

SECTION II – INTERVENTION IN THE FRUIT AND VEGETABLES SECTOR

Article 55

Article 56

1. The intervention in the fruit and vegetables sector shall have the following objectives:
 - (a) planning of production, adjusting production to demand, particularly in terms of quality and quantity, optimisation of production costs and returns on investments and stabilising producer prices, falling under specific objectives referred to in Article 8(1)(a) to (c);
 - (b) concentration of supply and the placing on the market of the products of the fruit and vegetables sector, including through direct marketing, falling under specific objectives referred to in Article 8(1)(a) and (c);
 - (c) research and development of sustainable production methods, innovative practices boosting economic competitiveness and bolstering market developments, falling under specific objectives referred to in Article 8(1)(a) and (c);
 - (d) promoting, developing and implementing methods of production respectful of the environment, environmentally sound cultivation practices and production techniques, sustainable use of natural resources in particular protection of water, soil and other natural resources, falling under specific objectives referred to in Article 8(1)(e) and (f);
 - (e) contribute to climate change mitigation and adaptation, as referred to in Article 8(1)(d);
 - (f) boosting products' commercial value and quality, including improving product quality and developing products with a protected designation of origin, with a protected geographical indication or covered by a national quality schemes, falling under specific objective referred to in Article 8(1)(b);
 - (g) promotion and marketing of the products of the fruit and vegetables sector, whether in a fresh or processed form, falling under specific objectives referred to in Article 8(1)(b) and (c);
 - (h) increasing consumption of the products of the fruit and vegetables sector, whether in a fresh or processed form, falling under specific objective referred to in Article 8(1)(i);
 - (i) crisis prevention and management, aimed at avoiding and dealing with crises on the fruit and vegetables markets, falling under specific objectives referred to in Article 8(1)(a) to (c).
2. Objectives laid down in points (b), (d) and (e) of paragraph 1 shall be mandatory for all Member States. Member States shall set these objectives out in their CAP support plans together with the types of intervention necessary to achieve them, selected by the Member States from among those laid down for each objective in Article 35.
3. The objectives and the types of intervention in the fruit and vegetables sector set out by the Member States in their CAP support plans shall be implemented through operational programmes referred to in Article 36 of producer

organisations and/or associations of producer organisations recognised under Regulation (EU) No 1308/2013.

Article 57

Article 58

1. To meet the objectives referred to in points (a) to (h) of Article XX(1), Member States shall choose in their CAP support plans one or more of the following types of intervention:
 - (a) Investments in tangible and non-tangible assets, in particular focused on water saving, energy saving, ecological packaging and waste reduction;
 - (b) Research and experimental production, in particular focused on water saving, energy saving, ecological packaging, waste reduction, reduction in the use of pesticides, preventing damage caused by adverse climatic events and boosting the use of fruit and vegetable varieties adapted to changing climate conditions;
 - (c) Organic production;
 - (d) Integrated production;
 - (e) Actions to conserve soil;
 - (f) Actions to create and maintain habitats favourable for biodiversity or to maintain the landscape, including the conservation of its historical features;
 - (g) Actions to save energy and increase energy efficiency;
 - (h) Actions to improve use and management of water, including water saving and drainage;
 - (i) Actions and measures to reduce waste production and to improve waste management;
 - (j) Actions to increase sustainability and efficiency of transport and of storage of products of the fruit and vegetables sector;
 - (k) Actions to save energy and increase energy efficiency;
 - (l) Implementation of Union and national quality schemes,.
 - (m) Promotion and communication, including actions and activities aimed at diversification and consolidation of the fruit and vegetables markets;
 - (n) Advisory services and technical assistance, in particular concerning sustainable pest control techniques and sustainable use of pesticides;
 - (o) Training and exchange of best practices in particular concerning sustainable pest control techniques, sustainable use of pesticides and contributing to climate change adaptation and mitigation.
2. To meet the objective referred to in point (i) of Article XX(1), Member States shall choose in their CAP support plans one or more of the following types of intervention:
 - (a) Setting up and/or refilling of mutual funds by producer organisations recognised under Regulation (EU) No 1308/2013;

- (b) Investments in tangible and non-tangible assets making the management of the volumes placed on the market more efficient;
- (c) Replanting of orchards where that is necessary following mandatory grubbing up for health or phytosanitary reasons on the instruction of the Member State competent authority;
- (d) Market withdrawal for free-distribution or other destinations;
- (e) Green harvesting consisting of the total harvesting on a given area of unripe non-marketable products which have not been damaged prior to the green harvesting, whether due to climatic reasons, disease or otherwise;
- (f) Non-harvesting of fruit and vegetables consisting of the termination of the current production cycle on the area concerned where the product is well developed and is of sound, fair and marketable quality, excluding destruction of products due to a climatic event or disease;
- (g) Harvest insurance that contributes to safeguarding producers' incomes where there are losses as a consequence of natural disasters, adverse climatic events, diseases or pest infestations and at the same time ensuring that beneficiaries take necessary risk prevention measures;
- (h) Coaching to other producer organisations and associations of producer organisations recognised under Regulation (EU) No 1308/2013 or to individual producers;
- (i) Types of interventions referred to in points (m) and (o) of paragraph 1.

Article 59

Article 60

1. Operational programmes in the fruit and vegetables sector shall have a minimum duration of three years and a maximum duration of seven years. All operational programmes shall end at the latest on 31 December [2030]. They shall include the mandatory objectives referred to in Article XX(2).
2. For each objective the operational programs shall lay down the types of intervention selected from among those set out by the Member States in their CAP support plans.
3. Operational programmes shall be submitted to the Member States for their approval.
4. Operational programmes may be implemented only by producer organisations or by associations of producer organisations recognised under Regulation (EU) No 1308/2013.
5. Operational programmes of associations of producer organisations shall not cover the same types of intervention as operational programmes of member organisations. Operational programmes of associations of producer organisations shall be considered with operational programmes of member organisations.

To that end Member States shall ensure that:

- (j) types of intervention under operational programmes of an association of producer organisations are entirely financed by contributions of those member

organisations of that association and that such funding is collected from the operational funds of those member organisations;

(k) types of intervention and their corresponding financial share are identified in the operational programme of each member organisation; and

6. Member States shall ensure that:

(a) at least at least 20% of expenditure under operational programmes covers the types of intervention linked to the objectives referred to in points (d) and (e) of Article XX(1);

(b) at least 5% of expenditure under operational programmes covers the types of intervention linked to the objective referred to in point (c) of Article XX(1);

(c) types of intervention linked to objective referred to in point (i) of Article XX(1) do not exceed one third of the total expenditure under operational programmes of producer organisations or associations of producer organisations.

Article 61

Article 62

1. Producer organisations in the fruit and vegetables sector and/or their associations may set up an operational fund. The fund shall be financed by:

(a) Financial contributions from:

(i) members of the producer organisation and/or producer organisation itself; or

(ii) associations of producer organisations through the members of those associations;

(b) Union financial assistance, which may be granted to producer organisations or to their associations where those associations present an operational programme or partial operational programme.

2. Operational funds shall be used only to finance operational programmes that have been approved by the Member States.

Article 63

Article 64

1. The Union financial assistance shall be equal to the amount of the financial contributions referred to in point (a) of Article XX(1) actually paid and limited to 50% of the actual expenditure incurred.

2. The Union financial assistance shall be limited to:

(a) 4,1% of the value of the marketed production of each producer organisation;

(b) 4,5% of the value of marketed production of each association of producer organisations;

(c) 5% of the value of marketed production of each transnational producer organisation or transnational association of producer organisations

However, in case of producer organisations, that percentage may be increased to 4,6% of the value of the marketed production, provided that the amount in excess of 4,1% of the value of marketed production is used solely for one or more interventions linked to the objectives referred to in points (c) to (e), (g), (h) and (i) of Article 34(1).

In case of associations of producer organisations, that percentage may be increased to 5% of the value of marketed production, provided that the amount in excess of 4,5% of the value of marketed production is used solely for one or more interventions linked to the objectives referred to in points (c) to (e), (g), (h) and (i) of Article 34(1) implemented by the association of producer organisations on behalf of its members.

In case of transnational producer organisation or transnational association of producer organisations, that percentage may be increased to 5,5% of the value of marketed production is used solely for one or more interventions linked to the objectives referred to in points (c) to (e), (g), (h) and (i) of Article 34(1) implemented by the transnational producer organisation or transnational association of producer organisations on behalf of its members.

3. At the request of producer organisation, the 50% limit provided for in paragraph 1 shall be increased to 60% for an operational programme or part of an operational programme satisfying at least one of the following conditions:
 - (a) producer organisations operating in different Member States implementing types of intervention linked to the objectives referred to in points (b) and (e) of Article 34(1) transnationally;
 - (b) one or more producer organisations are engaged in types of intervention operated on an interbranch basis;
 - (c) operational programme covers solely specific support for the production of organic products covered by Regulation (EC) No 834/2007;
 - (d) operational programme is for the first time implemented by an association of producer organisations recognised under Regulation (EU) No 1308/2013;
 - (e) producer organisations account for less than 20% of fruit and vegetables production in a Member State;
 - (f) producer organisation operates in one of the outermost regions referred to in Article 349 TFEU
 - (g) operational programme comprises the types of intervention linked to the objectives referred to in points (c) to (e), (h) and (i) of Article 34(1).
4. The 50% limit provided for in paragraph 1 shall be increased to 100% in the following cases:
 - (a) Market withdrawals of fruits and vegetables which do not exceed 5% of the volume of marketed production of each producer organisation and which are disposed by way of:
 - (i) Free distribution to charitable organisations and foundations approved to that effect by the Member States, for use in their activities to assist persons whose right to public assistance is recognised in national law, in particular because they lack the necessary means of subsistence;

- (ii) Free distribution to penal institutions, schools and public education institutions, establishments referred to in Article 22 of Regulation (EU) No 1308/2013 and to children's holiday camps as well as to hospitals and old people's homes designated by the Member States, which will take all necessary steps to ensure that the quantities thus distributed are additional to the quantities normally bought in by such establishments.
- (b) Actions related to coaching of other producer organisations recognised under Regulation (EU) No 1308/2013, provided that those producer organisations are from regions of Member States referred to in Article 39(1) or of individual producers.

Article 65

Article 66

1. In regions of the Member States in which the degree of organisation of producers in the fruit and vegetables sector is significantly below the Union average, Member States may grant producer organisations recognised under Regulation (EU) No 1308/2013 national financial assistance equal to a maximum of 80% of the financial contributions referred to in point (a) of Article 37(1) and up to 10% of the value of the marketed production of any such producer organisation. The national financial assistance shall be additional to the operational fund.
2. The degree of organisation of producers in a region of a Member State shall be considered as significantly below the Union average where the average degree of organisation has been less than 20% for three consecutive years preceding the implementation of the operational programme. The degree of organisation shall be calculated as the value of fruit and vegetables production that was obtained in the region concerned and marketed by producer organisations and associations of producer organisations recognised under Regulation (EU) No 1308/2013, divided by the total value of the fruit and vegetables production that was obtained in that region.
3. Member States that grant national financial assistance in accordance with paragraph 1 shall inform the Commission of the regions that meet the criteria referred to in paragraph 2 and of the national financial assistance granted to producer organisations in those regions.

SECTION III – INTERVENTION IN THE APICULTURE SECTOR

Article 67

Objectives of intervention in apiculture sector and national programmes

1. The intervention in the apiculture sector shall have at least one of the specific objectives referred to in Article 8(1).
2. For each specific objective Member States set out in their CAP support plans, they shall choose one or more types of intervention from among those laid down in Article XX [*Types of Intervention*]. Member States shall substantiate their choice of specific objectives and types of intervention.