

**COMMISSION IMPLEMENTING REGULATION (EU) 2022/129**  
**of 21 December 2021**

**laying down rules for types of intervention concerning oilseeds, cotton and by-products of wine making under Regulation (EU) 2021/2115 of the European Parliament and of the Council and for the information, publicity and visibility requirements relating to Union support and the CAP Strategic Plans**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 <sup>(1)</sup>, and in particular Articles 11(2), 37(6), 59(8) and 123(5) thereof,

Whereas:

- (1) Regulation (EU) 2021/2115 lays down a new legal framework for the common agricultural policy (CAP) to improve its delivery on the Union objectives set out in the Treaty on the Functioning of the European Union. That Regulation further specifies these Union objectives to be achieved by the CAP and defines the types of intervention as well as the common Union requirements applicable to Member States, while leaving flexibility for Member States in the design of the interventions to be provided in their CAP Strategic Plans. Member States have to draw up those CAP Strategic Plans and to submit their proposals for those plans to the Commission. For that purpose, certain implementing rules have to be laid down.
- (2) Article 11(1) of Regulation (EU) 2021/2115 states that where Member States provide for area-based interventions, other than those which comply with the provisions of Annex 2 to the WTO Agreement on Agriculture, including coupled income support under that Regulation, and where those interventions concern some or all of the oilseeds referred to in the Annex to the Memorandum of Understanding between the European Economic Community and the United States of America on oil seeds under GATT <sup>(2)</sup>, the total of the support area based upon the planned outputs included in the CAP Strategic Plans of the Member States concerned is not to exceed the maximum support area for the whole Union for the purpose of ensuring compliance with its international commitments. Therefore, the Commission has to fix an indicative reference support area for each Member State as a share of the maximum support area for the whole Union, which corresponds to 7 854 446 hectares, calculated on the basis of the average cultivation area in the Union during the years 2016 to 2020.
- (3) Title III, Chapter II, Section 3, Subsection 2, of Regulation (EU) 2021/2115 provides for a crop-specific payment for cotton, for which four Member States have to authorise the land and varieties concerned. It should be for those Member States to lay down detailed rules in this regard. However, the procedure for those authorisations should be organised in such a way that it allows the farmers concerned to receive notifications related to the authorisation in due time before the next sowing season. In addition, it is appropriate to lay down the minimum information that those notifications should contain.
- (4) In accordance with Article 58(1) of Regulation (EU) 2021/2115, certain Member States are to choose in their CAP Strategic Plans one or more types of intervention in the wine sector, including distillation of by-products of wine making. The Commission has to fix the Union financial assistance for that intervention.

<sup>(1)</sup> OJ L 435, 6.12.2021, p. 1.

<sup>(2)</sup> OJ L 147, 18.6.1993, p. 25.

- (5) In accordance with Article 123(2), point (j), of Regulation (EU) 2021/2115, the managing authority is to ensure through appropriate visibility actions that beneficiaries of support financed by the European Agricultural Fund for Rural Development (EAFRD), with the exception of support under area- and animal-related interventions, acknowledge that support, including by the appropriate use of the Union emblem. In accordance with Article 123(2), point (k), of that Regulation, the managing authority is to ensure that publicity is made for the CAP Strategic Plans by carrying out communication and visibility actions for the general public, potential beneficiaries and relevant target groups. Finally, in accordance with Article 124(3), point (f), of Regulation (EU) 2021/2115, the managing authority is to make available to the monitoring committee the information necessary for the task of examining the implementation of communication and visibility actions. It is appropriate to lay down uniform conditions for the application of the information, publicity and visibility requirements referred to in those provisions.
- (6) Since Member States need to take the rules laid down in this Regulation into account when developing their CAP Strategic Plans, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Common Agricultural Policy Committee,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

##### **Subject matter**

This Regulation lays down rules for the application of Regulation (EU) 2021/2115, for the purpose of drawing up and implementing the CAP Strategic Plans of the Member States in accordance with that Regulation, in relation to:

- (a) the indicative reference support area for each Member State for the purposes of area-related interventions concerning oilseeds;
- (b) the authorisation of land and varieties for the purposes of the crop-specific payment for cotton and the notification related thereto;
- (c) the amount of the support for distillation of by-products of wine making;
- (d) the use of the Union emblem in the framework of certain interventions financed by the EAFRD and the information, publicity and visibility requirements as regards the CAP Strategic Plans and the Union support received on their basis.

#### *Article 2*

##### **Indicative reference support area**

The indicative reference support area for each Member State for the purposes of area-related interventions concerning oilseeds referred to in Article 11(1) of Regulation (EU) 2021/2115 is set out in Annex I to this Regulation.

#### *Article 3*

##### **Procedure for the authorisation of land and varieties for the crop-specific payment for cotton and notifications related thereto**

1. The procedure for the authorisation of land and varieties for the purposes of the crop-specific payment for cotton pursuant to Title III, Chapter II, Section 3, Subsection 2, of Regulation (EU) 2021/2115 shall be organised in such a way that it allows the farmers concerned to receive notifications related to the authorisation in due time before the sowing season.

That notification shall include at least the following information:

- (a) the authorised varieties for sowing;
- (b) the criteria for authorising land for cotton production as established by the Member States in accordance with Article 6 of Commission Delegated Regulation (EU) 2022/126 <sup>(3)</sup>;
- (c) the minimum cotton plant density referred to in Article 8 of Delegated Regulation (EU) 2022/126.

2. Where a Member State withdraws an existing authorisation for a variety, the farmers concerned shall be notified in due time before the sowing season of the following year.

#### Article 4

### Union financial assistance for the distillation of by-products of wine making

1. The Union financial assistance for the distillation of by-products of wine making referred to in Article 58(1), first subparagraph, point (g), of Regulation (EU) 2021/2115 to be paid to distillers, including a lump sum amount to compensate for the collection costs referred to in Article 60(3), third subparagraph, of that Regulation, shall not exceed:

- (a) for raw alcohol obtained from marcs: EUR 1,1/% volume/hl;
- (b) for raw alcohol obtained from wine and lees: EUR 0,5/% volume/hl.

2. Member States shall fix the actual amounts to be paid as Union financial assistance based on objective and non-discriminatory criteria and by taking into account the different production typologies.

#### Article 5

### Union emblem

The Member State and the managing authority shall use the Union emblem in accordance with the requirements laid down in Annex II when carrying out visibility, transparency and communication activities referred to in Article 123(2), point (k), of Regulation (EU) 2021/2115. The managing authority shall also ensure that beneficiaries use the emblem accordingly.

#### Article 6

### Information, publicity and visibility requirements

Detailed rules for the application of the information, publicity and visibility requirements referred to in Article 123(2), points (j) and (k), of Regulation (EU) 2021/2115 are laid down in Annex III to this Regulation.

#### Article 7

### Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

<sup>(3)</sup> Commission Delegated Regulation (EU) 2022/126 of 7 December 2021 supplementing Regulation (EU) 2021/2115 of the European Parliament and of the Council with additional requirements for certain types of intervention specified by Member States in their CAP Strategic Plans for the period 2023 to 2027 under that Regulation as well as rules on the ratio for the good agricultural and environmental condition (GAEC) standard 1 (see page 197 of this Official Journal).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 2021.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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## ANNEX I

**Indicative reference support area referred to in Article 2**

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<b>Belgium</b>	7 295
<b>Bulgaria</b>	711 954
<b>Czechia</b>	300 498
<b>Denmark</b>	114 000
<b>Germany</b>	846 779
<b>Estonia</b>	51 620
<b>Ireland</b>	7 197
<b>Greece</b>	69 709
<b>Spain</b>	559 382
<b>France</b>	1 525 286
<b>Croatia</b>	117 366
<b>Italy</b>	302 843
<b>Cyprus</b>	-
<b>Latvia</b>	89 153
<b>Lithuania</b>	154 217
<b>Luxembourg</b>	2 270
<b>Hungary</b>	707 720
<b>Malta</b>	-
<b>Netherlands</b>	1 952
<b>Austria</b>	88 129
<b>Poland</b>	644 818
<b>Portugal</b>	7 865
<b>Romania</b>	1 250 509
<b>Slovenia</b>	4 059
<b>Slovakia</b>	184 603
<b>Finland</b>	32 342
<b>Sweden</b>	72 880

## ANNEX II

**The use and technical characteristics of the Union emblem ('the emblem')**

1. The emblem shall be prominently featured on all communication materials such as printed or digital products, websites and their mobile views relating to the implementation of an operation, used for the public or for participants.
2. The statement 'Funded by the European Union' or 'Co-funded by the European Union' shall be written in full and placed next to the emblem.
3. The typeface to be used in conjunction with the emblem may be any of the following fonts: *Arial*, *Auto*, *Calibri*, *Garamond*, *Trebuchet*, *Tahoma*, *Verdana* or *Ubuntu*. Italic, underlined variations or font effects shall not be used.
4. The positioning of the text in relation to the emblem shall not interfere with the emblem in any way.
5. The font size used shall be proportionate to the size of the emblem.
6. The colour of the font shall be reflex blue, black or white depending on the background.
7. The emblem shall not be modified or merged with any other graphic elements or texts. If other logos are displayed in addition to the emblem, the emblem shall have at least the same size, measured in height or width, as the biggest of the other logos. Apart from the emblem, no other visual identity or logo must be used to highlight the support from the Union.
8. Where several operations are taking place at the same location, supported by the same or different funding instruments, or where further funding is provided for the same operation at a later date, at least one plaque or billboard shall be displayed.
9. Graphic standards for the emblem and the definition of standard colours:

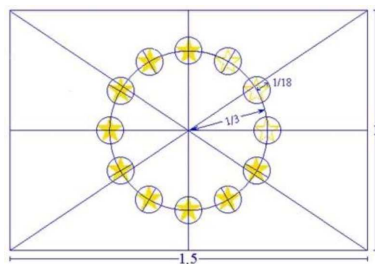
## (A) SYMBOLIC DESCRIPTION

Against a background of blue sky, twelve golden stars form a circle representing the union of the peoples of Europe. The number of stars is fixed, twelve being the symbol of perfection and unity.

## (B) HERALDIC DESCRIPTION

On an azure field a circle of twelve golden mullets, their points not touching.

## (C) GEOMETRIC DESCRIPTION



The emblem has the form of a blue rectangular flag of which the fly is one and a half times the length of the hoist. Twelve gold stars situated at equal intervals form an invisible circle whose centre is the point of intersection of the diagonals of the rectangle. The radius of the circle is equal to one third of the height of the hoist. Each of the stars has five points which are situated on the circumference of an invisible circle whose radius is equal to one eighteenth of the height of the hoist. All the stars are upright, i.e. with one point vertical and two points in a straight line at right angles to the mast. The circle is arranged so that the stars appear in the position of the hours on the face of a clock. Their number is invariable.

(D) REGULATION COLOURS

The emblem is in the following colours: PANTONE REFLEX BLUE for the surface of the rectangle; PANTONE YELLOW for the stars.

(E) FOUR-COLOUR PROCESS

If the four-colour process is used, recreate the two standard colours by using the four colours of the four-colour process.

PANTONE YELLOW is obtained by using 100 % 'Process Yellow'.

PANTONE REFLEX BLUE is obtained by mixing 100 % 'Process Cyan' and 80 % 'Process Magenta'.

INTERNET

PANTONE REFLEX BLUE corresponds in the web-palette colour RGB: 0/51/153 (hexadecimal: 003399) and PANTONE YELLOW corresponds in the web-palette colour RGB: 255/204/0 (hexadecimal: FFCC00).

MONOCHROME REPRODUCTION PROCESS

Using black, outline the rectangle in black and print the stars in black on white.



Using blue (Reflex Blue), use 100 % with the stars reproduced in negative white.



REPRODUCTION ON A COLOURED BACKGROUND

If there is no alternative to a coloured background, put a white border around the rectangle, the width of the border being 1/25<sup>th</sup> of the height of the rectangle.



The principles of the use of the emblem by third parties are set out in the Administrative agreement with the Council of Europe regarding the use of the European emblem by third parties <sup>(1)</sup>.

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<sup>(1)</sup> OJ C 271, 8.9.2012, p. 5.

## ANNEX III

**Information, publicity and visibility requirements****1. Communication and visibility actions of the managing authority**

- 1.1. For the purposes of Article 123(2), point (k), of Regulation (EU) 2021/2115, the managing authority shall ensure that publicity is made for the CAP Strategic Plan by planning and carrying out relevant communication and visibility actions throughout the preparation and implementation of the CAP Strategic Plan for the purpose of informing the target groups referred to in that point.
- 1.2. For the purposes of Article 124(3), point (f), of Regulation (EU) 2021/2115, the managing authority shall make available to the monitoring committee the information necessary for the monitoring committee to carry out the task of examining the implementation of communication and visibility actions.
- 1.3. The managing authority shall ensure that, within 6 months of the Commission decision approving the CAP Strategic Plan, there is a website where information on the CAP Strategic Plan under its responsibility is available, covering the plan's objectives, activities, available funding opportunities as well as expected and, once available, actual achievements. The website shall target the general public as well as potential beneficiaries as referred to in Article 123(2), point (k), of Regulation (EU) 2021/2115.
- 1.4. The managing authority shall ensure the publication on the website referred to in point 1.3, a timetable of the planned calls and deadlines for applications, that is updated at least three times a year, with the following indicative data:
  - (a) geographical area covered;
  - (b) intervention and specific objective(s) concerned;
  - (c) type of eligible applicants;
  - (d) total amount of support;
  - (e) start and end date for the submission of applications.
- 1.5. The managing authority shall ensure, in accordance with Article 123(2), point (k)(i), of Regulation (EU) 2021/2115, that potential beneficiaries have access to all the information needed about funding opportunities, including eligibility conditions, selection criteria and all requirements for beneficiaries selected for funding, as well as their responsibilities.
- 1.6. The managing authority shall ensure that beneficiaries selected for funding are informed that the support is co-financed by the Union.
- 1.7. The managing authority shall ensure that communication and visibility material including at the level of beneficiaries is made available upon request to Union institutions, bodies, offices or agencies and that a royalty-free, non-exclusive and irrevocable licence to use such material and any pre-existing rights attached to it is granted to the Union in accordance with the second paragraph. This shall not require significant additional costs or a significant administrative burden for the beneficiaries or for the managing authority.

The licence on intellectual property rights referred to in the first paragraph shall grant to the Union at least the following rights:

- (a) internal use, i.e. right to reproduce, copy and make available the communication and visibility materials to Union's institutions and agencies, Member States' authorities, and their employees;
- (b) reproduction of the communication and visibility materials by any means and in any form, in whole or in part;



- (c) communication to the public of the communication and visibility materials by using any and all means of communication;
- (d) distribution to the public of the communication and visibility materials (or copies thereof) in any and all forms;
- (e) storage and archiving of the communication and visibility materials;
- (f) sub-licensing of the rights on the communication and visibility materials to third parties.

## 2. Visibility of certain operations supported by the EAFRD

For the purposes of Article 123(2), point (j), of Regulation (EU) 2021/2115, the managing authority shall, through the following measures, ensure that the beneficiaries under interventions financed by the EAFRD other than area- and animal-related interventions acknowledge support from the CAP Strategic Plan as follows:

- (a) by providing on the beneficiary's official website, where such a site exists, and official social media sites, a short description of the operation, proportionate to the level of support, including its aims and results, and highlighting the financial support from the Union;
- (b) by providing a statement highlighting the support from the Union in a visible manner on documents and communication material relating to the implementation of the operation, intended for the public or for participants, presenting also the Union emblem in accordance with the technical characteristics laid down in Annex II;
- (c) for operations consisting of the financing of infrastructure or construction operations, of which the total public expenditure, or the total cost in the case of support in the form of financial instruments, including working capital finance, exceeds EUR 500 000, by displaying durable plaques or billboards clearly visible to the public, that present the Union emblem in accordance with the technical characteristics laid down in Annex II, as soon as the physical implementation of the operations starts or purchased equipment is installed;
- (d) for operations consisting of investment in physical assets not falling under point (c), the total public support of which exceeds EUR 50 000, or in the case of support in the form of financial instruments, including working capital finance, the total cost of which exceeds EUR 500 000, by placing an explanatory plaque or equivalent electronic display with information about the project, highlighting the financial support from the Union, presenting also the Union emblem in accordance with the technical characteristics laid down in Annex II;
- (e) for operations consisting of support for LEADER operations, basic services and infrastructure not falling under point (c) and (d), the total public support of which exceeds EUR 10 000, or in the case of support in the form of financial instruments, including working capital finance, the total cost of which exceeds EUR 100 000, by displaying at a location clearly visible to the public at least one poster of a minimum size A3 or equivalent electronic display with information about the operation highlighting the support from the Union. An explanatory plaque shall also be installed in the premises of the local action groups financed by LEADER.

By way of derogation from the first paragraph, the managing authority shall ensure, to the extent possible, that in cases where the beneficiary is a natural person, appropriate information is available, highlighting the support from the funds, at a location visible to the public or through an electronic display.

The first paragraph, points (a) and (b), shall apply *mutatis mutandis* to the bodies implementing financial instruments financed by the EAFRD.

The first paragraph, points (c), (d) and (e), shall apply to the final recipients of financial instruments by means of the contractual terms provided for in the funding agreement as referred to in Article 59(5) of Regulation (EU) 2021/1060 of the European Parliament and of the Council <sup>(1)</sup>.

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<sup>(1)</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).