



European  
Commission

**Direct payments post 2014  
Decisions taken by Member States by 1 August 2014  
- State of play on 07.05.2015-**

***Information note***

This note provides an overview of the main features of the implementation of the new direct payments system. It is based on the decisions taken by the Member States and notified to the Commission (as they stood on 07.05.2015).

## 1. INTRODUCTION

Regulation (EU) No 1307/2013 and its delegated and implementing acts require Member States to notify the Commission their decisions made in accordance with the underlying legal provisions. By 1 August 2014, Member States had to notify the Commission their main policy choices in respect of the direct payments' implementation and their corresponding financial allocations.

In particular, by 1 August 2014, Member States had to notify on:

- (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), voluntary coupled support (VCS) and small farmers' 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.
- (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. These elements are not covered in the present note.

## 2. PROCEDURE

DG AGRI services have assessed the completeness and consistency of the notifications transmitted by 1 August 2014. Member States had to fill up to 20 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. Close to 100 bilateral contacts were taken in this framework over the whole year 2014. In line with the relevant regulatory framework, the Commission does not approve/disapprove the notifications and Member States remain the only ones responsible for the decisions they have taken in implementing the reform. 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**: a specific procedure for approving the VCS exists by which the Commission approves or rejects Member States notification when the latter represent more than 13% (or 15%) of their national envelope, pursuant to Article 55 of Regulation (EU) No 1307/2013. The 3 Member States (BE, FI, PT) for which this specific procedure applies have each received two letters highlighting the issues at stake and indicating the need for additional information. Once their notification was complete, the Commission had four months to adopt an implementing act approving or rejecting the decisions of these Member States. This is in accordance with Article 12 of Commission Regulation 641/2014. These decisions were adopted for BE, PT and Finland respectively on 18 March, 4 and 19 May 2015.
- (2) The **equivalence mechanism under greening**: for the five Member States that opted for equivalent practices under the greening (FR, AT, NL, PL and IE), 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 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. This assessment was communicated to the five Member States in early March.

### 3. MAIN RESULTS: DIRECT PAYMENTS EXCEPT GREENING

#### 3.1. Flexibility between pillars

The percentages of the annual financial envelope for direct payments<sup>1</sup> (FR, LV, UK, BE, CZ, DK, EE, DE, EL, NL, RO) and of the annual envelope available for Rural Development<sup>2</sup> (HR, MT, PL, SK, HU) that 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
Claim year	2014	2015	2016	2017	2018	2019
FR	3.0%	3.3%	3.3%	3.3%	3.3%	3.3%
LV	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%
UK	10.8%	10.8%	10.8%	10.8%	10.8%	10.8%
BE		2.3%	3.5%	3.5%	4.6%	4.6%
CZ		3.4%	3.4%	3.4%	1.3%	1.3%
DK		5.0%	6.0%	7.0%	7.0%	7.0%
DE		4.5%	4.5%	4.5%	4.5%	4.5%
EE		6.1%	14.3%	15.0%	14.9%	15.0%
EL		5.0%	5.0%	5.0%	5.0%	5.0%
NL		4.0%	4.1%	4.2%	4.2%	4.3%
RO		1.8%	2.3%	2.2%	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
Claim year	2014	2015	2016	2017	2018	2019
HR	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
MT	0.0%	0.8%	1.6%	2.4%	3.1%	3.8%
PL	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
SK	21.3%	21.3%	21.3%	21.3%	21.3%	21.3%
HU		15.0%	15.0%	15.0%	15.0%	15.0%

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 11.** The total amount transferred over the 6 years is **6.4 billion EUR**.

**Five Member States have operated transfers from pillar II to pillar I.** The total amount transferred over the 6 years is **3.4 billion EUR**.

The **net result** of all these transfers, without prejudice to the possible review Member States could make in 2017 for the years 2018 and 2019 is thus a **total transfer from pillar I to pillar II of EUR 3 billion over 6 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<sup>3</sup>.

<sup>1</sup> Fixed in Annex II to Regulation of the European Parliament and the Council (EU) No 1307/2013

<sup>2</sup> Fixed in Annex I to Regulation of the European Parliament and the Council (EU) No 1305/2013

<sup>3</sup> Commission Delegated Regulation (EU) No 1378/2014 of 17.10.2014, O.J. L367 of 23.12.2014, p.16

### 3.2. Main policy choices

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

**Table 2: Main policy decisions**

	SAPS	Regionalised BPS in accordance with Article 23	Redistributive payment	No reduction of payment	Payment for areas with natural constraints	VCS	SFS
BE			✓ <sup>4</sup>	✓ <sup>5</sup>		✓	
BG	✓		✓			✓	✓
CZ	✓					✓	
DK					✓	✓	
DE		✓	✓	✓			✓
EE	✓					✓	✓
IE						✓	
EL		✓				✓	✓
ES		✓				✓	✓
FR		✓	✓	✓		✓	
HR			✓	✓		✓	✓
IT						✓	✓
CY	✓					✓	
LV	✓					✓	✓
LT	✓		✓	✓		✓	
LU						✓	
HU	✓					✓	✓
MT						✓	✓
NL						✓	
AT						✓	✓
PL	✓		✓			✓	✓
PT						✓	✓
RO	✓		✓	✓		✓	✓
SI						✓	✓
SK	✓					✓	
FI		✓				✓	
SE						✓	
UK		✓ <sup>6</sup>				✓	
	<b>10</b>	<b>6</b>	<b>8</b>	<b>6</b>	<b>1</b>	<b>27</b>	<b>15</b>

<sup>4</sup> Wallonia only

<sup>5</sup> Wallonia only

<sup>6</sup> Except Northern Ireland (and Wales is pending following national Court decision against BPS model)

- **The 10 Member States currently applying the SAPS have decided to maintain** this form of basic payment until the end of 2020. 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 2018 at the latest;
- Amongst the 18 other Member States, **6 opted for the possibility offered under Article 23 of the basic act to regionalise the BPS;**
- A total of **8 Member States will implement the redistributive payment:** BE (Wallonia only), BG, DE, FR, HR, LT, PL and RO. Amongst these, **6 have decided not to apply the reduction of payments mechanism;** PL and BG will grant the redistributive payment while applying the reduction of payments mechanism;
- **1 Member State (DK) will put in place the ANC payment** under the first pillar;
- **27 Member States will implement the VCS** (the only one not applying VCS is DE);
- **15 Member States will implement 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:

- Based on the notifications, the share of the amount of direct payments available for EU-28 in 2015 on the basis of Annex II of the basic act<sup>7</sup> that is left for the **basic payment (BPS/SAPS) amounts to 55% in total before overbooking<sup>8</sup> 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 MEUR 3 to VCS; it will grant only 12.4% of its Annex II amount in the form of BPS.
- The Member States plans for VCS result in **10% of the total share** of the amount available for direct payments in EU 28 in accordance with Annex II of the basic act being **allocated to VCS in 2015.**
- The funds allocated to the **redistributive payment** are significantly lower than those available for the scheme in accordance with the regulation (30%), with Member States having allocated **between 5 and 15% of their national envelope to the scheme.** To be noted that the ceiling for the redistributive payment may be modified on a yearly basis; subject to a possible review, FR has already notified its intention to progressively increase the share of its Annex II it will dedicate to the scheme (5% in 2015, 10% in 2016, 15% in 2017 and 20% for the remaining years).

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<sup>7</sup> Annex II to Regulation (EU) No 1307/2013 provides for national ceilings for direct payments

<sup>8</sup> As provided for in Article 22(2) of Regulation (EU) No 1307/2013

**Table 3: Financial allocations amongst the schemes for the year 2015 (in terms of percentages of Annex II)**

	BPS <sup>9</sup>	SAPS	Redistributive	YFP	ANC	VCS
BE	42.1%		9.3%	1.9%		16.7%
BG <sup>10</sup>		47.5%	7.1%	0.5%		15.0%
CZ		54.8%		0.2%		15.0%
DK	64.9%			2.0%	0.3%	2.8%
DE	62.0%		7.0%	1.0%		
EE		66.0%		0.3%		3.7%
IE	67.8%			2.0%		0.2%
EL	60.6%			2.0%		7.4%
ES	55.9%			2.0%		12.1%
FR	49.0%		5.0%	1.0%		15.0%
HR	43.0%		10.0%	2.0%		15.0%
IT	58.0%			1.0%		11.0%
CY		61.1%		1.0%		7.9%
LV		53.5%		1.5%		15.0%
LT		38.3%	15.0%	1.8%		15.0%
LU	68.0%			1.5%		0.5%
HU		54.8%		0.2%		15.0%
MT	12.4%			0.4%		57.2%
NL	67.5%			2.0%		0.5%
AT	65.9%			2.0%		2.1%
PL		45.7%	8.3%	1.0%		15.0%
PT	47.2%			2.0%		20.8%
RO <sup>9</sup>		50.7%	5.2%	1.8%		12.3%
SI	54.0%			1.0%		15.0%
SK		56.5%		0.5%		13.0%
FI	49.0%			1.0%		20.0%
SE	55.0%			2.0%		13.0%
UK	66.6%			1.7%		1.7%
<b>TOTAL</b>	<b>55.4%</b>					<b>10.0%</b>

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

### 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.1 in Annex):

- In parallel with their decision to implement the redistributive payment, **6 Member States will not apply the reduction of payments' mechanism** (BE (Wallonia only), DE, FR, HR, LT and RO),
- **9 Member States will cap the amounts of basic payments** (BE-Flanders, BG, IE, EL, IT, HU, AT, PL, UK (except England)) at maximum amounts ranging from EUR 150 000 (BE-Flanders, IE, EL, AT, PL, UK-Northern Ireland) to EUR 600 000 (UK-Scotland),

<sup>9</sup> Before overbooking of the BPS ceiling as provided for in Article 22(2) of Regulation (EU) No 1307/2013.

<sup>10</sup> As provided for in Article 16 of Regulation (EU) No 1307/2013, for BG and RO, the ceilings fixed in accordance with Articles 42 (redistributive payment), 47 (greening), 49 (payments for areas with natural constraints), 51 (young farmer's payment), 53 (voluntary coupled support) and 65 (small farmer scheme) shall, for 2015, be established on the basis of the amount set out in point A of Annex V to the same Regulation.

- **15 Member States** (CZ, DK, EE, ES, CY, LV, LU, MT, NL, PT, SI, SK, FI, SE, UK-England) **opted for applying only the minimum reduction of 5%** on amounts of basic payments above EUR 150 000,
- Also to be noted that 9 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 and SI,
- Based on the notifications from Member States regarding their estimates, **the estimated product of the reduction of payments' mechanism for the 5 years 2015-2019 amounts to MEUR 558** (around MEUR 112/year). As foreseen by the EU legislation, such amounts have been transferred to Rural Development<sup>11</sup>.

### 3.5. The basic payment scheme

Amongst the 18 Member States that will implement the BPS, **6 will 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), UK (regional model applied within each UK region<sup>12</sup> with the exception of Northern Ireland)<sup>13</sup>.

In terms of convergence of the value of the payment entitlements, 8 Member States have opted for **a form of flat rate at national or regional level**: DE, FR-Corsica, MT and UK-England from 2015, NL, AT, FI, UK-Scotland and Wales by 2019, and SE in 2020.

Amongst those that will approximate the value of payment entitlements towards the average value in 2019 (so called "tunnel model"), 7 will use the possibility to **limit the decrease in the value of the entitlements** in 2019 compared to their initial unit value **to 30%**<sup>14</sup> (EL, ES, FR except Corsica, IT, PT, SI, BE).

### 3.6. The voluntary coupled support

Out of the 27 Member States that will implement the VCS:

- 9 have allocated **less than 8%** to the scheme for 2015 and 2016 (CY, DK, EE, EL, IE, LU, NL, AT, UK),
- **11 will use the maximum percentage of 13%** (BG, CZ, FR, HR, HU, LT, LV, PL, SE, SI, SK) with all of them but SE and SK also using all or part of the additional 2% available as they have dedicated at least 2% of their national envelope to supporting the protein crops sector,
- As can be depicted from the graph below, 3 Member States needed to obtain approval from the Commission in view of their decision to allocate more than 13% (+ 2%) to the VCS: BE, FI, PT:

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<sup>11</sup> Commission Delegated Regulation (EU) No 1378/2014 of 17 October 2014, O.J. L367 of 23.12.2014, p.16

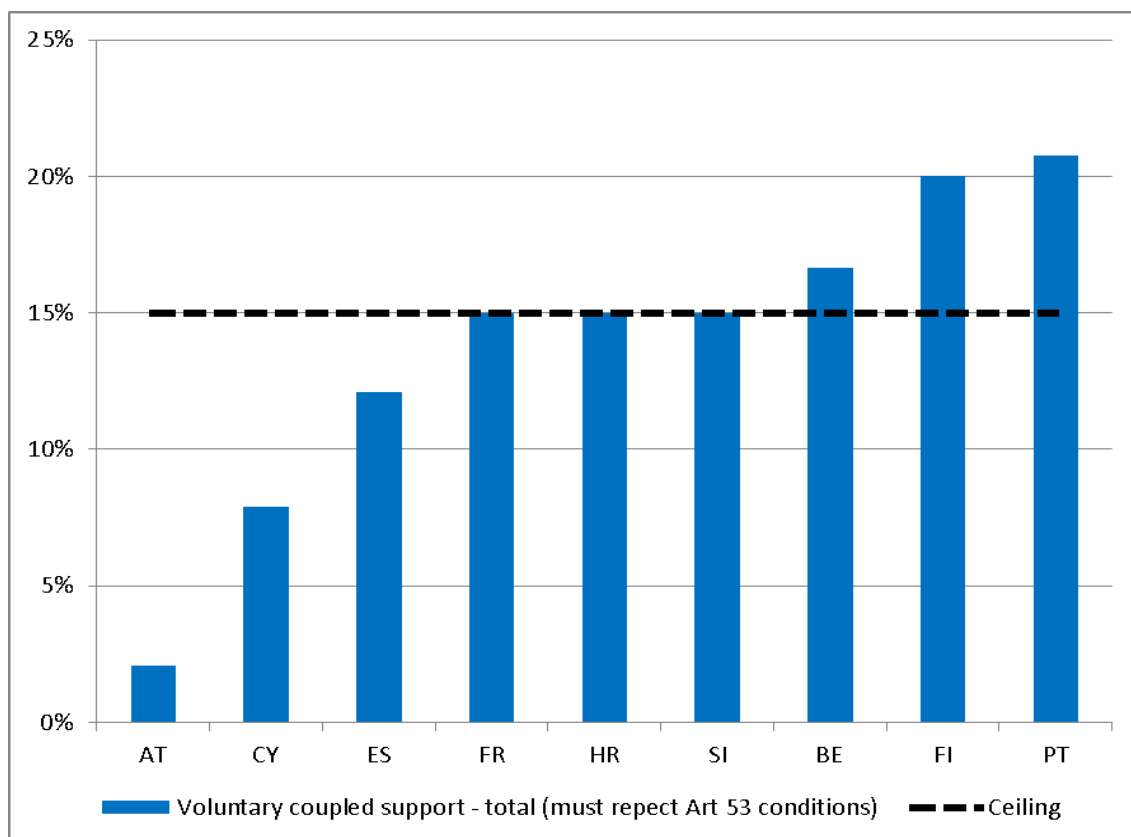
<sup>12</sup> Wales decision is pending following a national Court decision against the initial regionalised BPS model

<sup>13</sup> Scotland: 3 regions; Wales: 3 regions; England: 3 regions

<sup>14</sup> As provided for in Article 25(7) of Regulation (EU) No 1307/2013



**Graph 1: Voluntary coupled support – Implementation of VCS by Member States that could grant more than 13 (or 13+2)% to VCS upon approval by the Commission**



- 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 2015 at 57.2%.

An overview of the sectors Member States have decided to support by implementing the VCS is available in Annex (Table A.2). The total amount Member States are planning to spend is set to **EUR 4.1 billion** (in 2015) which are to be distributed among the total of **259 measures**.

The **most supported sectors** are: **beef and veal** (42% of total amount), **dairy products** (20%), **sheep and goat meat** (12%), **protein crops** (10%) and **fruit and vegetables** (5%). Ten Member States have decided to support the **sugar sector** for a total of 4% of the total envelope allocated to the scheme in the EU. These percentages take into account the sectors supported via the regional measures implemented in IT (olive oil, soya, protein crops, grain legumes, and durum wheat), PL (hops) and the UK (beef and veal and sheep and goat meat).

From the list established in Article 52(2) of the basic act, the sectors or productions that were not targeted are: cane and chicory, short rotation coppice and dried fodder.

### 3.7. The redistributive payment

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, **3 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). 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>133</b>	EUR
BG	The first	<b>30</b>	eligible hectares declared	<b>77</b>	EUR
HR	The first	<b>20</b>	entitlements activated	<b>34</b>	EUR
FR	The first	<b>52</b>	entitlements activated	<b>25</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>50</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>41</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>45</b>	EUR

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

### 3.8. The small farmer scheme

From the **15 Member States** that will implement the **SFS**, **8 have opted for simply granting the amount due every year** on the basis of the standard system (BG, DE, EE, EL, AT, PL, RO and MT). BG will in addition round the amounts below EUR 500 to EUR 500.

Five other Member States have opted for the possibility to grant the **amount of aid due to each participant for 2015**: ES, SI, HR, IT, HU. The last 3 Member States in this list will however adjust this amount over the years in line with external convergence as foreseen by the Regulation. HU will in addition round the amounts below EUR 500 to EUR 500. HR and SI have set the level of the maximum amount at respectively EUR 657 and EUR 1 050.

**Two Member States will grant the SFS in the form of a lump sum equal for all participants**: LV and PT (EUR 500 each).

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

Concerning the **minimum requirements**, Member States have decided to put the threshold amount between € 100 and € 500. As far as the area threshold is concerned, it is ranging from 0.3 ha (CY and MT) to 5 ha (UK/EN):

**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	
DK		2	€ 300
DE		1	
EE		1	€ 100
IE	€ 100		
EL	€ 250		
ES	€ 100/200/300		
FR	€ 200		
HR		1	€ 100
IT	€ 250 (€ 300 from 2017)		
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
UK/EN		5	
UK/NI		3	
UK/SC		3	€ 100
UK/W		5	

As regards the implementation of **active farmer clause**, the decisions of Member States are shown in Table A.4 of the Annex.

In respect of the implementation of the negative list:

- 8 Member States (BG, DE, EE, IT, MT, NL, RO, UK-SC) decided to add activities or businesses **to the negative list** (full list of entities added to the negative list is available in **Table A.5**),
- To allow entities on the list to **prove that their agricultural activities are not insignificant** (Article 9.2.b of the basic act), 21 Member States will offer the evidence proposed in the delegated act<sup>15</sup>, namely that more than one third of total income is obtained from agricultural activities. Finland will use a lower threshold (5%) and 8 Member States will use an alternative criteria.
- 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), 11 Member States will use the official business register or equivalent register(s), 4 will

<sup>15</sup> Article 13(1) of Commission Regulation (EU) No 639/2014, O.J. L 181, 20.06.2014, p. 1

use equivalent evidence, 7 will use an alternative criteria, and 7 Member States decided to combine the use of register(s) and alternative criteria.

**Four Member States** (EL, ES, IT and NL) 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).

Concerning the **threshold of direct payments under which the farmer is exempted from the application of the active farmer clause**<sup>16</sup>, one Member State decided to set it at 0 (BE-Flanders), while most of them decided to use the maximum threshold of EUR 5 000 (18 Member States). Italy decided to use a different threshold for mountain areas (EUR 5 000) and outside the mountain areas (EUR 1 250).

#### **4. MAIN RESULTS: THE GREENING COMPONENT OF DIRECT PAYMENTS**

##### **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 will 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 and UK-Scotland will differentiate the greening payment granted as a flat rate amongst the regions established for the purpose of the BPS.

##### **4.2. Equivalence**<sup>17</sup>

Five Member States notified their intention to offer their farmers the possibility to meet (some of) their greening obligations through equivalent practices. Three of them through agri-environment and climate measures (AECM) (AT, IE, PL) and two under certification schemes (NL, FR). Crop diversification was a dominant choice for equivalent practice among those countries. EFA was chosen by two Member State while permanent grassland was chosen by one Member State. The positive assessment by the Commission of these practices was made by the end of February (see also Table A.7 in Annex). In the letters that were sent to each of the five Member States in early March, they were informed of this assessment and asked to provide the Commission services with replies to the remaining questions and comments made regarding the detailed implementation of the schemes.

##### **4.3. Ecological Focus Area (EFA)**

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

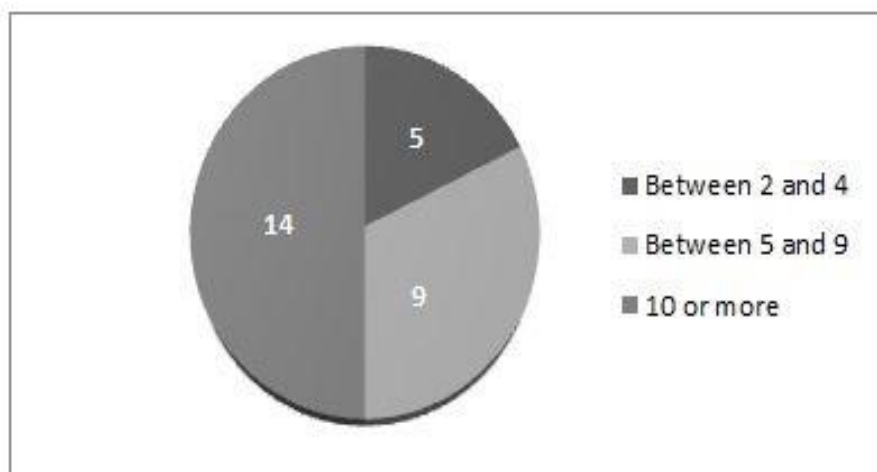
Only two Member States (NL and PL) will allow for collective implementation of EFA obligations. No Member State decided to apply regional level implementation.

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

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<sup>16</sup> Except 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.

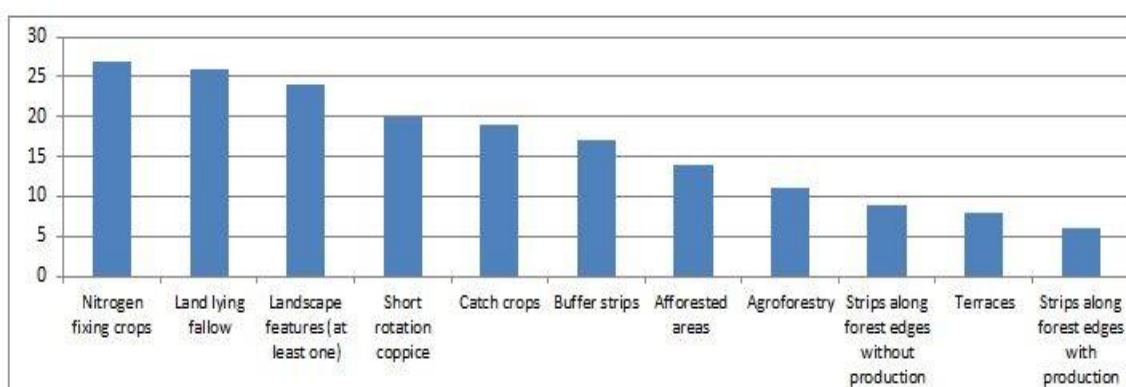
<sup>17</sup> UK and BE sent notifications on regional basis; in this chapter UK and BE are counted if at least one region made a given choice.

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

The **choice of elements** that farmers may use to fulfil their EFA obligation varies between Member States. A group of 5 Member States offers a limited selection of elements (2-4): FI, LT, NL, SI and ES. In contrast, another group of 14 MS offers an extensive list of elements (10 or more): AT, BE, BG, HR, CZ, FR, DE, HU, IE, IT, LU, PL, RO, SK. Nine Member States opted for an intermediate list: CY, DK, EE, EL, LV, MT, PT, SE and UK.

Among the chosen EFA elements, the most dominant is the nitrogen-fixing crops (all MS except DK), followed by land lying fallow (all except NL, RO), landscape features (at least one) (24 MS), short rotation coppice (20 MS), catch crops (19 MS), buffer strips (17 MS), afforested areas (14 MS), agroforestry areas (11 MS), strips along forest edges without production (9 MS), terraces (8 MS) and, finally, strips along forest edges with production (6 MS).

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

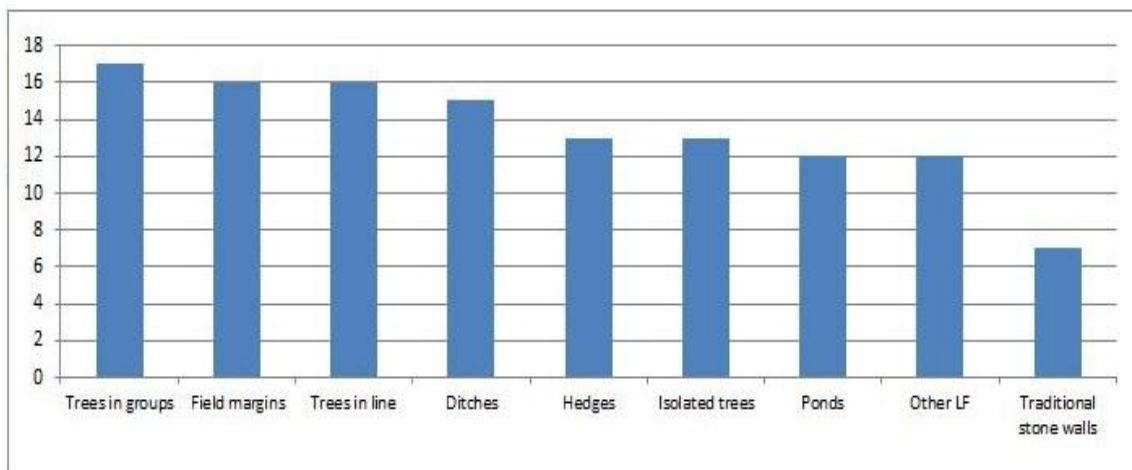
**Graph 3: Number of Member States selecting each EFA type**

In terms of EFA detailed choices:

- Among **landscape features**, 24 Member States activated at least one landscape feature. The most popular were trees in groups (17 MS), followed by field margins (16 MS), trees in line (16 MS), ditches (15 MS), hedges (13 MS), isolated trees (13 MS), ponds (12 MS) and traditional stone walls (7 MS). 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. Four countries (FR, NL, RO, SE) and two (BE, UK) in some region(s) only decided to apply only the Article 45 definition while twenty would

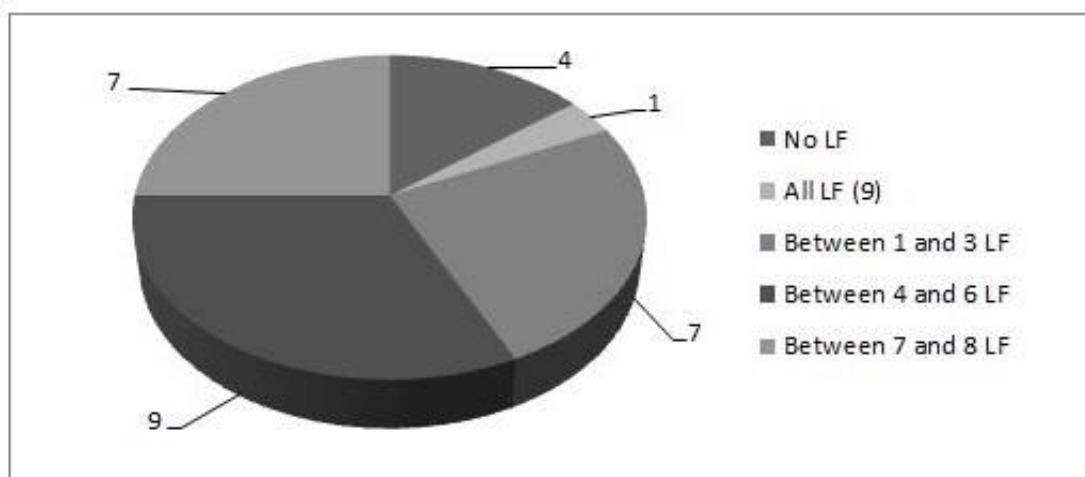
allow cross-compliance elements (AT, BE, BG, HR, CZ, DK, EE, FI, DE, GR, HU, IE, IT, LV, LU, MT, PL, PT, SK and UK; BE and UK in some region(s) only) including, for 12 of them, also other landscape features protected under cross-compliance. GAEC 7 was the main choice for countries which opted for cross-compliance on their own or in addition to those defined in Article 45. Dimension limits could be set based on standard EFA or on cross-compliance elements: these choices vary between Member States and EFA, with many countries opting for lower dimension limits compared to the one in Article 45.

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



- On **buffer strips** required under cross-compliance, Member States adopted different approaches to dimension limits on minimum and maximum width, ranging from 1 to 50 meters. Ten Member States activated also "other buffer strips" i.e., those not required under cross-compliance. Almost all countries decided to include strips of riparian vegetation in the buffer strip. All opted to allow grazing or cutting on buffer strip as derogation to the non-production requirement.

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



- Countries that activated **short rotation coppice (SRC)** chose between 2 to 11 species, most popular being willow (*Salix*) (20 MS), poplar (*Populus*) (17), alder (*Alnus*) (14), birch (*Betula*) (11) and ash (*Fraxinus*) (11). Almost all Member States specified which inputs (either mineral fertilisers and/or plant production products) should be banned.
- Approaches to the categorisation of crop mixtures required under the **catch crop EFA** also differs depending on Member States. The indicated period of sowing usually spreads from July to September; however some Member States notified a longer period starting from May-June. 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 different crop categories), a required minimum presence of crops on the field and conditions on the use of inputs.

- Countries opting for **nitrogen-fixing crops (NFC)** chose between 4 and 19 crops the most popular being: faba bean (*Vicia faba*) (all MS), pea (*Pisum spp*) (26), alfalfa (*Medicago*) (26), lupin (*Lupinus*) (24), and clover (*Trifolium*) (24). The majority elaborated on biodiversity criteria underlying their choice of NFC, while the arguments given by few Member States were short and generic. Many decided, in the light of the Nitrates Directive, to allow NFC on the entire territory while others did not provide any specific information on the geographical location. A number of Member States pointed out specific limitations or conditions relating to mitigation of the risk of nitrogen leaching. 13 countries specified production methods.

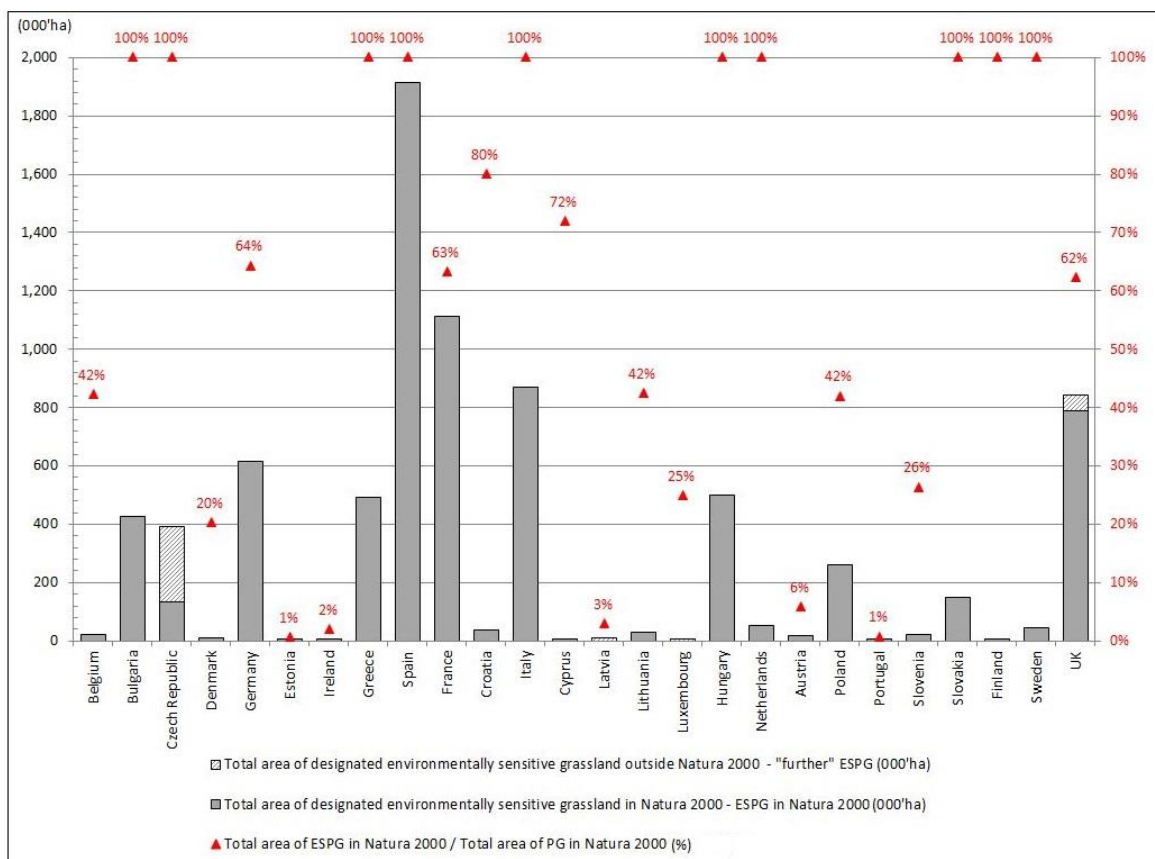
#### 4.4. Permanent grassland

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 Graph 6 and Table A.13.

- The approaches to the designation of ESPG in Natura 2000 areas differ between MS. Ten Member States designated all the grassland in Natura 2000, five Member States between 50% and 100%, while eleven Member States designated less than half of the grassland.
- 4 Member States decided to designate ESPG outside Natura 2000 areas (CZ, LV, LU, UK-WA).

**Graph 6: Environmentally Sensitive Permanent Grassland per Member State**

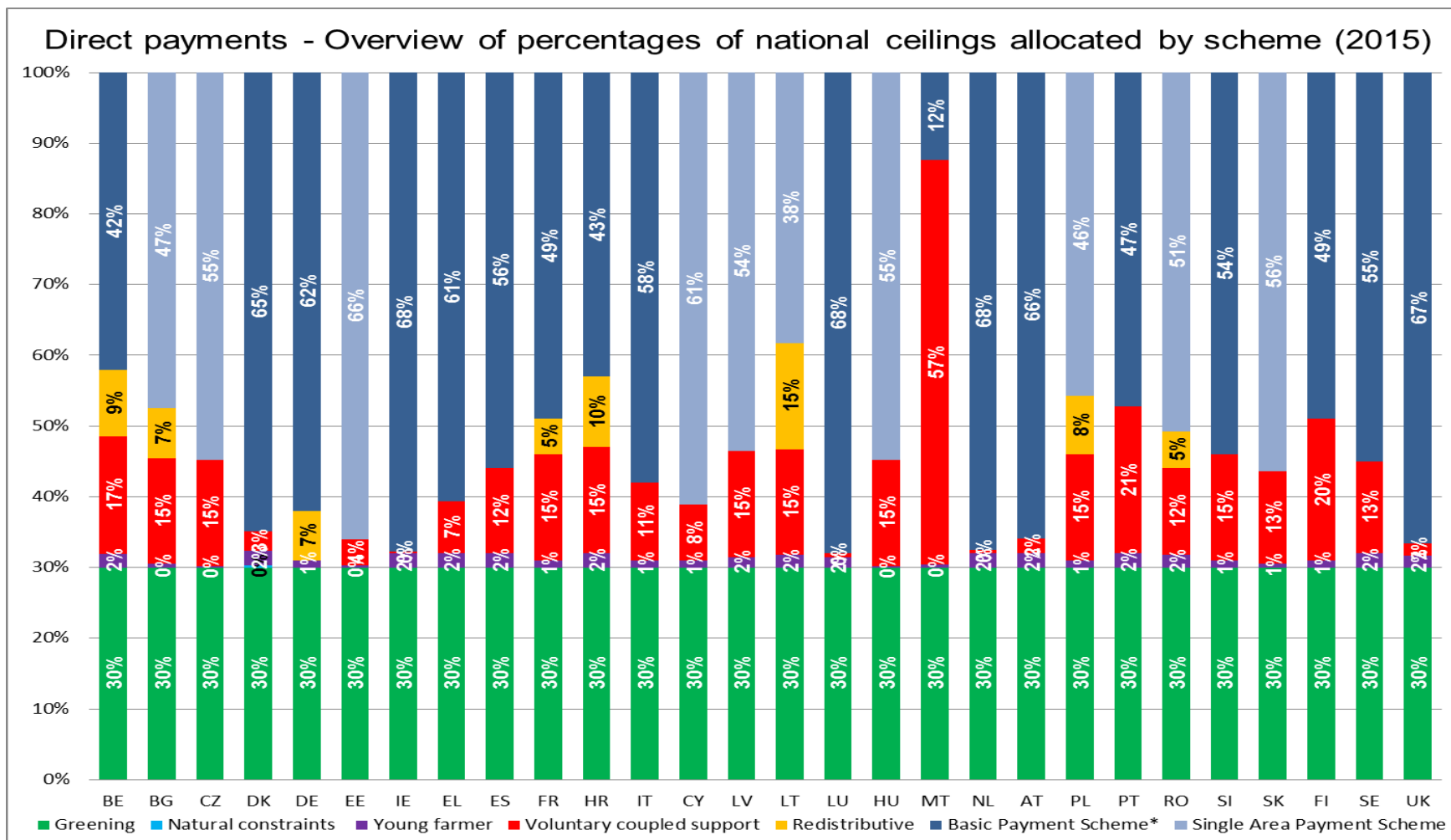


Note: MT reported no grassland, RO - no information

## **Annexes**



**Graph A.1: Distribution of funds amongst the DP schemes – Claim year 2015**



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.1: Reduction of payments**

Amounts above	Reduction %	BE/FL	BE/W	BG	CZ	DK	DE	EE	IE	EL	ES	FR	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK/EN	UK/NI	UK/SC	UK/W	
€ 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.2: Voluntary coupled support – Claim year 2015 - Sectors supported**

Sector	AT	BE	BG	CY	CZ	DK	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK	Share of total VCS
Beef and veal	√	√	√		√	√	√	√	√	√	√	√	√		√	√		√	√	√	√	√	√	√	√	√	√	42%
Cereals								√		√	√				√			√							√			2%
Dried fodder																												0%
Flax																					√							0%
Fruit and vegetables			√	√	√		√	√	√	√	√	√	√		√	√		√	√		√	√	√		√	√		5%
Grain legumes								√	√						√								√					0%
Hemp											√										√		√					0%
Hops					√						√										√		√			√		0%
Milk and milk products		√	√	√	√		√		√	√	√	√	√		√	√		√	√		√	√	√		√	√		20%
Nuts									√																			0%
Oilseeds															√			√										0%
Olive oil															√													2%
Protein crops			√		√			√	√	√	√	√	√	√	√	√	√	√			√		√		√			10%
Rice								√	√				√		√							√	√					1%
Seeds								√			√							√					√					0%
Sheepmeat and goatmeat	√	√	√	√	√		√	√	√	√	√	√	√		√	√		√	√	√	√	√	√			√	√	12%
Silkworms								√															√					0%
Starch potato					√					√	√							√			√							0%
Sugar beet					√			√	√	√		√	√		√						√		√			√		4%
Cane & Chicory																												0%
Short rotation coppice																												0%

**Table A.3: Small farmer scheme (SFS)**

	BG	DE	EE	EL	ES	HR	IT	LV	HU	MT	AT	PL	PT	RO	SI
Amount due each year, in accordance with Article 63(2)(a)	x	x	x	x						x	x	x		x	
A lump sum, in accordance with Article 63(1)(b)								x					x		
Amount due in 2015, in accordance with Article 63(2)(b)					x										x
Amount due in 2015 adjusted in line with Annex II, in accordance with Article 63(2)(b)						x	x		x						
Maximum amount	€ 1.250	€ 1.250	€ 1.250	€ 1.250	€ 1.250	€ 657	€ 1.250	€ 500	€ 1.250	€ 1.250	€ 1.250	€ 1.250	€ 500	€ 1.250	€ 1.050
Rounding up	Yes	No	No	No	No	No	No	Yes	Yes	No	No	No	Yes	No	No

**Table A.4: Active farmer clause: overview**

	Number of MS concerned	MS
<b>Addition to the negative list</b>	8	BG, DE, EE, IT, MT, NL, RO, UK-SC
<b>Article 9.2.b "agricultural activities are not insignificant"</b>		
Agricultural income > 1/3 total income	21	AT, BG, CY, CZ, DK, FR, EL, HR, IE, IT, LT, LV, MT, NL, PL, PT, RO, SE, SI, UK-SC, BE
Agricultural income > [%] total income, with [%]<1/3	1	FI (5%)
Alternative criteria	8	DE, ES, HU, SK, UK-EN, UK-NI, UK-W, LU
<b>Article 9.2.c "principal business or company objects consist of exercising an agricultural activity"</b>		
Official business register or equivalent register	11	AT, CY, HR, HU, IE, NL, PL, PT, SI, SK, FI
Equivalent evidence	4	BG, ES, SE, UK-SC
Alternative criteria	7	MT, UK-EN, UK-NI, UK-W, LV, BE, EL
Combination of the use of register(s) and alternative criteria	7	DE, DK, EE, LU, FR, IT, LT
<b>Article 9.3</b>	4	IT, EL, NL, ES
Of which implementation of <b>9.3.a</b> (exclusion of claimants whose agricultural activities form only an insignificant part of their economic activity)	3	IT, 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)	2	IT, ES
<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	18	CY, CZ, DE, DK, EE, HR, HU, IE, IT (in mountains areas), LV, PL, PT, RO, SE, SI, UK, EL, FI
Very low thresholds	5	FR (200), LU (100), NL (1), BE-FL (0), BE-WA (350)
Intermediate thresholds	7	AT (1250), BG (3000), ES (1250), SK (2000), IT (1250 outside mountain areas), LT (500), MT (250)

**Table A.5: 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>DE</b>	– Enterprises conducting mining
<b>EE</b>	– Forest management
<b>IT</b>	– Bank – Broker – Insurance – Public bodies
<b>MT</b>	– Governmental entities
<b>NL</b>	– National or regional governmental organisations – Organisations linked/related to national or regional governmental organisations
<b>UK-SC</b>	– Non-agricultural sporting estates
<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
<b>AT</b>	<b>Only RDP</b>	national	No	No
<b>BE</b>	No	<b>regional</b>	No	No
<b>BG</b>	No	national	No	No
<b>HR</b>	No	national	No	No
<b>CY</b>	No	national	No	No
<b>CZ</b>	No	national	No	No
<b>DK</b>	No	national	No	No
<b>EE</b>	No	national	No	<b>Yes</b>
<b>FI</b>	No	national	No	<b>Yes</b>
<b>FR</b>	<b>Only Certification Schemes</b>	<b>regional</b>	No	No
<b>DE</b>	No	<b>regional</b>	No	No
<b>EL</b>	No	national	No	No
<b>HU</b>	No	national	No	No
<b>IE</b>	<b>Only RDP</b>	national	No	No
<b>IT</b>	No	national	No	No
<b>LV</b>	No	national	No	<b>Yes</b>
<b>LI</b>	No	national	No	No
<b>LU</b>	No	national	No	No
<b>MT</b>	No	N/A	No	No
<b>NL</b>	<b>Only Certification Schemes</b>	national	<b>Only collective implementation</b>	No
<b>PL</b>	<b>Only RDP</b>	national	<b>Only collective implementation</b>	No
<b>PT</b>	No	national	No	No
<b>RO</b>	No	national	No	No
<b>SK</b>	No	national	No	No
<b>SI</b>	No	national	No	No
<b>ES</b>	No	national	No	No
<b>SE</b>	No	national	No	<b>Yes</b>
<b>UK</b>	No	<b>regional</b>	No	No

**Table A.7: Member States' choices on elements qualifying for Ecological Focus Area (EFA) (See explanation on next page)**

MS or region	a. Land lying fallow	b. Terraces	c.		d. Buffer strips		e. Ha of agro-forestry		f. Strips eligible ha along forest edges - NO PROD.		f. Strips eligible ha along forest edges - WITH PROD.		g. Areas with short rotation coppice		h. Afforested areas	i. Areas with catch crops or green cover	j. Areas with nitrogen fixing crops	EFA /MS or region (*)				
			C	W	C	W	C	W	C	W	C	W										
BE-FL	Yes	No	-	-	5	2 N.A.	All	Yes	6	1,5	Yes	Yes	6	1,5	Yes	6	0,3	Yes	Yes	Yes	Yes	14
BE-WA	Yes	No	-	-	7	All	All	Yes	N.A	1,5	Yes	Yes	N.A	1,5	No	-	-	Yes	No	Yes	Yes	14
BG	Yes	Yes	2	1	7	All	All	Yes	6	1,5	No	Yes	6	1,5	No	-	-	Yes	No	Yes	Yes	14
CZ	Yes	Yes	N.A	N.A	5	None	All	No	-	-	No	No	-	-	No	-	-	Yes	Yes	Yes	Yes	11
DK	Yes	No	-	-	2	None	None	Yes	N.A	1,5	No	No	-	-	No	-	-	Yes	No	Yes	No	6
DE	Yes	Yes	2	1	8	5 N.A	1 N.A	Yes	N.A	1,5	Yes	Yes	N.A	1,5	No	-	-	Yes	Yes	Yes	Yes	17
EE	Yes	No	-	-	5	None	None	No	-	-	No	No	-	-	No	-	-	Yes	No	No	Yes	8
IE	Yes	No	-	-	5	All	All	Yes	6	1,5	No	No	-	-	No	-	-	Yes	Yes	Yes	Yes	11
EL	Yes	No	-	-	3	All	All	Yes	6	1,5	No	No	-	-	No	-	-	No	No	No	Yes	6
ES	Yes	No	-	-	0	None	None	No	-	-	Yes	No	-	-	No	-	-	No	Yes	No	Yes	4
FR	Yes	Yes	2	1	8	All	All	Yes	6	1,5	Yes	Yes	6	1,5	Yes	6	0,3	Yes	Yes	Yes	Yes	18
HR	Yes	No	-	-	7	All	All	Yes	6	1,5	No	Yes	6	1,5	No	-	-	Yes	No	Yes	Yes	13
IT	Yes	Yes	2	1	9	All	All	Yes	6	1,5	Yes	Yes	6	1,5	Yes	N.A	0,3	Yes	Yes	No	Yes	18
CY	Yes	No	-	-	0	None	None	Yes	6	1,5	Yes	No	-	-	No	-	-	No	Yes	No	Yes	5
LV	Yes	No	-	-	4	All	All	Yes	6	1,5	No	No	-	-	No	-	-	No	No	Yes	Yes	8
LT	Yes	No	-	-	0	None	None	No	-	-	No	No	-	-	No	-	-	No	No	No	Yes	2
LU	Yes	No	-	-	6	1 N.A	All	Yes	N.A	1,5	Yes	Yes	6	1,5	Yes	6	0,3	Yes	Yes	Yes	Yes	15
HU	Yes	Yes	2	1	8	3 N.A	All	Yes	N.A	1,5	Yes	Yes	N.A	1,5	Yes	N.A	0,3	Yes	Yes	Yes	Yes	18
MT	Yes	No	-	-	5	None	All	No	-	-	No	No	-	-	No	-	-	No	No	No	Yes	7
NL	No	No	-	-	1	None	None	No	-	-	No	No	-	-	No	-	-	Yes	No	Yes	Yes	4
	Yes	No	-	-	4	None	None	No	-	-	No	No	-	-	No	-	-	Yes	No	Yes	Yes	8
PL	Yes	No	-	-	7	All	All	Yes	6	1,5	No	Yes	6	1,5	Yes	6	0,3	Yes	Yes	Yes	Yes	15
PT	Yes	No	-	-	1	All	All	No	-	-	Yes	No	-	-	No	-	-	No	Yes	No	Yes	5
RO	No	Yes	2	1	7	All	All	Yes	6	1,5	No	No	-	-	No	-	-	Yes	Yes	Yes	Yes	13
SI	Yes	No	-	-	0	None	None	No	-	-	No	No	-	-	No	-	-	No	No	Yes	Yes	3
SK	Yes	Yes	N.A	N.A	4	None	All	Yes	N.A	1,5	No	No	-	-	No	-	-	Yes	No	Yes	Yes	10
FI	Yes	No	-	-	1	None	None	No	-	-	No	No	-	-	No	-	-	Yes	No	No	Yes	4
SE	Yes	No	-	-	1	All	All	No	-	-	Yes	No	-	-	No	-	-	Yes	No	Yes	Yes	6
UK-EN	Yes	No	-	-	1	None	None	Yes	6	1,5	No	No	-	-	No	-	-	No	No	Yes	Yes	6
UK-NI	Yes	No	-	-	4	All	All	No	-	-	Yes	No	-	-	No	-	-	Yes	Yes	No	Yes	9
UK-SC	Yes	No	-	-	1	None	All	Yes	N.A	1,5	No	No	-	-	No	-	-	No	No	Yes	Yes	5
UK-WA	Yes	No	-	-	2	All	All	No	-	-	No	No	-	-	No	-	-	Yes	Yes	No	Yes	6
MS/ EFA	26	8						17			11	9			6			20	14	19	27	



**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
None	For landscape features, MS did not activate any factor
2 N.A	For landscape features, it indicates the number of EFA where the factor is NOT activated
All	For landscape features, MS activated all factors for the activated landscape features

**LANDSCAPE FEATURES**

Further to Article 45 of Reg. (EU) No 639/2014MS can choose from 9 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.8: Ecological Focus Area (EFA) – Member States' choices for Landscape Features (LF)**

MS or region	Hedges or wooded strips	Isolated trees	Trees in line	Trees in groups - field copses	Field margins	Ponds	Ditches	Traditional stone walls	Other landscape features	LF / MS or region	Other landscape features description
<b>BE-FL</b>	Art. 45			Art. 45	Art. 45	Art. 45	Art. 45			<b>5</b>	
<b>BE-WA</b>	GAEC 7	GAEC 7	GAEC 7	GAEC 7	GAEC 7	GAEC 7	GAEC 7			<b>7</b>	
<b>BG</b>	Art. 45	Art. 45	Art. 45	Art. 45	Art. 45 GAEC 7	Art. 45	Art. 45			<b>7</b>	
<b>CZ</b>		GAEC 7	GAEC 7	GAEC 7	Art. 45		GAEC 7		GAEC 7	<b>6</b>	Field margins - slopes
<b>DK</b>						GAEC 7			GAEC7	<b>2</b>	Protected ancient monuments
<b>DE</b>	GAEC 7	GAEC 7	GAEC 7	GAEC 7	Art. 45 GAEC 7		GAEC 7	GAEC 7	GAEC 7	<b>8</b>	Wetlands, ponds, biotopes
<b>EE</b>	GAEC 7		GAEC 7	GAEC 7			GAEC 7	GAEC 7		<b>5</b>	
<b>IE</b>	GAEC 7		GAEC 7	Art. 45			GAEC 7		GAEC 7	<b>5</b>	Protected archaeological sites
<b>EL</b>			Art. 45 GAEC 7	Art. 45			Art. 45			<b>3</b>	
<b>FR</b>	Art. 45	Art. 45	Art. 45	Art. 45	Art. 45	Art. 45	Art. 45	Art. 45		<b>8</b>	
<b>HR</b>	GAEC 7	GAEC7	GAEC7	GAEC7		GAEC7	GAEC7	GAEC7		<b>7</b>	
<b>IT</b>	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3	Art. 45	Art. 45	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3	GAEC 7 SMR 2 SMR 3	Selected but no description	<b>9</b>	No description of other landscape features
<b>LV</b>				Art. 45	Art. 45	Art. 45			GAEC 7	<b>4</b>	Protected stones, trees and tree alleys
<b>LU</b>	SMR 2-3	SMR 2-3	SMR 2-3	SMR 2-3	Art. 45	SMR 2-3				<b>6</b>	
<b>HU</b>	Art. 45	Art. 45 GAEC 7	Art. 45	GAEC 7	Art. 45	GAEC 7	Art. 45		GAEC 7	<b>8</b>	Protected ancient monuments (cumanian mounds - shadoofs)
<b>MT</b>		Art. 45	Art. 45	Art. 45	Art. 45				GAEC7, SMR3	<b>5</b>	Vegetated Slopes - Garrigue
<b>NL</b>					Art. 45					<b>1</b>	
<b>AT</b>						GAEC 7	GAEC 7	GAEC 7	GAEC 7	<b>4</b>	Natural monuments
<b>PL</b>	Art. 45	Art. 45 GAEC 7	Art. 45	Art. 45	Art. 45	Art. 45 GAEC 7	Art. 45 GAEC 7			<b>7</b>	
<b>PT</b>									GAEC7, SMR2, SMR3	<b>1</b>	Landscape features linked to rice cultivation
<b>RO</b>	Art. 45	Art. 45	Art. 45	Art. 45	Art. 45	Art. 45	Art. 45			<b>7</b>	
<b>SK</b>		GAEC 7 SMR 2 SMR3	GAEC 7 SMR 2 SMR3	GAEC 7 SMR 2 SMR3	GAEC 7 SMR3					<b>4</b>	
<b>FI</b>									GAEC7	<b>1</b>	Protected trees, natural monuments
<b>SE</b>					Art. 45					<b>1</b>	
<b>UK-EN</b>	GAEC 7									<b>1</b>	
<b>UK-NI</b>	GAEC 7						GAEC 7	GAEC 7	GAEC 7	<b>4</b>	Protected archaeological sites
<b>UK-SC</b>					Art. 45					<b>1</b>	
<b>UK-WA</b>	Art. 45							Art. 45		<b>2</b>	
<b>MS/ LF</b>	<b>13</b>	<b>13</b>	<b>16</b>	<b>17</b>	<b>16</b>	<b>12</b>	<b>15</b>	<b>7</b>	<b>12</b>		

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.9: Ecological Focus Area (EFA) – Member States' choices for buffer strips**

Questions	BE-FL	BE-WA	BG	DK	DE	IE	EL	FR	HR	IT	CY	LV	LU	HU	PL	RO	SK	UK-EN	UK-SC	No of MS
<b>Buffer strips GAEC 1 - SMR 1 - SMR 10</b>	GAEC 1 SMR 1 SMR 10	GAEC 1 SMR 1	GAEC 1 SMR 1	SMR 1	GAEC 1 SMR 1	GAEC 1 SMR 1 SMR 10	GAEC 1 SMR 1	GAEC 1	GAEC 1	GAEC 1 SMR 1 SMR 10	GAEC 1 SMR 1	GAEC 1 SMR 1	SMR 1	GAEC 1 SMR 1 SMR 10	GAEC 1	GAEC 1 SMR 1 SMR 10	GAEC 1 SMR 1	GAEC 1	GAEC 1 SMR 1 SMR 10	
<b>Minimum width (m)</b>	Different limits	6	5	2	1	2	1	5	3	1	1	10	3	Different limits	5	1	10	1	10	
<b>Maximum width (m)</b>	NS	6	NS	NS	20	NS	1	10	20	5	50	NS	NS	NS	NS	5 GAEC 50 SMR	NS	NS	NS	
<b>Strip of riparian vegetation</b>	X	X	X					X	X	X	X	X				X	X	X	X	<b>10</b>
<b>Does MS / region allow grazing- cutting?</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	<b>17</b>
<b>Use of fertilisers</b>	Not allowed with conditions	Not allowed	Not allowed	NS	NS, NS	Not allowed	NS	NS	Not allowed specific rules	NS	NS	Not allowed	Not allowed specific rules	NS	Not allowed specific rules	National legislation	Not allowed	NS	Organic not allowed	
<b>Use of pesticides</b>	Not allowed with conditions	Not allowed																		
<b>Other buffer strips</b>	X		X	X	X			X				X	X		X		X	X	X	<b>10</b>
<b>Minimum width (m)</b>	5		1,00	NS	1,00			5,00				2,00	2,00		1,00		10,00	1,00	2,00	
<b>Maximum width (m)</b>	NS		10,00	9,00	20,00			10,00				6,00	10,00		10,00		NS	NS	20,00	
<b>Does MS / region allow grazing- cutting?</b>	X		X	X	X			X				X	X		X		X	X	X	<b>10</b>
<b>Use of fertilisers</b>	Not allowed		NS	NS	NS			NS				NS	NS		NS		NS	NS	NS	
<b>Use of pesticides</b>	Not allowed																			

NS: not specified

**Table A.10: Ecological Focus Area (EFA) – Member States' choices for catch crops/green cover**

MS or reg.	No of species	Undersowing, if specified	SMR 1 and other areas, if specified	Period for the sowing		Conditions on production methods, if specified
				Start date	End date	
BE FL	16 species			after harvesting the main crop	31-Aug (polders); 30-Sept (other regions)	<b>Presence in the field:</b> from 1-Sep till 15-Oct (polders); from 1-Oct till 1-Dec (loam regions); from 1-Oct till 1-Feb (other regions) <b>Input restrictions:</b> pesticides not allowed with exceptions; <b>Mixture conditions:</b> Minimal seed density
BE WA	24 species (grouped in 4 families)	Yes	Yes	01-Jun (undersowing) 01-Jul (others)	01-Oct	<b>Presence in the field:</b> Min 3 months; for vulnerable areas: until at least 15-Nov <b>Input restrictions:</b> mineral fertilisers and pesticides not allowed <b>Mixture conditions:</b> 1) Min 2 of different families 2) One component of significant presence 3) Max % thresholds for vulnerable areas (weight & area) <b>Other conditions:</b> prohibition of coated seeds; destruction only by mechanical means or freezing
BG	24 species (grouped in 2 families)			01-Sep	30-Sep	
CZ	28 species			20-Jun	20-Sep	
DK	4 families	Yes		01-Jan (undersowing)	31-May (undersowing); 30-Jun (undersowing in maize); 20-Aug (others)	Presence in the field: at the latest by 20-Oct
DE	84 species	Yes	Yes	16-Jul	01-Oct	<b>Input restrictions:</b> mineral fertilisers and pesticides not allowed <b>Mixture conditions:</b> Max % threshold (of seeds content) <b>Other conditions:</b> Only grazing allowed with sheep and goats
IE	14 species		Yes	15-Jul	15-Sep	<b>Presence in the field:</b> Min 10 weeks; must remain in place until 1-Dec
FR	42 species			01-Jul	01-Oct	
HR	26 species (grouped in 5 families)			01-Jun	15-Aug	
LV	1 crop family	Yes		15-Jun	15-Sep	
LU	31 species (+other non-listed crops)	Yes		01-Jul (catch crops); No requirement (undersowing)	01-Oct	<b>Presence in the field:</b> at least until 1-Jan <b>Mixture conditions:</b> Min % threshold (weight) for the listed component
HU	15 species			01-Jul	01-Oct	
NL	23 species (grouped in two categories)		Yes	15-Jul	01-Oct	<b>Presence in the field:</b> at least 10 weeks with exceptions <b>Input restrictions:</b> plant protection products not allowed with exceptions <b>Other conditions:</b> CC sown after growing maize on sand or loess soil not count as EFA
AT	Bee mixture: 28 species as examples Others: 2 groups [frost (& non-)resistant] species (examples)			A: 31-Jul, B: 20-Aug, C: 31-Aug, D: 20-Sep (See conditions)	A: 15-Oct, B: 15-Nov, C: 15-Feb N+1, D: 01-Mar N+1	<b>Presence in the field:</b> A: at least until 15-Oct <b>Mixture conditions:</b> A. min 5 (bee mixture) OR min 3; B. min 3; C. 3; D. min 2 (for each type of mixture different period of sowing applies)
PL	5 crop families			01-Jul	20-Aug or 01-Oct	<b>Presence in the field:</b> at least until 1-Oct (stubble intercrops); at least until 15-Feb (winter intercrops)
RO	Only green cover	Yes	Yes	01-Aug	15-Oct	
SI	9 species			01-Jun	01-Sep	Presence in the field: during 15-Sep and 16-Oct
SK	2 crop families			15-May	30-Sep	
SE	Only undersowing	Yes		Information not provided	15-Jun	
UK -EN	7 species	Yes		01-Jul	01-Oct	<b>Presence in the field:</b> Catch Crops must be visible by 31-Aug and retained until 1-Oct; Cover Crops: visible by 1-Oct and retained until 15-Jan N+1
UK- SC	7 species	Yes		01-Aug	01-Oct	<b>Presence in the field: Until 31 -De</b> <b>Other conditions:</b> when CC established, farmers must comply with SMR1 requirements

**Table A.11: Ecological Focus Area (EFA) – Member States' choices for Short Rotation Coppice**

MS / Species	Maple	Alder	Birch	Sweet chestnut	Hornbeam	Hazel	Ash	Walnut	Mulberry	Poplar	Wild cherry	Plane	Back locust	Oak	Willow	Rowan	Lime	Elm	Requirements for mineral fertilisers and plant protection products		
	Acer	Alnus	Betula	Castanea sativa	Carpinus	Corylus spp.	Fraxinus spp.	Juglans nigra	Morus	Populus	Prunus avium	Platanus	Robinia	Quercus	Salix	Sorbus aucuparia	Tilia	Ulmus	SRC / MS or region	Mineral fertilisers	Plant Protection Products
BE-FL	X	X				X	X			X					X			X	<b>7</b>	Not allowed	Pesticides not allowed
BE-WA	X	X	X		X	X				X	X				X	X	X		<b>10</b>	Not allowed	Pesticides not allowed. Herbicides allowed 1st year
BG		X				X			X	X		X			X		X	X	<b>8</b>	Allowed	PPP allowed only for poplars and willow up to 2y of age.
CZ		X				X	X			X					X				<b>5</b>	Not allowed	Not allowed
DK	X	X	X		X	X	X			X				X	X			X	<b>10</b>	Allowed	Not allowed
DE		X	X				X			X				X	X				<b>6</b>	Not allowed	Pesticides not allowed
EE															X				<b>1</b>	Not allowed	Not allowed
IE	X	X	X	X		X	X			X				X	X		X		<b>10</b>	Not allowed	Herbicides and insecticides not allowed for 2 years with exceptions
FR	X	X	X	X	X		X			X	X				X				<b>9</b>	Not allowed	Not allowed
HR		X	X	X	X		X			X					X				<b>7</b>	Not allowed	Pesticides not allowed
IT		X								X		X			X			X	<b>6</b>	Not allowed	Not allowed, except bio insecticides
LU	X	X	X							X					X				<b>5</b>	Not allowed	Pesticides not allowed. Herbicide allowed in 1 <sup>st</sup> year
HU	X	X					X	X		X				X	X				<b>7</b>	Not allowed	Pesticides not allowed
NL															X				<b>1</b>	Not allowed	Allowed
AT		X	X				X			X					X				<b>5</b>	No information	Allowed with conditions
PL			X							X					X				<b>3</b>	Allowed with limits	Not allowed
RO										X			X		X				<b>3</b>	Allowed with limits	Allowed with limits
SK		X	X	X	X		X			X	X				X				<b>8</b>	Not allowed	Not allowed
FI										X					X				<b>2</b>	Not allowed	Pesticides not allowed. Herbicides allowed in year 1 and after 31/08 in last year
SE															X				<b>1</b>	Allowed only in 1st year	Pesticides allowed in 1st year
UK-NI	X	X	X	X		X				X					X		X		<b>8</b>	Not allowed	Allowed until end of 2 year
UK-WA	X	X	X	X		X	X			X					X		X		<b>9</b>	Not allowed	Allowed
MS /SRC	<b>7</b>	<b>14</b>	<b>11</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>11</b>	<b>1</b>	<b>1</b>	<b>17</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>20</b>	<b>1</b>	<b>4</b>	<b>4</b>			

**Table A.12: Ecological Focus Area (EFA) – Member States' choices for Nitrogen-fixing crops**

Common name	Botanical name	AT	BE FL	BE Wa	BG	CR	CY	CZ	EST	FI	FR	DE	GR	HU	IE	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											4	
Crown vetch	<i>Coronilla varia</i>													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 (Goat's rue)	<i>Galega</i>																X																	1	
Soybean	<i>Glycine</i>	X	X	X	X	X		X		X	X	X				X						X		X	X	X		X	X			X		15	
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	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	X	X	24	
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	X	X	26	
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		14	
Bird's-foot	<i>Ornithopus</i>										X	X						X				X												4	
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	X	X	X	20	
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	X	X	X	26
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	24	
Fenugreek	<i>Trigonella</i>										X					X											X		X					4	
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	23	
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	X	27	
Bean	<i>Vigna spp.</i>				X	X	X		X		X		X		X	X				X					X				X	X	X	X		11	
<b>NFC / MS or region</b>		<b>9</b>	<b>6</b>	<b>5</b>	<b>14</b>	<b>13</b>	<b>10</b>	<b>14</b>	<b>10</b>	<b>9</b>	<b>18</b>	<b>13</b>	<b>11</b>	<b>14</b>	<b>7</b>	<b>19</b>	<b>10</b>	<b>11</b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>14</b>	<b>4</b>	<b>11</b>	<b>9</b>	<b>8</b>	<b>12</b>	<b>9</b>	<b>14</b>	<b>6</b>	<b>11</b>	<b>14</b>	<b>-</b>		

**Table A.13 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>Belgium - Flanders</b>	24,586.00	12,188.00	50%	42% (Belgium)		
<b>Belgium - Walonia</b>	25,850.00	9,050.00	35%			
<b>Bulgaria</b>	426,348.00	426,348.00	100%	100%	-	
<b>Czech Republic</b>	131,914.99	131,914.99	100%	100%	257,767.56	195%
<b>Denmark</b>	52,000.00	10,500.00	20%	20%	-	
<b>Germany</b>	958,000.00	615,000.00	64%	64%		
<b>Estonia</b>	26,000.00	130.00	1%	1%		
<b>Ireland</b>	32,933.22	613.63	2%	2%		
<b>Greece</b>	489,922.99	489,922.99	100%	100%		
<b>Spain</b>	1,914,265.44	1,914,265.44	100%	100%	-	
<b>France</b>	1,760,000.00	1,111,000.00	63%	63%	-	
<b>Croatia</b>	44,101.64	35,227.97	80%	80%		
<b>Italy</b>	869,545.00	869,545.00	100%	100%	-	
<b>Cyprus</b>	776.68	557.83	72%	72%		
<b>Latvia</b>	62,634.00	1,797.00	3%	3%	5,739.00	319%
<b>Lithuania</b>	68,880.54	29,135.51	42%	42%	-	
<b>Luxembourg</b>	8,573.00	2,121.00	25%	25%	3,904.00	184%
<b>Hungary</b>	499,691.51	499,691.51	100%	100%		
<b>Malta</b>	<i>No grassland</i>	<i>No grassland</i>	<i>N/A</i>	<i>N/A</i>		
<b>Netherlands</b>	51,451.00	51,451.00	100%	100%		
<b>Austria</b>	269,414.00	15,276.00	6%	6%		
<b>Poland</b>	622,927.00	260,715.00	42%	42%		
<b>Portugal</b>	284,049.59	1,726.68	1%	1%		
<b>Romania</b>	<i>Information not provided</i>	<i>Information not provided</i>				
<b>Slovenia</b>	73,909.00	19,400.00	26%	26%		
<b>Slovakia</b>	149,651.33	149,651.33	100%	100%		
<b>Finland</b>	2,700.00	2,700.00	100%	100%		
<b>Sweden</b>	45,595.00	45,595.00	100%	100%	-	
<b>UK England</b>	304,969.00	304,969.00	100%	62% (UK)		
<b>UK Northern Ireland</b>	37,338.26	37,238.77	100%			
<b>UK Scotland</b>	812,178.00	332,702.00	41%			
<b>UK Wales</b>	111,330.00	111,330.00	100%		53,718.00	48%
<b>Total</b>	<b>9,846,526.19</b>	<b>7,430,892.65</b>	<b>75%</b>		<b>321,128.56</b>	