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Competition DG

State aid: Cohesion, R&D&I and enforcement
Regional aid

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Rue Froissart 50
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Subject: Applicability of the Regional Aid Guidelines for 2014-2020 to cases relating to agricultural products and the fisheries sector

Dear Mr. Rochford,

At our meeting on 15 October 2013, you asked for a reply in writing to your question regarding the applicability of the Guidelines on Regional State Aid for 2014-2020 (hereinafter "RAG 2014-2020")¹ to specific cases relating to agricultural products and the fisheries sector.

The RAG 2014-2020 introduce some changes in the scope of application, compared to the RAG 2007-2013.

With respect to the processing and marketing of agricultural products, all stages of processing of products which result in products listed in Annex I to the TFEU² are subject to the Guidelines covering agriculture and forestry for 2014-2020³. Processing and marketing of

¹ OJ C 209, 23.07.2013, p.1

² OJ C 326, 26.10.2012, p.331

³ See RAG 2014-2020, Footnote 11. Nonetheless it is still necessary to bear in mind that both the Guidelines for State aid in the agriculture and forestry sector for 2014-2020 and the Agricultural Block exemption regulation have not yet been adopted

Please specify the name of the case and the case number in all correspondence.

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agricultural products resulting in products listed outside Annex I to the TFEU is still covered by RAG 2014-2020.

However, as regards non-Annex I measures related to rural development, which are financed under rural development programmes or are being granted as additional national financing to such co-financed measures, RAG is applicable unless the guidelines on agriculture and forestry provide otherwise.

The legislative process on the new *de minimis* and the new general block exemption regulations is still on-going. Nevertheless, according to the latest draft legislative text available⁴, the future *de minimis* regulation will apply to both categories of processed products (Annex I and non-Annex I). This is of course subject to confirmation after the final adoption of the *de minimis* regulation.

With respect to the fisheries sector, the situation is very clear. Fisheries and aquaculture, as covered by Council Regulation (EC) N° 104/2000 of 17 December 1999 on the common organisation of the market and fishery and aquaculture products⁵, are entirely excluded from the scope of the RAG 2014-2020.

Yours faithfully,



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⁴ <http://ec.europa.eu/competition/consultations/closed.html>

⁵ OJ L 17, 21.01.2000, p.22