

MINISTER OF AGRICULTURE



REGULATION

Tallinn

April 2007 No

More detailed procedure for applying for aid to energy crops and proceeding of applications

The regulation shall be enacted on the basis of European Union Common Agricultural Policy Implementation Act § 3 (2), § 12 (5), § 14¹ (2), § 14² (2) and § 63 (5), and Article 27, Article 30, Article 34 (1) and (3), Article 35 (1), Article 39 (1) and Article 42 (1) of Commission Regulation (EC) No 1973/2004 laying down detailed rules for the application of Council Regulation (EC) No 1782/2003 as regards the support schemes provided for in Titles IV and IVa of that Regulation and the use of land set aside for the production of raw materials (OJ L 345, 20.11.2004, p. 1–84), and Chapter 8 Title 7 Article 24 (4), Article 33 (1) and (2) and Article 34 (1) and (2) of Regulation (EC) No 1973/2004 amended by Article 1 (3) of Commission Regulation 270/2007 amending Regulation (EC) No 1973/2004 laying down detailed rules for the application of Council Regulation (EC) No 1782/2003 as regards the support schemes provided for in Titles IV and IVa of that Regulation and the use of land set aside for the production of raw materials (OJ L 75, 15.03.2007, p. 8–20).

§ 1. Scope of application

The regulation provides for more detailed requirements for receiving aid for energy crops (hereinafter: *aid*), and a more detailed procedure for applying for aid and processing of applications.

§ 2. Aid applicant

Aid may be applied for by a person (hereinafter: *applicant*) who grows energy crops and meets the requirements specified in Commission Regulation (EC) No 1973/2004 Chapter 8 and in that regulation.

§ 3. Applying for aid

(1) The applicant shall conclude with the collector and first processor the contract specified in Article 26 of regulation (EC) No 1973/2004 and submit a copy of it along with the confirmation containing the information set out in Annex 1 and the application for single area payment to the Estonian Agricultural Registers and Information Board (hereinafter: *ARIB*).

(2) If warehousing or processing does not take place in Estonia, the collector or first processor shall submit the documents prescribed in the energy crops aid scheme to a competent body of the member state of its location by the due date specified in that member state.

(3) If the applicant processes the energy crops yield by itself in its own company, the applicant shall submit to *ARIB* the processing declaration specified in Chapter 8 Title 7 Article 33 (2) of Commission Regulation (EC) No 1973/2004 amended by Article 1 (3) of Commission Regulation (EC) No 270/2007.

(4) The minimum growing area of energy crops for which aid may be applied for is one hectare per applicant, fields with an area of at least 0.3 hectares shall be taken into account upon determination of such area.

§ 4. Guarantee

The first processor or collector shall submit together with a copy of the Contract a guarantee to *ARIB* pursuant to Commission Regulation (EC) No 1973/2004 Article 35.

§ 5. Requirements for receipt of aid

(1) To receive the aid, the applicant shall supply at least the minimum yield of energy crops. The minimum yields of energy crops eligible for aid are as follows:

- 1) rape 1200 kg/ha;
- 2) turnip rape 1200 kg/ha;
- 3) barley 2000 kg/ha;
- 4) wheat 2000 kg/ha;
- 5) oats 1700 kg/ha;
- 6) rye 1700 kg/ha;
- 7) triticale 2000 kg/ha;
- 8) reed canary grass 3000 kg/ha;
- 9) fodder galega 3500 kg/ha;
- 10) hemp (stalks) 5000 kg/ha;
- 11) willow 6000 kg/ha.

(2) In the case of growing willows, the condition for applying for aid is the supply of yield from a plantation established as a condition for applying for aid at least in each fourth year until the liquidation of the plantation; in the case of growing reed canary grass or fodder galega, yield is required to be supplied each year, except for the year of sowing.

(3) The yield harvested in the year when the application is submitted shall be supplied by 1 June of the calendar year following the year when the application is

submitted. If the yield is harvested in the spring of the year following the year when the application is submitted, the harvested yield shall be supplied by 1 June of the year when the yield is harvested. In the case of growing willows, the first yield shall be supplied in the fourth calendar year after the foundation of the plantation.

§ 6. Requirements to the applicant

(1) The initial processor, or a person specified in § 3 (3), shall submit to ARIB the information complying with the format set out in Annex 3 by 15 June of the year when the application is submitted to ARIB. If raw materials are processed in different manners, a separate notice shall be submitted for each processing method.

(2) ARIB shall be notified of any amendments to or termination of the processing declaration submitted on the basis of § 3 (3) hereof by a notice set out in Annex 4 by 15 June of the year when the application is submitted

(3) A copy of the amendment to or termination of the contract concluded pursuant to § 3 (1) hereof together with a notice corresponding with format set out in Annex 4 shall be submitted to ARIB by 15 June of the year when the application to ARIB is submitted.

(4) The applicant shall submit to ARIB a notice on the yield supplied to the collector or first processor pursuant to § 5 (3) hereof, corresponding to the format set out in Annex 5, ARIB by 15 June of the year following the year when the application is submitted.

(5) If the applicant processes the yield of energy crops in its company by itself, the applicant shall submit to ARIB notices on the yield supplied pursuant to § 5 (3) hereof, corresponding to the format set out in annexes 5 and 6, by 15 June of the year following the year when the application is submitted.

(6) The Collector or initial processor shall submit to PRIA a notice on receipt of raw materials, corresponding to the format set out in Annex 6, by 1 June of the calendar year following the year when the application is submitted.

(7) After the processing of raw materials into energy crops, the initial processor or a person specified in § 3 (3) shall submit to ARIB a notice on processing of raw materials, corresponding to the format set out in Annex 7. The raw materials shall be processed by 31 July of the next year following the year when the yield is harvested.

(8) Pursuant to Article 39 of Commission Regulation (EC) No 1973/2004, the collector shall keep records in compliance with the format set out in Annex 8 and the format set out in Annex 9, which shall be submitted to ARIB concerning the previous month by the 10th day of each month as of the beginning of warehousing or processing.

§ 7. Verification

(1) ARIB shall verify the correctness of information supplied by the applicant on the basis of Article 32 of Commission Regulation (EC) No 1973/2004.

(2) ARIB shall verify, on the spot, at least 10% of the applicants specified in § 3 (1) and (3) hereof pursuant to Chapter 8 Title Article 35 of Commission Regulation (EC) No 1973/2004 amended by Commission Regulation (EC) No 270/2007.

(3) ARIB shall verify on the spot the correctness of information submitted by at least 25% of collectors and initial processors pursuant to Article of Commission regulation (EC) No 1973/2004.

§ 8. Determination of aid or refusal to satisfy the application

ARIB shall decide on the determination of aid or refusal to satisfy the application on the basis of the results of the verification provided in § 7 hereof and by taking into account the requirements provided in Article 32 of Commission Regulation (EC) 1973/2004 and Chapter 8 Title 7 Article 36 of Regulation (EC) No 1973/2004 amended by Article 1 (3) of Commission Regulation (EC) No 270/2007.

§ 9. Payment of aid

The aid shall be paid on the basis of a decision specified in § 8 hereof and by 30 June of the calendar year following the year when the application is submitted pursuant to Article 28 of Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and amending regulations (EEC) No 2019/93, (EC) 1452/2001, (EC) 1453/2001, (EC) 1454/2001, (EC) 1868/94, (EC) 1251/1999, (EC) 1673/2000, (EEC) 2358/1971 and (EC) 2529/2001 (OJ L 270, 21.10.2003, p. 1-69), Article 32 of Commission Regulation (EC) 1973/2004 and Chapter 8 Title 7 Article 36 of the Regulation (EC) No 1973/2004 amended by Article 1 (3) of Commission Regulation (EC) No 270/2007.

§ 10. Submission of market information

The market information specified in Commission Regulation (EC) No 1973/2004 Article 44 shall be submitted to the European Commission by ARIB.

Helir-Valdor Seeder
Minister

Ruve Šank
Deputy Secretary
General for Foreign
Relations and
Development
in the capacity of
Secretary General

Primary product received from final processing of raw materials	Processing manner	CN code ¹
Secondary product(s) received from final processing of raw materials	Processing manner	CN code ¹

¹ Commission Regulation (EC) No 1549/2006

I confirm the correctness of the above information and enable to verify the presented information. I undertake to use the whole yield declared hereby to use in a manner provided in Commission Regulation (EC) No 1973, Article 24 (1) and Article 33 (1) by 31 July of the second year following the yield harvesting year.

Date	Name and signature of the applicant
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Ruve Šank
Deputy Secretary
General for Foreign
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Development
in the capacity of
Secretary General

Annex 3 to
Regulation No ... of the Regulation of the Minister of Agriculture of... April 2007
"More detailed procedure for applying for aid for
energy crops and proceeding of applications"

NOTICE

on the processing chain of energy crops
(technical information of processing equipment shall be added to the notice)

Information of first processor

First processor	REGISTRY CODE	Phone
Address, postal code		E-mail

Description of the processing chain

Processed raw material and its quantity				
		Primary product	Secondary product	Secondary product
		<input type="checkbox"/> energy product <input type="checkbox"/> non-energy product	<input type="checkbox"/> energy product <input type="checkbox"/> non-energy product	<input type="checkbox"/> energy product <input type="checkbox"/> non-energy product
		Technical processing coefficient of raw materials	Technical processing coefficient of raw materials	Technical processing coefficient of raw materials

Reg. No 70000734

		Unit	Quantity	Price	Unit	Quantity	Price	Unit	Quantity	Price
Processing into energy products	Name of the process									
	Name of the processor	Primary product			Secondary product			Secondary product		
		<input type="checkbox"/> energy product <input type="checkbox"/> non-energy product			<input type="checkbox"/> energy product <input type="checkbox"/> non-energy product			<input type="checkbox"/> energy product <input type="checkbox"/> non-energy product		
		Technical processing coefficient of raw materials			Technical processing coefficient of raw materials			Technical processing coefficient of raw materials		
		Unit	Quantity	Price	Unit	Quantity	Price	Unit	Quantity	Price
Name of the processor										

I confirm the correctness of the above information and allow the verification the presented information.

Date	Name and signature of the initial processor
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Ruve Šank
 Deputy Secretary
 General for Foreign
 Relations and
 Development
 in the capacity of
 Secretary General

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Deputy Secretary
General for Foreign
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Development
in the capacity of
Secretary General

NOTICE

On processing of energy crops yield of 20____

Information of the Parties

First processor	REGISTRY CODE	Phone
Address, postal code		E-mail

Processing period ____/____/20____ - ____/____/20____

Name of processed raw material _____

Quantity of processed raw materials _____ kg

Information of the guarantee

- contract continues, release of the guarantee is not requested
- contract is performed, release of the guarantee is requested
- contract is terminated, release of the guarantee is requested
- release of the guarantees listed below are requested:

Final products

Name	Quantity	Sales price

Accessory products

Name	Quantity	Sales price

I confirm the correctness of the above information and allow for the verification of the submitted information.

Date	Name and signature of the initial processor
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Annex 8 to
Regulation No ... of the Regulation of the Minister of Agriculture of April 2007
"More detailed procedure for applying for aid to
energy crops and proceeding of applications"

NOTICE

**On the yield of purchased and sold energy crops
Shall be submitted as of the receipt of supplies of the crop**

Name of collector	REGISTRY CODE	Phone
Address, postal code		E-mail

Raw materials purchased for processing	Quantity (kg)
Raw materials sold for processing	Quantity (kg)
Name and address of first processor/collector to whom the raw materials were sold	

Raw materials purchased for processing	Quantity (kg)
Raw materials sold for processing	Quantity (kg)
Name and address of first processor/collector to whom the raw materials were sold	

Raw materials purchased for processing	Quantity (kg)
Raw materials sold for processing	Quantity (kg)
Name and address of first processor/collector to whom the raw materials were sold	

Raw materials purchased for processing	Quantity (kg)
Raw materials purchased for processing	Quantity (kg)
Name and address of first processor/collector to whom the raw materials were sold	

I confirm the correctness of the above information and allow for the verification of the submitted information.

Date	Name and signature of the collector
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Reg nr 70000734

Ruve Šank
Deputy Secretary
General for Foreign
Relations and
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in the capacity of
Secretary General

NOTICE

concerning the processing of raw materials into energy

**shall be submitted as of receipt of the supply of the yield
separate notices shall be submitted on different raw materials**

Name of the processor	REGISTRY CODE	Phone
Address, postal code		E-mail

Raw materials purchased for processing	Quantity (kg)	
Processed raw materials	Quantity (kg)	
Received final products	Quantity (kg/l/MWh/TJ)	
Received accompanying products	Quantity (kg/l/MWh/TJ)	
Received accessory products	Quantity (kg/l/MWh/TJ)	
Loss in processing	Quantity (kg/l/MWh/TJ)	
Destroyed quantity	Quantity (kg)	
Reasons for destruction		
Product sold by the processor	Quantity (kg/MWh/TJ)	Received price (EEK / kg)
Product delivered by the processor for reprocessing	Quantity (kg)	Received price (EEK / kg)
Name and address of re-processor		

I confirm the correctness of the above information and allow for the verification of the submitted data.

Date	Name and address of initial processor
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Ruve Šank
Deputy Secretary
General for Foreign
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in the capacity of
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