except Vicia faba)</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X			X	X	X	X	X	X		X	X	25
Faba bean	<i>Vicia faba</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	26
Bean	<i>Vigna spp.</i>				X	X	X		X		X		X		X				X					X				X	X	X	X	10	
<b>NFC / MS or region</b>		<b>9</b>	<b>7</b>	<b>9</b>	<b>14</b>	<b>13</b>	<b>10</b>	<b>19</b>	<b>11</b>	<b>9</b>	<b>17</b>	<b>13</b>	<b>12</b>	<b>16</b>	<b>19</b>	<b>11</b>	<b>12</b>	<b>8</b>	<b>7</b>	<b>8</b>	<b>14</b>	<b>11</b>	<b>11</b>	<b>9</b>	<b>8</b>	<b>15</b>	<b>8</b>	<b>15</b>	<b>5</b>	<b>11</b>	<b>14</b>		

**Table A.15 Environmentally Sensitive Permanent Grassland inside and outside Natura 2000 areas**

	Total area of permanent grassland (PG) in Natura 2000 (ha)	Total area of designated sensitive grassland in Natura 2000 (Art. 45(1) first paragraph) – ESPG in Natura 2000 (ha)	% ESPG in Natura 2000 / total area PG in Natura 2000 (per MS or region)	% ESPG in Natura 2000 / total area PG in Natura 2000 (per MS)	Total area of designated sensitive grassland outside Natura 2000 (Art. 45(1) second paragraph)	% further ESPG/ ESPG in Natura 2000
<b>BE-FL</b>	22.030	8.245	37%	30% (Belgium)	3487,63	42%
<b>BE-WA</b>	27.155	6.552	24%			
<b>BG</b>	425.491	425.491	100%	100%	-	
<b>CZ</b>	140.058	140.058	100%	100%	278224,9	199%
<b>DK</b>	36.466	7.677	21%	21%	-	
<b>DE</b>	1.001.167	580.126	58%	58%		
<b>EE</b>	38.118	3.982	10%	10%		
<b>IE</b>	795.552	30.175	4%	4%		
<b>EL</b>	463.205	463.205	100%	100%		
<b>ES</b>	6.730.984	2.613.228	39%	39%	-	
<b>FR</b>	1.760.000	1.111.000	63%	63%	-	
<b>HR</b>	59.142	33.050	56%	56%		
<b>IT</b>	1.050.647	1.050.647	100%	100%	-	
<b>CY</b>	1.121	852	76%	76%		
<b>LV</b>	57.059	5.909	10%	10%	5941	101%
<b>LT</b>	43.320	24.034	55%	55%		
<b>LU</b>	17.921	3.122	17%	17%	3500,87	112%
<b>HU</b>	452.082	452.082	100%	100%		
<b>MT</b>	<i>No grassland</i>	<i>No grassland</i>	<i>N/A</i>	<i>N/A</i>		
<b>NL</b>	49.858	49.858	100%	100%		
<b>AT</b>	260.144	24.695	9%	9%		
<b>PL</b>	673.546	256.390	38%	38%		
<b>PT</b>	284.050	3.757	1%	1%		
<b>RO</b>	1.018.699	704.177	69%	69%		
<b>SI</b>	75.746	20.850	28%	28%		
<b>SK</b>	142.643	142.643	100%	100%		
<b>FI</b>	3.294	3.294	100%	100%		
<b>SE</b>	49.460	49.058	99%	99%	-	
<b>UK-EN</b>	265.162	265.162	100%	60% (UK)		
<b>UK-NI</b>	38.422	38.422	100%			
<b>UK-SC</b>	692.823	332.705	48%			
<b>UK-WA</b>	97.595	63.517	65%		18621,05	29%
<b>Total</b>	<b>16.772.960</b>	<b>8.913.963</b>	<b>53%</b>		<b>309.775</b>	

**Table A.16. Derogations from some greening requirements for claim year 2018 - UPTAKE of derogations by MS**Filled box indicates whether MS was covered by the derogation of which: **Y** - MS decided to apply it, **N** - MS decided not to apply it

No Decision	Derog. from	Article in the corresponding decision, scope & conditions	BE-FL	BE-WA	DE	DK	EE	FR	LV	LT	IE	NL	PT	PL	SE	FI	UK-EN	UK-NI	UK-SC	UK-WA
C(2018) 2102 of 12.4.2018	CD – 44(1) 1 sub BR	farms 10-30 ha exempted from CD - farms in affected areas with min 30% loss of winter sowings area				Y	Y		Y	Y				Y		N				
<i>Rainfalls &amp; floods</i>	CD - 44(1) 2 sub BR	farms 30-150 ha – 2 crops for CD – farms in affected areas with min 30% loss of winter sowings area				Y	Y		Y	Y				Y		N				
	CD – 44(3)(d) BR	exempted from CD – farms above 62 <sup>nd</sup> parallel in affected areas with min 30% loss of winter sowings area for 2018														N				
	C(2018)3861 of 21.6.2018	CD – 44(1) 1 sub BR	farms 10-30 ha exempted from CD – farms in affected areas with early spring crops cultivated alone or with winter crops/other spring crops								Y							Y	Y	
<i>Rainfalls, snowfalls or frost</i>	CD – 44(1) 2 sub BR	farms > 30 ha exempted from CD - farms in affected areas with early spring crops cultivated alone or with winter crops/other spring crops									Y							Y	Y	
	CD – 44(1) 2 sub BR	> 30ha – 2 crops – farms in affected areas with early spring crops cultivated alone or with winter crops/other spring crops															Y			Y
	C(2018) 5458 of 14.8.2018	CD - 44(4) BR	LLF remains distinct crop even if grazed/ harvested – farms in affected areas & where livestock located	Y	Y		Y	N	Y	Y	N			Y	Y	Y	Y			
C(2018) 6085 of 18.09.2018 (FR, BE) <i>Drought</i>	EFA LLF - 45(2) DR	LLF remains as EFA even if harvested/grazed – farms in affected areas & where livestock located	Y	Y		Y	Y	Y	Y	Y			Y	Y	Y	Y				
C(2018) 6085 of 18.09.2018	EFA CC - 45(9) DR	Catch crops without mixture counted for EFA if grass or herb forage sown - farms in affected areas & where livestock located	Y	Y	N	Y		N	N	Y	N	Y		Y	Y		Y		Y	
<i>Drought</i>	EFA CC- 45(9) DR	Catch crops for EFA may include winter crops provided sown for harvesting for forage or for grazing – farms in affected areas & where livestock is located	Y	Y	N	Y		N	N	N	N	Y		Y	Y		Y		Y	
	EFA CC - 45(9) DR	Catch crops for EFA with shorter (than 8 weeks) retention provided followed by winter crops –farms in affected areas and areas where soil unsuitable for preparatory work for sowing	N	N	N	N		N	N	Y	N	Y		Y	N		Y		Y	

BR: Regulation (EU) No 1307/2013, DR: Delegated Regulation (EU) No 639/2014

**Table A.17 Derogation related to drought in 2018: Shorter than 8 weeks 'retention period' for catch crops or green cover**

MS	Period for growing / retention period	
	Start date	End date
LT	15/08	20/09
NL	Period shortened to 6 weeks	
PL	Sowing between 01/07 - 20/08; period shortened to 6 weeks from the moment of sowing	
UK-EN	1/10	29/10
UK-SC	Period removed	

**Table A.18. Derogations from some greening requirements for claim year 2019 – UPTAKE of derogations by MS**

Filled box indicates whether MS was covered by the derogation of which: **Y** - MS decided to apply it, **N** - MS decided not to apply it

COMMISSION IMPLEMENTING DECISION (EU) 2019/1389		BE-Flanders	FR	ES	LT	PL	PT
Art 1	LLF remains distinct crop even if grazed/ harvested	Y	Y	N	Y	Y	Y
Art 2	LLF remains as EFA even if harvested/grazed	Y	Y	Y	Y	Y	Y
Art 3(a)	Catch crops without mixture counted for EFA if grass or herb forage sown	Y	Y		Y	Y	
Art (3b)	Catch crops for EFA may include winter crops provided sown for harvesting for forage or for grazing	Y	Y		N	Y	
Art 4	Catch crops for EFA with shorter (than 8 weeks) retention provided followed by winter crops		N		Y	Y	

**Table A.19. Derogations from some greening requirements for claim year 2022 – UPTAKE of derogations by MS**

MS	decision to apply any of the derogations R (EU) 2022/484	Article 1(1) LLF considered as a distinct crop under crop diversification even though land has been grazed or harvested for production purpose or has been cultivated	Article 1(2) LLF considered as EFA even though land has been grazed or harvested for production purpose or has been cultivated	Article 1 (2) decision to allow the use of plant protection products on those EFA grazed or harvested for production purpose or where cultivated.
BE-FI	Yes	x	x	x
BE-W	Yes	x	x	
BG	Yes	x	x	x
CZ	Yes		x	x
DK	No			
DE	No			
EE	Yes		x	x
IE	No			
EL	Yes	x	x	x
ES	Yes	x	x	x
FR	Yes	x	x	x
HR	Yes	x	x	x
IT	Yes	x	x	x
CY	Yes	x	x	x
LV	Yes	x	x	x
LT	Yes	x	x	x
LU	Yes	x	x	x
HU	Yes	x	x	x
MT	No			
NL	No			
AT	Yes	x	x	x
PL	Yes	x	x	x
PT	Yes	x	x	x
RO	No			
SI	Yes	x	x	x
SK	Yes	x	x	x
FI	Yes	x	x	x
SE	Yes	x	x	x