

Review of the State aid instruments for agriculture, forestry and rural areas

Fields marked with * are mandatory.

Introduction

The purpose of the present consultation is to invite public authorities and stakeholders to provide comments on the application of the EU State aid instruments for the agricultural and forestry sectors and for rural areas. The comments will be valuable input for the evaluation and review of those instruments.

An undertaking, which receives public support, gains an advantage over its competitors. Therefore, the Treaty generally prohibits State aid. However, the Commission may authorise State aid under certain conditions, notably for reasons of economic development or market failure. The Commission makes use of guidelines and regulations when assessing the aid in order to ensure that the assessment is transparent, consistent and coherent.

To simplify State aid procedures, the Council has empowered the Commission to adopt block exemption regulations exempting certain categories of aid from the notification requirement. A specific framework of rules has been set up for State aid control in the agricultural and forestry sectors and in rural areas. For the period 2014 to 2020 this encompasses the following instruments:

- EU Guidelines for State aid in the agricultural and forestry sectors and in rural areas 2014 to 2020 (the "**Guidelines**");
- Commission Regulation (EU) No 702/2014 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the TFEU (known as the Agricultural Block Exemption Regulation; the "**ABER**")

The validity of the agricultural state aid rules expires on 31 December 2020. Therefore they will be revised in view of establishing new Guidelines and new Block Exemption Regulation for the period 2021-2027.

The questionnaire covers five sections. Section I seeks your opinion on the overall performance of the current State aid rules, on the State aid objectives to be pursued and on the challenges for the future, including simplification possibilities. Sections II, III, and IV concern more specifically State aid issues in relation to, respectively, agriculture, forestry and non-agricultural activities in rural areas. Section V raises the question of whether there is EU added value in having detailed rules to steer the Commission's monitoring of State aid under the Treaty. Section V also allows you to comment on issues that are not otherwise addressed in the questionnaire.

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

* Surname

* Email (this won't be published)

* Scope

- International
- Local
- National
- Regional

* Organisation name

255 character(s) maximum

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

* Country of origin

Please add your country of origin, or that of your organisation.

- | | | | |
|--------------------------------------|--|-------------------------------------|--|
| <input type="radio"/> Afghanistan | <input type="radio"/> Djibouti | <input type="radio"/> Libya | <input type="radio"/> Saint Pierre and Miquelon |
| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Vincent and the Grenadines |
| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Samoa |
| <input type="radio"/> Algeria | <input type="radio"/> Ecuador | <input type="radio"/> Luxembourg | <input type="radio"/> San Marino |
| <input type="radio"/> American Samoa | <input type="radio"/> Egypt | <input type="radio"/> Macau | <input type="radio"/> São Tomé and Príncipe |
| <input type="radio"/> Andorra | <input type="radio"/> El Salvador | <input type="radio"/> Madagascar | <input type="radio"/> Saudi Arabia |
| <input type="radio"/> Angola | <input type="radio"/> Equatorial Guinea | <input type="radio"/> Malawi | <input type="radio"/> Senegal |
| <input type="radio"/> Anguilla | <input type="radio"/> Eritrea | <input type="radio"/> Malaysia | <input type="radio"/> Serbia |

- Antarctica
- Antigua and Barbuda
- Argentina
- Armenia

- Aruba
- Australia
- Austria

- Azerbaijan
- Bahamas
- Bahrain

- Bangladesh

- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda

- Bhutan

- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria

- Burkina Faso
- Estonia
- Ethiopia

- Falkland Islands
- Faroe Islands

- Fiji
- Finland
- Former Yugoslav Republic of Macedonia
- France
- French Guiana
- French Polynesia

- French Southern and Antarctic Lands
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece

- Greenland
- Grenada
- Guadeloupe

- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau

- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Maldives
- Mali

- Malta
- Marshall Islands
- Martinique
- Mauritania
- Mauritius

- Mayotte
- Mexico
- Micronesia

- Moldova
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique

- Myanmar /Burma
- Namibia
- Nauru

- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua

- Niger
- Nigeria
- Niue
- Norfolk Island
- Seychelles
- Sierra Leone

- Singapore
- Sint Maarten

- Slovakia
- Slovenia
- Solomon Islands

- Somalia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea

- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Swaziland

- Sweden
- Switzerland

- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand

- The Gambia
- Timor-Leste
- Togo
- Tokelau

- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Croatia
- Cuba
- Curaçao
- Cyprus
- Czech Republic
- Democratic Republic of the Congo
- Denmark
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- North Korea
- Northern Mariana Islands
- Norway
- Oman
- Pakistan
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- Palestine
- Panama
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- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena Ascension and Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- Saint Martin
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States Minor Outlying Islands
- Uruguay
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- Vietnam
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

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The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

- Anonymous**
Only your type, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.
- Public**
Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

* I agree with the [personal data protection provisions](#)

I. General questions

0. To identify what is your interest in State aid, please indicate the stakeholder category to which you belong:

- Public authority responsible for granting State aid in an EU Member State
- Beneficiary of aid for the agricultural sector
- Beneficiary of aid for the forestry sector
- Beneficiary of aid for non-agricultural activities in rural areas
- Farmers' organisation
- Foresters' organisation
- Undertaking active in downstream sectors to agriculture or forestry
- NGO or other civil society organisation
- Academia, think-tank, consultancy or other expertise
- General public
- Other

1. Based on your experience, how well have the current State aid rules responded to the following purposes?

	Not at all	To some extent	To a large extent	Fully	Don't know
Useful spending of taxpayers' money	<input type="radio"/>				
Market failures addressed	<input type="radio"/>				
A level playing field for undertakings	<input type="radio"/>				
Transparent, consistent and coherent handling of State aid cases	<input type="radio"/>				
Coherence with Rural Development objectives under the CAP (i.e. fostering competitiveness, sustainable management of natural resources and climate action and balanced territorial development)	<input type="radio"/>				
Clear rules	<input type="radio"/>				

Legal certainty	<input type="radio"/>				
Reduction of administrative costs for public authorities	<input type="radio"/>				
Reduction of regulatory burdens for aid beneficiaries	<input type="radio"/>				

2. Based on your experience, how coherent are the current State aid rules with other EU policies and legislation?

	Not at all	To some extent	To a large extent	Fully	Don't know
Horizontal State aid instruments	<input type="radio"/>				
Common Agricultural Policy (CAP)	<input type="radio"/>				
EU Cohesion Policy	<input type="radio"/>				
EU Environmental Protection Policy	<input type="radio"/>				
EU 2030 Climate and Energy Framework and the long-term vision for a climate-neutral economy by 2050	<input type="radio"/>				
EU Veterinary and Public Health Policy	<input type="radio"/>				
EU Research and Development Policy	<input type="radio"/>				
EU Policy on Small and Medium Enterprises (SMEs)	<input type="radio"/>				

3. From your perspective, how important are the objectives pursued by the granting of State aid?

	No importance	Low importance	Average importance	Very high importance	Don't know
Competitiveness and economic viability of undertakings in the agriculture and forestry sector	<input type="radio"/>				
Viable food production	<input type="radio"/>				
Socio-economic development in rural areas	<input type="radio"/>				
Growth of the bioeconomy sectors (including food and non-food use)	<input type="radio"/>				
Sustainable forest management	<input type="radio"/>				
Sustainable use of natural resources	<input type="radio"/>				
Ecosystem services and biodiversity	<input type="radio"/>				
Climate change mitigation	<input type="radio"/>				
Climate change adaptation	<input type="radio"/>				
Protection of public and animal health	<input type="radio"/>				
Animal welfare	<input type="radio"/>				

Access to knowledge and new technologies	<input type="radio"/>				
Other	<input type="radio"/>				

If you have referred to “other” objectives, please specify:

500 character(s) maximum

4. From your perspective, which are the most important challenges to be addressed by the future State aid rules?

	No importance	Low importance	Average importance	Very high importance	Don't know
Competitiveness, resilience and economic viability of undertakings	<input type="radio"/>				
Jobs and growths in rural areas	<input type="radio"/>				
Generational renewal in rural areas	<input type="radio"/>				
Changes in the production conditions, including technological progress	<input type="radio"/>				
Market developments	<input type="radio"/>				
Societal demands on food and health	<input type="radio"/>				
Avoidance of harmful impacts on environment (water, soil, air etc.)	<input type="radio"/>				
Biodiversity loss	<input type="radio"/>				
Reduction of greenhouse gas emissions and enhancement of carbon sinks	<input type="radio"/>				
Adverse climatic events	<input type="radio"/>				
Animal diseases	<input type="radio"/>				
Plant pests	<input type="radio"/>				

Damage caused by wild animals	<input type="radio"/>				
Administrative costs and burdens	<input type="radio"/>				
Useful spending of taxpayers' money	<input type="radio"/>				
Other	<input type="radio"/>				

If you have referred to “other” objectives, please specify:

500 character(s) maximum

5. The State aid rules set out various conditions that are meant to limit undue distortive effects of aid on the internal market. Based on your experience, how important are the following conditions?

	No importance	Low importance	Average importance	Very high importance	Don't know
Limitation of eligible costs	<input type="radio"/>				
Maximum aid intensities /maximum aid amounts	<input type="radio"/>				
The form of the aid (e.g. loans or guarantees instead of direct grants)	<input type="radio"/>				
For large undertakings, stricter conditions for granting aid as compared to SMEs	<input type="radio"/>				
For undertakings active in processing and marketing of agricultural products, stricter conditions for granting investment aid as compared to undertakings active in primary agricultural production	<input type="radio"/>				

6. Based on your experience, what is the potential for simplification under future State aid rules?

	No potential	Low potential	Average potential	Very high potential	Don't know
Clearer rules and definitions	<input type="radio"/>				
Streamlined approach to interventions included in CAP Strategic Plans	<input type="radio"/>				
Simplified cost options (i.e. lump sum or flat rate payments)	<input type="radio"/>				
Alignment of maximum aid intensities with Rural Development support rates	<input type="radio"/>				
Simplified incentive effect requirements for subsidised services	<input type="radio"/>				
Simplified approach to aid for cooperation	<input type="radio"/>				
Simplified approach to aid for local development (LEADER)	<input type="radio"/>				
Extension of the scope of the ABER to new aid categories	<input type="radio"/>				
Higher notification thresholds under the ABER	<input type="radio"/>				
Other	<input type="radio"/>				

If you have referred to “other” types of simplification, please specify:

500 character(s) maximum

7. What are your specific suggestions for simplification?

1500 character(s) maximum

Questions 8 to 10 are only for public authorities.

8. a) Based on your experience, how burdensome are the following procedures?

	Not burdensome	Sometimes burdensome	Mostly burdensome	Always burdensome	Don't know
	<input type="radio"/>				

Notifying State aid to the Commission on the basis of the Guidelines	<input type="radio"/>				
Submitting an information sheet under the ABER	<input type="radio"/>				

8. b) If possible, please provide estimates of the administrative costs for these two procedures: in working hours/in EUR/in full time employment.

Average number of working hours per notification:

 hour(s)

Average cost per notification:

 EUR

Average number of working days for a full time employee per notification:

 day(s)

Average number of working hours per submission of information sheet under ABER:

 hour(s)

Average cost per submission of information sheet under ABER:

 EUR

Average number of working days for a full time employee per submission of information sheet under ABER:

 day(s)

Number of notifications:

Number of submission of information sheets under ABER:

9. State aid rules must ensure transparency, consistency and equal treatment. At the same time, they must not be overly constraining. The level of detail of state aid rules determines the balance between both aspects. Based on your experience, do you think that the current rules strike the right balance?

- Right balance
- Too detailed
- Too general

- Don't know

10. Have you ever had difficulties to apply the current State aid rules to certain costs/activities/objectives, which were not explicitly ineligible but which did not fit within the scope of any specific aid category?

- Yes
- No
- Don't know

If yes, please specify

1500 character(s) maximum

II. Aid for the agricultural sector

Current specific provisions:

Part II, Chapter 1 of the Agricultural State Aid Guidelines

Chapter III, Sections 1 to 3 of the Agricultural Block Exemption Regulation (ABER)

11. Are you, or have you been, a beneficiary of State aid for the agricultural sector?

- Yes
- No

12. Based on your experience, do you agree with the following statements on State aid granted to the agricultural sector under the current State aid rules?

	Agree strongly	Agree	No strong view	Disagree	Disagree strongly
The aid has helped to achieve viable food production.	<input type="radio"/>				
The aid has fostered competitiveness in the agri-food sector.	<input type="radio"/>				
The aid has fostered sustainable growth in the agri-food sector.	<input type="radio"/>				
The aid has helped the development of the bioeconomy.	<input type="radio"/>				
The aid has helped to achieve a sustainable use of natural resources in agriculture.	<input type="radio"/>				

The aid has contributed to climate change mitigation and/or adaptation.	<input type="radio"/>				
The positive effects outweigh the potential distortive effects of the aid on competition and trade in the internal market.	<input type="radio"/>				

13. Regarding State aid for investments in the agricultural sector: Do you have views on what could be the potential distortive effects on competition and intra-EU trade?

- Yes
- No
- Don't know

If yes, please substantiate and give concrete examples (i.e. did the aid crowd out investments of competitors or attract activity away from neighbouring regions?).

1500 character(s) maximum

14. Have you experienced any particular difficulties in complying with the current State aid rules on aid for the agricultural sector?

- Yes
- No
- Don't know

If yes, please substantiate your reply and give concrete examples.

1500 character(s) maximum

15. Based on your experience, would you agree with the following changes to the State aid rules?

	Agree strongly	Agree	No strong view	Disagree	Disagree strongly
No aid shall be granted for purchase of land unless it serves environmental and climate objectives, or installation of young farmers.	<input type="radio"/>				
The conditions for granting aid for irrigation investments should be better targeted towards protection of water bodies, taking into account projected climate conditions.	<input type="radio"/>				

The scope for granting aid to prevent, control and eradicate animal diseases and to make good damage should be extended to emerging animal diseases	<input type="radio"/>				
Compensation for damage caused by animal diseases or plants pest should cover loss of value of products also where those products are not destroyed.	<input type="radio"/>				
Compensation for damage caused by protected animals should cover indirect costs for damage to plants (such as treatments costs and additional labour costs).	<input type="radio"/>				
Compensation for damage caused by protected animals should cover indirect income losses (such as reduced production capacity).	<input type="radio"/>				

III. Aid for the forestry sector

Current specific provisions:

Part II, Chapter 2, of the Agricultural State Aid Guidelines

Chapter III, Sections 4 to 5 of the Agricultural Block Exemption Regulation (ABER)

16. Are you, or have you been, a beneficiary of State aid for the forestry sector?

- Yes
- No

17. Based on your experience, do you agree with the following statements on State aid granted to the forestry sector under the current State aid rules?

	Agree strongly	Agree	No strong view	Disagree	Disagree strongly
The aid has helped to achieve a viable forest area development.	<input type="radio"/>				
The aid has helped the development of the bioeconomy.	<input type="radio"/>				
The aid has increased the resilience and protection of forest ecosystems.	<input type="radio"/>				
The aid has contributed to carbon sequestration.	<input type="radio"/>				

The aid has contributed to the recreational or ecological function of forests.	<input type="radio"/>				
The positive effects outweigh the potential distortive effects of the aid on competition and trade in the internal market.	<input type="radio"/>				

18. Regarding State aid for forestry investments: Do you have views on what could be the potential distortive effects on competition and intra-EU trade?

- Yes
- No
- Don't know

If yes, please substantiate and give concrete examples (i.e. did the aid crowd out investments of competitors or attract activity away from neighbouring regions?).

1500 character(s) maximum

19. Have you experienced any particular difficulties in complying with the current State aid rules on aid for the forestry sector?

- Yes
- No
- Don't know

If yes, please substantiate your reply and give concrete examples.

1500 character(s) maximum

20. Based on your experience, would you agree with the following changes to the State aid rules?

	Agree strongly	Agree	No strong view	Disagree	Disagree strongly
No investment aid should be granted for purchase of land unless it serves environmental and climate objectives.	<input type="radio"/>				
Investments in afforestation must be consistent with climate and environmental objectives as governed by sustainable forest management principles.	<input type="radio"/>				
In case of cooperation: The maximum aid intensity for non-productive investments should be 100 % of the eligible costs.	<input type="radio"/>				

The scope of the ABER should be extended to forestry measures that are currently only covered by the Guidelines.	<input type="radio"/>				
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IV. Aid for non-agricultural activities in rural areas

Specific provisions:

Part II, Chapter 3, of the Agricultural State Aid Guidelines

Chapter III, Section 6 of the Agricultural Block Exemption Regulation (ABER)

21. Are you, or have you been, a beneficiary of State aid for non-agricultural activities in rural areas?

- Yes
- No

22. Based on your experience, do you agree with the following statements on State aid granted in rural areas under the current State aid rules?

	Agree strongly	Agree	No strong view	Disagree	Disagree strongly
The aid has led to employment and growth in rural areas.	<input type="radio"/>				
The aid has been useful to boost the creation and development of SMEs in rural areas.	<input type="radio"/>				
The aid has strengthened the economic and social fabric in rural areas.	<input type="radio"/>				
The aid has contributed to cultural and recreational activities in rural areas.	<input type="radio"/>				
The positive effects outweigh the potential distortive effects of the aid on competition and trade in the internal market.	<input type="radio"/>				

23. Regarding State aid for the processing of agricultural products into non-agricultural products: Do you have views on what could be the potential distortive effects on competition and intra-EU trade?

- Yes
- No
- Don't know

If yes, please substantiate and give concrete examples (i.e. did the aid crowd out investments of competitors or attract activity away from neighbouring regions?).

1500 character(s) maximum

24. Have you experienced any particular difficulties in complying with the current State aid rules on aid for non-agricultural activities in rural areas?

- Yes
- No
- Don't know

If yes, please substantiate your reply and give concrete examples.

1500 character(s) maximum

V. Final

25. Based on your experience, do you agree that there is EU added value in having a common framework of detailed rules for assessing the compatibility of State aid with the internal market?

- Agree strongly
- Agree
- No strong view
- Disagree
- Disagree strongly

26. Do you have other comments than those covered by the previous questions?

3000 character(s) maximum

You may attach supporting documents for your replies to the questions above.

The maximum file size is 1 MB

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed