

Measure fiche

Restoring agricultural production potential damaged by natural disasters, adverse climatic events and catastrophic events and introduction of appropriate prevention actions

Measure 5

Article 18 of Regulation (EU) No 1305/2013

This fiche is based on the text of Regulation (EU) No 1305/2013 [EAFRD] and, when relevant, on Regulation (EU) No 1303/2013 [CPR]. Since the Delegated and Implementing Acts supplementing these regulations have not yet been adopted, some modifications to this guidance fiche might be needed after their adoption.

This guidance does not represent a binding legal interpretation of Regulation (EU) No 1305/2013. It is therefore essentially non-binding in nature and complements the related legal acts.

1. RATIONALE OF THE MEASURE

The agricultural sector is subject, more than other sectors, to damage to its productive potential caused by natural disasters, adverse climatic events and catastrophic events. In order to help farm viability and competitiveness in the face of such disasters or events, support should be provided for helping farmers restore agricultural potential, which has been damaged.

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2. WHAT'S NEW IN COMPARISON TO THE PERIOD 2007-2013

The scope of the measure has been enlarged to also cover damages resulting from adverse climatic events and catastrophic events. Moreover, aid intensity rates have been adapted to reflect the need to foster collective investments in preventive actions.

3. CONTRIBUTION TO FOCUS AREAS AND CROSS-CUTTING OBJECTIVES

In the context of strategic programming, this measure is directly linked to Priority 3(b):

Promoting food chain organisation, including processing and marketing of agricultural products, animal welfare and risk management in agriculture, with a focus on the following areas:

- (a) [...];
- (b) **supporting farm risk prevention and management.**

4. SCOPE, TYPE AND LEVEL OF SUPPORT

4.1. Relevant definitions

- "Adverse climatic event" means weather conditions, such as frost, storms and hail, ice, heavy rain or severe drought, which can be assimilated to a natural disaster.
- "Natural disaster" means a naturally occurring event of a biotic or abiotic nature that leads to important disturbances in agricultural production systems or forest structures, eventually causing important economic damage to the farming or forestry sectors.
- "Catastrophic event" means an unforeseen event of a biotic or abiotic nature caused by human action that leads to important disturbances in agricultural production systems and forest structures, eventually causing important economic damage to the farming or forestry sectors.

4.2. Types of operation

Support under this measure shall cover:

- (a) investments in preventive actions aimed at reducing the consequences of probable natural disasters, adverse climatic events and catastrophic events;
- (b) investments for the restoration of agricultural land and production potential damaged by natural disasters, adverse climatic events and catastrophic events.

Support under point (b) shall be subject to the formal recognition by the competent public authorities of Member States that a natural disaster has occurred and that this disaster or measures adopted in accordance with Council Directive 2000/29/EC³⁶ to eradicate or contain a plant disease or pest has caused the destruction of at least 30 % of the relevant agricultural potential.

Examples of possible operations can be restoration of agricultural land and soil quality; re-establishment or restoration of dikes, drainage systems; flood prevention and management measures (e.g. projects related to coastal and interior flood protection).

4.3. Beneficiaries

Support shall be granted to farmers or groups of farmers.

Support may also be granted to public entities where a link between the investment undertaken by such entities and agricultural production potential is established.

³⁶

Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

4.4. Eligible expenditure and remarks on administrative/financial management

- No support under this measure shall be granted for loss of income resulting from the natural disaster or catastrophic event.
- Machinery can be considered as agricultural production potential, so the restoration of the machinery damaged by natural disaster should be considered as eligible. If the machinery is destroyed, purchase of new machinery should also be considered as eligible.
- Member States shall ensure that overcompensation as a result of the combination of this measure and other national or Union support instruments or private insurance schemes is avoided. For instance, if a farmer has subscribed a private assurance which covers the restoration of the agricultural potential production damaged by natural disaster (or if national funds with the same purpose exist), the global amount received by the farmer for the purpose of restoring the production potential should not exceed the cost of the investment. Particular attention should be paid to the combination of this measure and the risk management toolkit.
- In the case of agricultural investments, the purchase of agricultural production rights, payment entitlements, animals, annual plants and their planting shall not be eligible for investment support. However, in case of restoration of agricultural production potential damaged by natural disasters or catastrophic events, expenditure for the purchase of animals may be eligible expenditure.

4.5. Targeting and principles with regard to the setting of selection criteria

In this section a reference should be made to the European Commission document *"Guidelines on eligibility and selection criteria"*.

4.6. Links to other legislation

Particular attention should be paid to avoid the risk of overcompensation or double financing where similar or identical investment measures can be supported under the CAP's first pillar, especially in the fruit & vegetables and wine sectors.

4.7. Aid intensity/amount of support¹

Support under this measure shall be limited to the maximum support rates laid down in Annex I to the RD Regulation.

¹ Subject to final MFF decision.

- 80% of the amount of eligible investment costs for prevention operations carried out by individual farmers.
- 100% of the amount of eligible investment costs for prevention operations carried out collectively by more than one beneficiary.
- 100% of the amount of eligible investment costs for operations to restore agricultural land and production potential damaged by natural disasters and catastrophic events.

4.8. Co-financing rate(s)²

The contribution rates applicable are those laid down in Art. 59 of Regulation (EU) No 1305/2013.

5. OUTPUT INDICATORS

- Number of beneficiaries broken down by type of operation and type of beneficiary (farm holder or other).
- Total expenditure (public + private) (€) for the whole measure
- Total public expenditure (€) for the whole measure

6. VERIFIABILITY AND CONTROLLABILITY

Reference should be made to the *"Guidelines on verifiability and prevention of errors"*.

7. BEST PRACTISES

Examples can be found on the ENRD website http://enrd.ec.europa.eu/policy-in-action/rdp_view/en/view_projects_en.cfm

² Subject to final MFF decision.