Commission Implementing Decision of 4 April 2014 on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (notified under document C(2014) 2008) (Only the Danish, English, Finnish, French, German, Greek, Italian, Portuguese, Romanian, Slovenian, Spanish and Swedish texts are authentic) (2014/191/EU)

### COMMISSION IMPLEMENTING DECISION

# of 4 April 2014

on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD)

(notified under document C(2014) 2008)

(Only the Danish, English, Finnish, French, German, Greek, Italian, Portuguese, Romanian, Slovenian, Spanish and Swedish texts are authentic)

(2014/191/EU)

# THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy<sup>(1)</sup>, and in particular Article 7(4) thereof,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy<sup>(2)</sup>, and in particular Article 31 thereof,

Having consulted the Committee on the Agricultural Funds,

#### Whereas:

- (1) Under Article 7(4) of Regulation (EC) No 1258/1999, and Article 31 of Regulation (EC) No 1290/2005, the Commission is to carry out the necessary verifications, communicate to the Member States the results of these verifications, take note of the comments of the Member States, initiate a bilateral discussion so that an agreement may be reached with the Member States in question, and formally communicate its conclusions to them.
- (2) The Member States have had an opportunity to request the launch of a conciliation procedure. That opportunity has been used in some cases and the reports issued on the outcome have been examined by the Commission.

- (3) Under Regulations (EC) No 1258/1999 and (EC) No 1290/2005, only agricultural expenditure which has been incurred in a way that has not infringed European Union rules may be financed.
- (4) In the light of the verifications carried out, the outcome of the bilateral discussions and the conciliation procedures, part of the expenditure declared by the Member States does not fulfil this requirement and cannot, therefore, be financed under the EAGGF Guarantee Section, the EAGF and the EAFRD.
- (5) The amounts that are not recognised as being chargeable to the EAGGF Guarantee Section, the EAGF and the EAFRD should be indicated. Those amounts do not relate to expenditure incurred more than 24 months before the Commission's written notification of the results of the verifications to the Member States.
- (6) As regards the cases covered by this decision, the assessment of the amounts to be excluded on grounds of non-compliance with European Union rules was notified by the Commission to the Member States in a summary report on the subject.
- (7) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 1 December 2013 and relating to its content,

#### HAS ADOPTED THIS DECISION:

### Article 1

The expenditure itemised in the Annex hereto that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section, under the EAGF or under the EAFRD shall be excluded from European Union financing because it does not comply with European Union rules.

# Article 2

This Decision is addressed to the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Portuguese Republic, Romania, the Republic of Slovenia, the Republic of Finland, the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 4 April 2014.

For the Commission
Dacian CIOLOŞ

Member of the Commission

### **ANNEX**

MS	Measure Fina Year	nciaReason	Type	%	Curre	ncyAmoui	nt Deduc	ctio <b>hi</b> nancial impact
BUDG	ET ITEM: 6701				'		'	
DK	Fruit 2008 and Vegetables — Operational Programmes	Severe weaknes in control of several recognitic criteria and deficience in administ and on-the-spot checks	on	10,00 %	EUR	- 287 632,19	0,00	- 287 632,19
DK	Fruit 2008 and Vegetables — Operational Programmes	Ineligible costs for organic plant protection materials	OFF		EUR	-4 765,48	0,00	-4 765,48
DK	Fruit 2008 and Vegetables — Operational Programmes	Ineligibl producer organisa	OFF		EUR	- 181 675,81	0,00	- 181 675,81
DK	Fruit 2009 and Vegetables — Operational Programmes	Severe weaknes in control of several recognitic criteria and deficience in administ and on-the-spot checks	on	10,00 %	EUR	-317 109,84	0,00	- 317 109,84

DK	Fruit and Vegetable Operation Program	nal	Ineligibl producer organisa	OFF		EUR	-203 273,58	0,00	-203 273,58
DK	Fruit and Vegetabl Operation Program	nal	Ineligible costs for organic plant protection materials	OFF on		EUR	-27 548,7	0,00	-27 548,7
DK	Fruit and Vegetabl Operation Program	nal	Severe weakness in control of several recognitic criteria and deficient in administ and on-the-spot checks	ion	10,00 %	EUR	0,96	0,00	0,96
DK	Fruit and Vegetable Operation Program	nal	Ineligibl producer organisa	OFF		EUR	-1 183,25	0,00	-1 183,25
DK	Fruit and Vegetabl Operation Program	nal	Ineligible costs for organic plant protection materials	OFF on		EUR	- 9,57	0,00	- 9,57
DK	Cross Complia	2009 nce	6 GAEC missing, no check on minimum requirem for plant		5,00 %	EUR	- 4 879 877,97	-7 357,88	- 4 872 520,09

			protection products CY 2008						
DK	Cross Complia	2010 nce	6 GAEC missing, no check on minimur requirem for plant protectio products CY 2008	ents n	5,00 %	EUR	-1 753,74	- 4,49	-1 749,25
DK	Cross Complia	2010 nce	Incorrect calculation of sanctions CY 2009	o <b>©</b> FF		EUR	- 31 895,68	_ 301,59	- 31 594,09
DK	Cross Complia	2011 nce	6 GAEC missing, no check on minimur requirem for plant protection products CY 2008	ents n	5,00 %	EUR	119,58	0,00	119,58
DK	Cross Complia	2011 nce	Incorrect calculation of sanctions CY 2010	o <b>©</b> FF		EUR	-3 230,67	0,00	-3 230,67
TOTAL	DK					EUR	- 5 940 075,1	- 7 663,96	- 5 932 411,14
ES	Irregular	i <b>₫θ</b> 97	Reimbur due to the incorrect	OFF		EUR	721 332,88	0,00	721 332,88

			application of the 50/50 rule for 4 cases	on				
ES	Irregular	i <b>ŭ0</b> 07	Non-reporting of interest in the Annex III table of financial year 2006		EUR	-1 360 592,37	0,00	- 1 360 592,37
ES	Irregular	iØ008	Non-reporting of interest in the Annex III table of financial year 2007		EUR	- 230 803,77	0,00	-230 803,77
ES	Irregular	i <b>Ø</b>	Non-respect of Article 32(8) (a) of R.1290/2	ONE- OFF	EUR	- 165 390,13	0,00	- 165 390,13
ES	Irregular	iØ⊕\$ 1	Non-respect of Article 32(4) (a) of R.1290/2	ONE- OFF	EUR	- 754 473,76	0,00	- 754 473,76
ES	Irregular	เชี⊖ร่ 1	Incorrect date of primary administ or judicial finding in the Annex	OFF	EUR	-350 053,18	0,00	- 350 053,18

			III table (case 022	22009011	8)				
ES	Irregular	i <b>⊠⊖</b> \$ 1	Negliger in the recovery of a debt case	OFF		EUR	- 6 447 032,48	0,00	- 6 447 032,48
TOTAL	ES					EUR	- 8 587 012,81	0,00	- 8 587 012,81
FI	Cross Complia	2007 nce	GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	144,79	0,00	144,79
FI	Cross Complia	2007 nce	1 GAEC missing, lenient sanction system, CY 2006	FLAT RATE	2,00 %	EUR	52,13	0,00	52,13
FI	Cross Complia	2007 nce	1 GAEC missing, lenient sanction system, CY 2006	FLAT RATE	2,00 %	EUR	- 25 717,74	0,00	- 25 717,74
FI	Cross Complia	2007 nce	Use of 0 % sanction, CY 2006	ONE- OFF		EUR	- 45 508,78	- 54,61	- 45 454,17
FI	Cross Complia	2008 nce	1 GAEC missing, lenient sanction system, CY 2008	FLAT RATE	0,00 %	EUR	221,44	0,00	221,44

FI	Cross Complia		1 GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	146,35	0,00	146,35
FI	Cross Complia	2008 nce	GAEC missing, lenient sanction system, CY 2006	FLAT RATE	2,00 %	EUR	2 726,86	- 2,99	2 729,85
FI	Cross Complia	2008 nce	1 GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	- 1 088 571,54	-1 585,04	- 1 086 986,5
FI	Cross Complia	2009 nce	1 GAEC missing, lenient sanction system, CY 2008	FLAT RATE	0,00 %	EUR	119,47	0,00	119,47
FI	Cross Complia	2009 nce	1 GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	- 0,19	0,00	-0,19
FI	Cross Complia	2009 nce	GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	_ 219,63	- 86,94	132,69

FI	Cross	2009	1	FLAT	2,00 %	EUR	- 1 090	- 3	-1 086
	Complia		GAEC missing, lenient sanction system, CY 2008	RATE			265,16	306,07	959,09
FI	Cross Complia	2009 nce	1 GAEC missing, lenient sanction system, CY 2006	FLAT RATE	2,00 %	EUR	- 0,59	0,00	- 0,59
FI	Cross Complia	2010 nce	1 GAEC missing, lenient sanction system, CY 2008	FLAT RATE	0,00 %	EUR	5,21	0,00	5,21
FI	Cross Complia	2010 nce	GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	-91,71	0,00	- 91,71
FI	Cross Complia	2010 nce	1 GAEC missing, lenient sanction system, CY 2008	FLAT RATE	2,00 %	EUR	_ 159,46	0,00	_ 159,46
TOTA	AL FI					EUR	- 2 247 118,55	- 5 035,65	-2 242 082,9
FR	Fruit and Vegetabl Operation Program	nal	Various ineligible aid payment			EUR	- 698 322,85	0,00	- 698 322,85
FR	Fruit and	2008	Various ineligible	ONE- OFF		EUR	-1 600 581,03	0,00	-1 600 581,03

	Vegetables — Operational Programmes	aid payments					
FR	Fruit 2009 and Vegetables — Operational Programmes	Various ONE- ineligibleOFF aid payments		EUR	- 3 201 489,94	0,00	- 3 201 489,94
FR	Fruit 2010 and Vegetables — Operational Programmes	Various ONE- ineligibleOFF aid payments		EUR	- 219 199,04	0,00	-219 199,04
FR	Fruit 2011 and Vegetables — Operational Programmes	Various ONE- ineligibleOFF aid payments		EUR	-13 068,19	0,00	-13 068,19
FR	Entitleme20007	Undue FLAT allocationRATE of National Reserve	10,00 %	EUR	- 12 098 866,64	-72 593,2	- 12 026 273,44
FR	Entitleme20007	Undue ONE- allocationOFF of National Reserve		EUR	- 47 626 478,62	- 95 252,96	- 47 531 225,66
FR	Entitleme20008	Undue FLAT allocationRATE of National Reserve	10,00 %	EUR	- 12 098 866,64	- 60 494,33	-12 038 372,31
FR	Entitleme20008	Undue ONE- allocationOFF of National Reserve		EUR	- 47 626 478,62	-238 132,39	-47 388 346,23
FR	Entitleme20009	Undue FLAT allocationRATE of National Reserve	10,00 %	EUR	- 12 098 866,64	- 60 494,33	- 12 038 372,31
FR	Entitleme2009	Undue ONE- allocationOFF of National Reserve		EUR	- 47 626 478,62	- 238 132,39	- 47 388 346,23

		·	,				·		1
FR	Entitlem	e <b>210</b> 1sl 0	Undue allocatio of National Reserve		10,00 %	EUR	- 12 098 866,64	- 24 197,73	- 12 074 668,91
FR	Entitlem	e2x0si ()	Undue allocatio of National Reserve			EUR	- 47 626 478,62	- 285 758,87	- 47 340 719,75
FR	Cross Complia	2009 nce	Reimbur for correction included in Decision 43 linked to audit XC/2009 FR	RATE n	2,00 %	EUR	157 245,53	0,00	157 245,53
FR	Cross Complia	2010 nce	Reimbur for correction included in Decision 43 linked to audit XC/2009 FR	RATE n	2,00 %	EUR	26 673,71	0,00	26 673,71
TOTAL	FR				J	EUR	- 244 450 122,85	-1 075 056,2	- 243 375 066,65
GB	Fruit and Vegetabl Operatio Program	nal	Bookkee accounti errors			EUR	- 68 009,01	0,00	- 68 009,01
GB	Fruit and Vegetabl Operatio Program	nal	Bookkee accounti errors			EUR	- 62 104,18	0,00	- 62 104,18
GB	Fruit and Vegetabl	2008 es —	Bookkee accounti errors			EUR	- 33 722,85	0,00	- 33 722,85

	Operational Programmes						
GB	_Recover2609	Bookkeep@ngE- accountingFF errors		EUR	- 55 487,5	0,00	- 55 487,5
GB	_Recover26sl0	Bookkeep@ngE- accountingFF errors		EUR	- 46 754,53	0,00	- 46 754,53
GB	_Recover26sl1	Bookkeep@ngE- accountingFF errors		EUR	- 299 733,08	0,00	- 299 733,08
GB	Other Direct Aid — Article 68-72 of Reg. 73/2009	Non- ONE- application FF of reductions/ exclusions and undue payments to non-identified animals		EUR	- 194 394,22	0,00	- 194 394,22
GB	Cross 2008 Compliance	IneffectivELAT control RATE of SMR 8a, CY 2007	5,00 %	EUR	- 257 134,0	0,00	- 257 134,0
GB	Cross 2008 Compliance	Non or incorrect OFF application of regulatory sanctions, CY 2007		EUR	- 757 135,0	0,00	- 757 135,0
GB	Cross 2009 Compliance	IneffectivELAT control RATE of SMR 8a, CY 2008	5,00 %	EUR	- 240 326,0	0,00	- 240 326,0
GB	Cross 2009 Compliance	Non or incorrect OFF application of regulatory sanctions,		EUR	-423 317,0	0,00	- 423 317,0

			CY 2008						
GB	Cross Complia	2010 nce	Ineffective control of SMR 8a, CY 2009	vELAT RATE	2,00 %	EUR	-252 305,0	0,00	-252 305,0
GB	Cross Complia	2010 nce	Non or incorrect applicatiof regulator sanctions CY 2009	on 'Y		EUR	-31 208,0	0,00	-31 208,0
GB	Cross	2009 nce	Lenient sanctions system for SMR 7 and 8, no follow-up of minor NC, ineffective control of GAEC, CY 2008	iRgATE	5,00 %	EUR	- 2 949 043,26	- 59 941,88	-2 889 101,38
GB	Cross Complia	2010 nce	Ineffective control of GAEC and SMR 2, 4 and 8, CY 2009		2,00 %	EUR	-1 175 238,88	-24 310,41	-1 150 928,47
GB	Cross Complia	2010 nce	Ineffective control of GAEC and SMR 2, 4 and	v <b>E</b> LAT RATE	2,00 %	EUR	1 901,1	0,00	1 901,1

			8, CY 2009						
GB	Cross Complia	2010 nce	Lenient sanction system for SMR 7 and 8, no follow-up of minor non-complian ineffective control of GAEC, CY 2008	ingATE	5,00 %	EUR	-4 961,22	- 34,71	-4 926,51
GB	Cross Complia	2011 nce	Ineffecti control of GAEC and SMR 2, 4 and 8, CY 2010	vELAT RATE	2,00 %	EUR	795,26	0,00	795,26
GB	Cross Complia	2011 nce	Ineffecti control of GAEC and SMR 2, 4 and 8, CY 2009	vELAT RATE	2,00 %	EUR	- 58,63	0,00	- 58,63
GB	Cross Complia	2011 nce	Ineffecti control of GAEC and SMR 2, 4 and 8, CY 2009	vELAT RATE	2,00 %	EUR	- 879,96	0,00	_ 879,96
GB	Cross Complia	2011 nce	Ineffecti control of	v <b>E</b> LAT RATE	2,00 %	EUR	-1 164 633,01	- 388,79	- 1 164 244,22

GB	Cross	2011	GAEC and SMR 2, 4 and 8, CY 2010 Lenient	FLAT	5,00 %	EUR		0,00	
GD.	Complia		sanction system for SMR 7 and 8, no follow-up of minor non-compliar ineffective control of GAEC, CY 2008	ingATE	5,00 /0	LOK	440,27	0,00	440,27
TOTAL	GB					EUR	-8 014 189,24	- 84 675,79	- 7 929 513,45
GR	Fruit and Vegetabl Peaches and Pears Processi		Deficien physical checks on 5 % of the areas and incomple informat on products sold on the fresh market in	RATE ete ion	10,00	EUR	- 682 302,86	0,00	- 682 302,86
			Producer Organisa records						
TOTAL	GR		Organisa			EUR	- 682 302,86	0,00	- 682 302,86

	Article 69 of Reg. 1782/200 only Ovines and Bovines	03 —	inadequal timing of the on-the- spot checks, weaknes in the control of eligibility of claimed animals, wrong applications for bovine	ses y on					
IT	Entitlem	e <b>2</b> 104)7	Incorrect application of the regulation regarding the allocation of the special entitlement	conFF n g n		EUR	- 475 405,85	-2 852,44	- 472 553,41
IT	Other Direct Aid — Article 69 of Reg. 1782/200 only Ovines and Bovines	2008	Insufficion quality and inadequatiming of the on-the-spot checks, weaknes in the control of eligibility of claimed animals, wrong application sanctions	RATE tte ses	5,00 %	EUR	- 1 697 012,09	-8 100,59	- 1 688 911,5

			for bovine						
IT	Entitlem	<b>e20</b> 00	Incorrect application of the regulation regarding the allocation of the special entitlement.	c@FF n g n		EUR	- 577 691,9	-3 466,14	- 574 225,76
IT	Other Direct Aid — Article 69 of Reg. 1782/200 only Ovines and Bovines	2009	Insufficion quality and inadequatiming of the on-the-spot checks, weaknes in the control of eligibility of claimed animals, wrong application for sanctions for bovine	RATE tte ses	5,00 %	EUR	- 1 701 995,62	0,00	- 1 701 995,62
IT	Entitlem	e <b>20</b> 009	Incorrect application of the regulation regarding the allocation of the special entitlement.	cooff n g n		EUR	- 279 114,77	0,00	- 279 114,77
IT	Entitlem	e <b>210s</b> l 0	Incorrect applicati of the regulatio regarding the	o@FF n		EUR	- 534 365,66	0,00	- 534 365,66

IT	Accredit Paying Agency	a <b>2</b> i0hO	allocation of the special entitlement deficient in the accreditation of the special entitle of the accreditation o	ents elekAT RATE	16,00 %	EUR	- 623 731,0	0,00	-623 731,0
IT	Accredit Paying Agency	a <b>2</b> i0h0	deficience in the accredita criteria for EAGF	RATE	16,00 %	EUR	- 398 672,0	0,00	- 398 672,0
IT	Clearance of accounts 50/50 rule Clearance		Reimbur following the judgmen of Court of Justice	gOFF		EUR	2 114 199,16	0,00	2 114 199,16
			in case T-267/07	7					
TOTAL	IT			7		EUR	-58 13. 523,90	- 18 607,03	- 5 794 916,87
PT	Export refunds - Non- Annex I	2009		cFdsAT RATE	5,00 %	EUR EUR	13.		

PT	Export refunds - Sugar and isogluco		controls and in their reporting failure to carry out seal and substitut controls  Deficien in the quality of the physical controls and in their reporting failure to carry out seal	ion cFdsAT RATE	5,00 %	EUR	- 89,64	0,00	- 89,64
			and substitut controls	ion					
PT	Export refunds - Non- Annex I	2010	Deficien in the quality of the physical controls and in their reporting failure to carry out seal and substitut controls	RATE	5,00 %	EUR	- 14 305,09	0,00	- 14 305,09
PT	Export refunds - other	2010	Deficien in the quality of the physical controls and in their reporting failure to carry	RATE	5,00 %	EUR	- 240 513,8	0,00	- 240 513,8

			out seal and substitut controls	ion					
PT	Export refunds - Sugar and isogluco	2010 se	Deficien in the quality of the physical controls and in their reporting failure to carry out seal and substitut controls	RATE	5,00 %	EUR	- 386,40	0,00	386,40
PT	Export refunds - Non- Annex I	2011	Deficien in the quality of the physical controls and in their reporting failure to carry out seal and substitut controls	RATE	5,00 %	EUR	- 5 946,75	0,00	- 5 946,75
PT	Export refunds - other	2011	Deficien in the quality of the physical controls and in their reporting failure to carry out seal and substitut controls	RATE	5,00 %	EUR	- 183 177,64	0,00	- 183 177,64
PT	Other Direct	2007	Unsatisf quality	a <b>EtloA</b> yT RATE	5,00 %	EUR	-1 356 820,1	- 41,59	- 1 356 778,51

	Aid — Ewe and Goats		of the on-the-spot checks for CY 2006, 2007 and 2008 late start of on-the-spot checks for CY 2007 and 2008; payment of unidentif animals for CY 2006 and 2007						
PT	Other Direct Aid — Ewe and Goats	2008	Unsatisfa quality of the on-the-spot checks for CY 2006, 2007 and 2008; late start of on-the-spot checks for CY 2007 and 2008 payment of unidentifanimals for CY 2006 and 2007	RATE	5,00 %	EUR	-1 272 636,94	0,00	- 1 272 636,94

PT	Other Direct Aid — Ewe and Goats	2009	Unsatisfa quality of the OTSC for CY 2006, 2007 and 2008; late start of OTSC for CY 2007 and 2008 payment of unidentifanimals for CY 2006 and 2007 Unsatisfa	RATE	5,00 %	EUR	- 1 267 788,94	0,00	- 1 267 788,94
PI	Other Direct Aid — Ewe and Goats	2010	of the on-the-spot checks for CY 2006, 2007 and 2008 late start of on-the-spot checks for CY 2007 and 2008 payment of unidentificanimals for CY 2006 and 2007	RATE  S;	5,00 %	EUR	-44,/3	0,00	-44,/3
PT	Other Direct	2011	Unsatisfa quality	a <b>EtloA</b> yT RATE	5,00 %	EUR	- 620,76	0,00	- 620,76

	Aid — Ewe and Goats		of the on-the-spot checks for CY 2006, 2007 and 2008 late start of on-the-spot checks for CY 2007 and 2008 payment of unidentificanimals for CY 2006 and 2007	<b>;</b> ;					
PT	Cross	2007 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11 and lenient sanction system, farmers without animals, CY 2006	FLAT RATE	5,00 %	EUR	-412 896,09	-13 715,18	- 399 180,91
PT	Cross Complia	2007 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11,	FLAT RATE	10,00 %	EUR	- 2 466 398,82	- 94 162,81	- 2 372 236,01

			ineffective checks on 6-8, 16-18 and lenient sanction system, farmers with animals, CY 2006	ve					
PT	Cross Complia	2008 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11 and lenient sanction system, farmers without animals, CY 2007	FLAT RATE	5,00 %	EUR	- 811 952,21	-46 814,35	- 765 137,86
PT	Cross Complia	2008 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11, ineffective checks on 6-8, 16-18 and lenient sanction system, farmers with animals,		10,00 %	EUR	- 3 535 313,88	-208 399,51	- 3 326 914,37

			CY 2007						
PT	Cross Complia	2009 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11 and lenient sanction system, CY 2008	FLAT RATE	5,00 %	EUR	-2 978 076,83	- 151 490,51	-2 826 586,32
PT	Cross Complia	2010 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11 and lenient sanction system, CY 2008	FLAT RATE	5,00 %	EUR	- 52 701,86	-6 051,95	- 46 649,91
TOTAL	PT	I	I			EUR	- 14 778 657,59	- 520 675,9	- 14 257 981,69
RO	Cross Complia	2008 nce	Non-definition and control of GAECs, non-definition of criteria for evaluation CY 2007	n	5,00 %	EUR	- 634 324,17	- 69 550,07	- 564 774,1

RO	Cross	2009	Non-	FLAT	5,00 %	EUR	- 1 579	- 122	- 1 456
	Complia		definition and control of GAECs, non-definition of criteria for evaluation CY 2008	nRATE n			209,93	547,37	662,56
RO	Cross Complia	2009 nce	Non-definition and control of GAECs, non-definition of criteria for evaluation CY 2007	n	5,00 %	EUR	-7 557,46	- 9 154,94	1 597,48
RO	Cross Complia	2010 nce	Controls partially performed and sampling of parcels not risk based, CY 2009	RATE ed	2,00 %	EUR	189,50	0,00	189,50
RO	Cross Complia	2010 nce	Controls partially performed and sampling of parcels not risk based, CY 2009	RATE ed	2,00 %	EUR	-4 023,09	0,00	-4 023,09

		T			I				
RO	Cross Complia	2010 nce	Controls partially performe and sampling of parcels not risk based, CY 2009	RATE d	2,00 %	EUR	- 1 226 850,84	139,75	- 1 226 711,09
RO	Cross Complia	2010 nce	Non-definition and control of GAECs, non-definition of criteria for evaluation CY 2008	n	5,00 %	EUR	- 10 898,89	- 10 206,73	_ 692,16
RO	Cross Complia	2010 nce	Non-definition and control of GAECs, non-definition of criteria for evaluation CY 2007	n	5,00 %	EUR	2 764,61	- 493,12	3 257,73
RO	Cross Complia	2011 nce	Controls partially performe and sampling of parcels not risk based, CY 2009	RATE d	2,00 %	EUR	1,35	0,00	1,35

RO	Cross Complia	2011 nce	Controls partially performe and sampling of parcels not risk based, CY 2009	RATE ed	2,00 %	EUR		0,00	
RO	Cross Complia	2011 nce	Non-definition and control of GAECs, non-definition of criteria for evaluation CY 2008	n	5,00 %	EUR	4 873,62	0,00	4 873,62
TOTAL	RO					EUR	-3 455 285,94	- 212 091,98	- 3 243 193,96
SI	RO Cross Complia	2006 nce	Lenient sanction system, 4 GAEC missing, CY 2005	RATE	5,00 %	EUR SIT			
	Cross	2007	sanction system, 4 GAEC missing,	RATE  FLAT RATE	5,00 %		285,94 - 10 718	<b>091,98</b> - 414	193,96 - 10 304

SI	Cross 200 Compliance	8 Lenient sanction system, 4 GAEC missing, CY 2005		5,00 %	EUR	0,05	0,00	0,05
SI	Cross 200 Compliance	8 Lenient sanction system, weakness for the control of 5 GAEC, CY 2007		5,00 %	EUR	535,78	0,00	535,78
SI	Cross 200 Compliance	8 Lenient sanction system, 4 GAEC missing, CY 2005	FLAT RATE	5,00 %	EUR	-23,61	0,00	- 23,61
SI	Cross 200 Compliance	8 Lenient sanction system, 4 GAEC missing, CY 2006		5,00 %	EUR	393,36	- 1,86	_ 391,50
SI	Cross 200 Compliance	8 Lenient sanction system, weakness for the control of 5 GAEC, CY 2007		5,00 %	EUR	-279 213,39	- 12 630,25	- 266 583,14
SI	Cross 200 Compliance	9 Lenient sanction system, 4 GAEC missing, CY 2006		5,00 %	EUR	0,59	0,00	0,59

SI	Cross Complia	2009 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2008	RATE	5,00 %	EUR	692,45	0,00	692,45
SI	Cross Complia	2009 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2007	RATE	5,00 %	EUR	68,69	0,00	68,69
SI	Cross Complia	2009 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2007	RATE	5,00 %	EUR	- 701,41	- 28,05	- 673,36
SI	Cross Complia	2009 nce	Lenient sanction system, 4 GAEC missing, CY 2006		5,00 %	EUR	-44,03	- 0,16	-43,87
SI	Cross Complia	2009 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2008	RATE	5,00 %	EUR	- 350 086,56	-6 095,01	- 343 991,55
SI	Cross Complia	2010 nce	Lenient sanction system,		5,00 %	EUR	19,55	0,00	19,55

SI	Cross Complia	2010 nce	weaknes for the control of 5 GAEC, CY 2007 Lenient sanction system, weaknes for the control of 5 GAEC, CY 2008	FLAT RATE	5,00 %	EUR	30,66	0,00	30,66
SI	Cross Complia	2010 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2009	RATE	5,00 %	EUR	958,47	0,00	958,47
SI	Cross Complia	2010 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2007	RATE	5,00 %	EUR	-2 761,46	- 138,02	- 2 623,44
SI	Cross Complia	2010 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2008	RATE	5,00 %	EUR	_ 607,46	- 10,74	_ 596,72
SI	Cross Complia	2010 nce	Lenient sanction system,		5,00 %	EUR	- 413 940,7	- 742,42	- 413 198,28

SI	Cross Complia	2011 nce	weaknes for the control of 5 GAEC, CY 2009 Lenient sanction system, weaknes for the control of 5 GAEC, CY 2008	FLAT RATE	5,00 %	EUR	- 35,31	0,00	- 35,31
SI	Cross Complia	2011 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2008	RATE	5,00 %	EUR	2,85	0,00	2,85
SI	Cross Complia	2011 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2009	RATE	5,00 %	EUR	4,89	0,00	4,89
SI	Cross Complia	2011 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2009	RATE	5,00 %	EUR	- 569,66	0,00	_ 569,66
SI	Cross Complia	2012 nce	Lenient sanction system,		5,00 %	EUR	27,06	0,00	27,06

SI	Cross Complia	2012 nce	weaknes for the control of 5 GAEC, CY 2009 Lenient sanction system, weaknes for the control of 5 GAEC, CY 2009	FLAT RATE	5,00 %	EUR	_ 195,93	0,00	
TOTAL	SI					SIT	- 10 718 970,58	- 414 437,68	-10 304 532,9
TOTAL	SI					EUR	-1 174 320,48	- 20 582,34	- 1 153 738,14
TOTAL	6701					SIT	- 10 718 970,58	- 414 437,68	- 10 304 532,9
TOTAL	6701					EUR	- 295 142 609,32	- 1 944 388,85	- 293 198 220,47
BUDGI	ET ITEM:		1			1	1	1	
DE	Rural Develop: EAFRD Axis 1+3 — Investme orientate measures (2007-20	ent d	Weaknes in project selection	RATE	10,00 %	EUR	- 239 484,15	0,00	- 239 484,15
DE	Rural Develop EAFRD Axis 1+3 — Investme orientate measures	ent d	Weaknes in project selection	RATE	10,00 %	EUR	-1 638 636,95	0,00	- 1 638 636,95

DE	Rural Develop EAFRD Axis 1+3 — Investme orientate measure: (2007-20	ent d	Weaknes in project selection	RATE	10,00 %	EUR	- 781 262,31	0,00	- 781 262,31
DE	Rural Develop EAFRD Axis 1+3 — Investme orientate measures (2007-20	ent d s	Weaknes in project selection	RATE	10,00 %	EUR	- 166 944,39	0,00	- 166 944,39
TOTAL	DE					EUR	-2826 327,8	0,00	- 2 826 327,8
DK	Cross Complia	2009 nce	6 GAEC missing, no check on minimum requirem for plant protectio products CY 2008	n	5,00 %	EUR	- 126 902,55	-1 356,8	- 125 545,75
DK	Cross Complia	2010 nce	No control on minimum requirem for plant protection products CY 2009	n	2,00 %	EUR	- 30 431,43	- 113,46	- 30 317,97
DK	Cross Complia	2010 nce	6 GAEC missing, no check	FLAT RATE	5,00 %	EUR	-2 492,68	539,23	-1 953,45

DK	Cross Complia	2010 nce	on minimur requirem for plant protection products CY 2008  Incorrect calculation of sanctions CY	ents  n  ONE-  OOFF		EUR	- 24,00	- 0,08	-23,92
DK	Cross Complia	2011 nce	6 GAEC missing, no check on minimum requirem for plant protection products CY 2008	ents n	5,00 %	EUR		0,00	
DK	Cross Complia	2011 nce	No sanction on minimum requirem for plant protection products CY 2010	n ients n		EUR	_ 133,07	0,00	
TOTAL	DK					EUR	- 160 371,61	- 2 009,57	- 158 362,04
FI	Cross Complia	2007 nce	1 GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	- 401 890,24	- 44,84	-401 845,4

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FI	Cross Complia	2008 nce	GAEC missing, lenient sanctions system, CY 2008	FLAT RATE	2,00 %	EUR	- 406 777,26	0,00	- 406 777,26
FI	Cross Complia	2008 nce	GAEC missing, lenient sanctions system, CY 2007	FLAT RATE	2,00 %	EUR	-13 442,43	- 44,89	- 13 397,54
FI	Cross Complia	2009 nce	1 GAEC missing, lenient sanction system, CY 2008	FLAT RATE	2,00 %	EUR	- 16 504,68	0,00	- 16 504,68
FI	Cross Complia	2009 nce	1 GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	123,81	- 2,29	126,10
FI	Cross Complia	2010 nce	1 GAEC missing, lenient sanction system, CY 2008	FLAT RATE	2,00 %	EUR	124,79	0,00	124,79
FI	Cross Complia	2010 nce	1 GAEC missing, lenient sanction system, CY 2007	FLAT RATE	2,00 %	EUR	53,00	_ 883,33	936,33

TOTA	L FI		EUR	- 838 313,01	975,35	- 837 337,66		
FR	Rural 20 Developme EAFRD Axis 1 — Measures with flat rate support (2007-2013	control on the realisatio of the steps and objective		5,00 %	EUR	- 177 862,92	0,00	- 177 862,92
FR	Rural 20 Developme EAFRD Axis 1 — Measures with flat rate support (2007-2013	control on the realisatio of the steps and objective		5,00 %	EUR	-2 376 998,88	0,00	-2 376 998,88
FR	Rural 20 Developme EAFRD Axis 1 — Measures with flat rate support (2007-2013	control on the realisatio of the steps and objective		5,00 %	EUR	-2 527 224,82	0,00	- 2 527 224,82
FR	Rural 20 Developme EAFRD Axis 1 — Measures with flat rate support (2007-2013	control on the realisatio of the steps and objective	on	POLATE	DEUR	-2 127 518,8	0,00	-2 127 518,8

FR	Rural Develop EAFRD Axis 1 — Measure with flat rate support (2007-20	s	Not enough control on the realisation of the steps and objective of the business plan	es	5,00 %	EUR	- 2 541 264,35	0,00	-2 541 264,35
FR	Rural Develop EAFRD Axis 1 — Measure with flat rate support (2007-20	s	Not enough control on the realisation of the steps and objective of the business plan	es	5,00 %	EUR	- 279 802,33	0,00	- 279 802,33
TOTAL	FR					EUR	- 10 030	0,00	- 10 030
							672,1		672,1
GB	Cross Complia	2007 nce	Non or incorrect application of regulator sanctions CY 2007	on 'Y	5,00 %	EUR		0,00	
GB GB	1	2008	incorrect applicati of regulator sanctions CY	RATE on S, FLAT RATE on Sy	5,00 %	EUR	<b>672,1</b> - 81	0,00 -3 187,5	<b>672,1</b> - 81

			CY 2007						
GB	Cross Complia	2009 nce	Non or incorrect application of regulator sanctions CY 2009	on 'y	2,00 %	EUR	- 12 481,44	0,00	- 12 481,44
GB	Cross Complia	2009 nce	Non or incorrect application of regulator sanctions CY 2007	on 'y	5,00 %	EUR	487,27	- 25,57	461,70
GB	Cross Complia	2009 nce	Non or incorrect applicati of regulator sanctions CY 2008	on 'y	5,00 %	EUR	- 51 617,56	-4 078,41	-47 539,15
GB	Cross Complia	2010 nce	Non or incorrect application of regulator sanctions CY 2009	on 'y	2,00 %	EUR	- 36 866,26	-2 314,12	- 34 552,14
GB	Cross Complia	2010 nce	Non or incorrect application of regulator sanctions CY 2008	on 'y	5,00 %	EUR	-3 266,99	0,00	-3 266,99
GB	Cross Complia	2010 nce	Non or incorrect applicati of regulator sanctions	on 'y	5,00 %	EUR	-1 523,34	- 83,53	-1 439,81

			CY 2007						
GB	Cross Complia	2011 nce	Non or incorrect application of regulator sanctions CY 2009	on Ty	2,00 %	EUR	396,43	0,00	396,43
GB	Cross Complia	2011 nce	Non or incorrect application of regulator sanctions CY 2008	on Ty	5,00 %	EUR	316,44	0,00	316,44
GB	Cross Complia	2009 nce	Ineffecti control of GAEC and SMR 2, 4 and 8, CY 2009	vELAT RATE	2,00 %	EUR	-1 554,44	203,30	-1 351,14
GB	Cross Complia	2009 nce	Lenient sanction system for SMR 7 and 8, no follow-up of minor non-complian ineffective control of GAEC, CY 2008	ingATE	5,00 %	EUR	-90 650,32	-4 272,84	- 86 377,48
GB	Cross Complia	2010 nce	Ineffecti control of GAEC and	v <b>E</b> LAT RATE	2,00 %	EUR	-7 752,17	- 7,24	- 7 744,93

		SMR 2, 4 and 8, CY 2010					
GB	Cross 2010 Compliance	IneffectivELAT control RATE of GAEC and SMR 2, 4 and 8, CY 2009	2,00 %	EUR	- 88 716,38	-5 117,14	- 83 599,24
GB	Cross 2010 Compliance	Lenient sanctioningATE system for SMR 7 and 8, no follow-up of minor non-compliance, ineffective control of GAEC, CY 2008	5,00 %	EUR	-9 809,49	- 623,91	- 9 185,58
GB	Cross 2011 Compliance	IneffectivELAT control RATE of GAEC and SMR 2, 4 and 8, CY 2010	2,00 %	EUR	- 96 480,08	- 2 386,95	- 94 093,13
GB	Cross 2011 Compliance	IneffectivELAT control of GAEC and SMR 2, 4 and 8, CY 2009	2,00 %	EUR	- 17 490,4	0,00	- 17 490,4

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GB	Cross Complia	2011 nce	Lenient sanction system for SMR 7 and 8, no follow-up of minor non-compliar ineffective control of GAEC, CY 2008	ingATE	5,00 %	EUR	-1 447,33	0,00	-1 447,33
GB	Rural Develop EAFRD Axis 2 (2007-20 area related measure	013,	Lack of alternative control methods to visual check		5,00 %	EUR	- 272 613,55	- 272 613,55	0,00
GB	Rural Develop EAFRD Axis 2 (2007-20 area related measure	013,	Irregular detected following the retroactive checks	OFF g		EUR	- 22 801,38	-1 140,06	- 21 661,32
GB	Rural Develop EAFRD Axis 2 (2007-20 area related measure	013,	Lack of alternative control methods to visual check		5,00 %	EUR	- 546 873,59	0,00	- 546 873,59
GB	Rural Develop EAFRD Axis 2 (2007-20 area related measure	013,	Lack of follow up for non- submissi of payment claims	OFF on		EUR	-25 763,75	0,00	- 25 763,75

GB	Rural	2011	for Natural Handica	i <b>0es</b> E-		EUR	-24 004.7	0,00	-24 -004.7
	Develop EAFRD Axis 2 (2007-20 area related measure	013,	detected following the retroactive checks	g			094,7		094,7
TOTAL	GB		1			EUR	- 1 521 304,37	- 299 216,92	- 1 222 087,45
IT	Accredit Paying Agency	a <b>2</b> i0H0	deficience in the accredita criteria for EAFRD	RATE	16,00 %	EUR	-2 417 690,0	0,00	-2 417 690,0
IT	Accredit Paying Agency	a <b>2i0h</b> 0	deficience in the accredita criteria for	RATE	16,00 %	EUR	-7 132,0	0,00	-7 132,0
			EAFRD (debtors)						
TOTAL	IT		EAFRD			EUR	- 2 424 822,0	0,00	- 2 424 822,0
TOTAL PT	IT Cross Complia	2008 nce	EAFRD	FLAT RATE	5,00 %	EUR EUR		<b>0,00</b> - 118 567,43	

			on SMR 1, 2, 5, 11 and lenient sanction system, farmers without animals, CY 2007						
PT	Cross Complia	2008 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11, ineffective checks on 6-8, 16-18 and lenient sanction system, farmers with animals, CY 2007	FLAT RATE	10,00 %	EUR	- 1 535 086,03	- 163 623,07	- 1 371 462,96
PT	Cross Complia	2009 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11 and lenient sanction system, CY 2008	FLAT RATE	5,00 %	EUR	- 391 551,37	- 45 319,62	- 346 231,75

PT	Cross Complia	2010 nce	Several GAEC not defined, lack of checks on SMR 1, 2, 5, 11 and lenient sanction system, CY 2008	RATE	5,00 %	EUR	-173 177,7	-18 879,59	- 154 298,11
TOTAL	PT					EUR	- 2 684 925,41	- 383 145,62	- 2 301 779,79
RO	Cross Complia	2009 nce	Controls partially performed and sampling of parcels not risk based, CY 2009	RATE d	2,00 %	EUR	-3,15	0,00	-3,15
RO	Cross Complia	2009 nce	Non-definitio and control of GAECs, non-definitio of criteria for evaluatio CY 2008	n	5,00 %	EUR	- 551 739,74	- 55 909,89	-495 829,85
RO	Cross Complia	2009 nce	Non-definitio and control of GAECs, non-definitio		5,00 %	EUR	- 52 672,92	0,00	- 52 672,92

			of criteria for evaluation CY 2007	on,					
RO	Cross Complia	2010 nce	Controls partially performed and sampling of parcels not risk based, CY 2009	RATE ed	2,00 %	EUR	-457 003,1	0,00	- 457 003,1
RO	Cross Complia	2010 nce	Non-definition and control of GAECs, non-definition of criteria for evaluation CY 2008	n	5,00 %	EUR	- 1 497,6	0,00	-1 497,6
RO	Cross Complia	2010 nce	Non-definition and control of GAECs, non-definition of criteria for evaluation CY 2007	n	5,00 %	EUR	2 259,28	0,00	2 259,28
RO	Cross Complia	2011 nce	Controls partially performe and sampling of	RATE ed	2,00 %	EUR	-2 595,48	0,00	-2 595,48

RO	Cross	2011	parcels not risk based, CY 2009	FLAT	5,00 %	EUR	7	0,00	7
	Complia	nce	definition and control of GAECs, non-definition of criteria for evaluation CY 2008	n			412,84		412,84
TOTAL	RO					EUR	-1 055 839,87	- 55 909,89	- 999 929,98
SI	Cross Complia	2008 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2007	RATE	5,00 %	EUR	-318 962,73	-6 726,62	- 312 236,11
SI	Cross Complia	2009 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2009	RATE	5,00 %	EUR	_ 217,53	0,00	
SI	Cross Complia	2009 nce	Lenient sanction system, weaknes for the control of 5 GAEC,	RATE	5,00 %	EUR	-317 428,64	-8 275,35	- 309 153,29

			CY 2008						
SI	Cross Complia	2009 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2007	RATE	5,00 %	EUR	66,00	0,00	66,00
SI	Cross Complia	2010 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2009	RATE	5,00 %	EUR	-315 177,28	- 1 172,19	-314 005,09
SI	Cross Complia	2010 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2007	RATE	5,00 %	EUR	523,44	0,00	523,44
SI	Cross Complia	2010 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2008	RATE	5,00 %	EUR	385,03	0,00	385,03
SI	Cross Complia	2011 nce	Lenient sanction system, weaknes for the control of 5 GAEC,	RATE	5,00 %	EUR	- 90,49	0,00	- 90,49

			CY 2009						
SI	Cross Complia	2011 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2008	RATE	5,00 %	EUR	162,59	0,00	162,59
SI	Cross Complia	2012 nce	Lenient sanction system, weaknes for the control of 5 GAEC, CY 2009	RATE	5,00 %	EUR	- 70,06	0,00	- 70,06
TOTAL SI						EUR	- 951 904,91	- 16 174,16	- 935 730,75
TOTAL 6711						EUR	- 22 494 481,08	- 757 431,51	- 21 737 049,57

- (1) OJ L 160, 26.6.1999, p. 103.
- (2) OJ L 209, 11.8.2005, p. 1.

## **Changes to legislation:**