

COMMISSION DECISION (EU) 2022/2460**of 13 December 2022****on the long-term national aid scheme for agriculture in the northern regions of Sweden***(notified under document C(2022) 9240)***(Only the Swedish text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to the Act of Accession to the European Union of Austria, Finland and Sweden, and in particular Article 142 thereof,

Whereas:

- (1) By Decision 96/228/EC ⁽¹⁾ the Commission had approved the long-term national aid scheme for agriculture in the northern regions of Sweden ('Nordic aid scheme') as notified by Sweden pursuant to Article 143 of the Act of Accession with a view to authorisation under Article 142 of the Act of Accession. Decision 96/228/EC was replaced by Commission Decision C(2010) 6050 ⁽²⁾. That Decision was replaced by Commission Decision (EU) 2018/479 ⁽³⁾.
- (2) As Sweden's authorisation to implement the Nordic aid scheme as set out in Decision (EU) 2018/479 expires on 31 December 2022, a new Decision needs to be adopted.
- (3) By letter of 1 July 2022, Sweden notified the Commission of its proposal for the prolongation of the Nordic aid scheme. Sweden proposed that the Commission amend Decision (EU) 2018/479 to continue the scheme with a one-year longer period of validity, increase the total annual reference value, implying some adjustment to support levels, and a change of the date when Sweden should make proposals for amending and prolonging the scheme.
- (4) The long-term national aid referred to in Article 142 of the Act of Accession is intended to ensure that agricultural activity is maintained in northern regions as determined by the Commission.
- (5) Taking account of the factors referred to in Article 142(1) and (2) of the Act of Accession, it is appropriate to specify the administrative units, grouped by sub-regions, which are situated north of the 62nd parallel or adjacent to that parallel and which are affected by comparable climatic conditions rendering agricultural activity particularly difficult. These sub-regions have a population density lower than or equal to 10 inhabitants per square kilometre, a utilised agricultural area (UAA) considered to constitute 10 % or less of the overall surface area of the municipality and a portion of the UAA devoted to arable crops intended for human consumption less than or equal to 20 %. Sub-regions surrounded by others within such areas should be included, even where they do not satisfy the same requirements.

⁽¹⁾ Commission Decision 96/228/EC of 28 February 1996 on a long-term national aid scheme to assist farmers in northern areas of Sweden (OJ L 76, 26.3.1996, p. 29).

⁽²⁾ Commission Decision C(2010) 6050 of 8 September 2010 on a long-term national aid scheme to assist farmers in northern areas of Sweden.

⁽³⁾ Commission Decision (EU) 2018/479 of 20 March 2018 on the long-term national aid scheme for agriculture in the northern regions of Sweden (OJ L 79, 22.3.2018, p. 55).

- (6) In order to facilitate the administration of the scheme and to coordinate it with support under Regulation (EU) 2021/2115 of the European Parliament and of the Council ⁽⁴⁾, it is appropriate to include in the areas receiving aid under this Decision the same municipal units as those belonging to the area delimited under Article 32(2), second subparagraph, of Regulation (EU) No 1305/2013 of the European Parliament and the Council ⁽⁵⁾ and Article 71(2) of Regulation (EU) 2021/2115 in the CAP Strategic Plan for the implementation of the common agricultural policy in Sweden 2023–2027.
- (7) The reference period in relation to which the development of agricultural production and the level of overall support is to be considered, using the available national statistics as a basis and with a view to ensuring a uniform application to all sectors of production, should be the year 1993.
- (8) According to Article 142 of the Act of Accession, the total amount of the aid granted should be sufficient to maintain agricultural activity in the northern regions of Sweden but may not lead to overall support exceeding the level of support during a pre-accession reference period to be determined. In order to grant support under Article 142 of the Act of Accession at an adequate level considering the present production costs whilst not exceeding the level of support during the determined pre-accession reference period, it is appropriate to take the development in the consumer price index from 1993 to 2022 in Sweden into account when determining the maximum allowable level of aid under that Article.
- (9) Consequently, on the basis of data from 1993 until end of April 2022, the maximum annual aid amount should be set at SEK 473,75 million, calculated as an average over a 6-year period from 1 January 2023 until 31 December 2028.
- (10) In order to simplify the Nordic aid scheme and to allow Sweden flexibility in directing the aid to different production sectors, one maximum average annual aid amount should be laid down for the total support, including a separate maximum support for the production and transport of cow's milk with a view to ensuring balanced distribution of support.
- (11) The aid should be granted annually on the basis of production factors (livestock units and hectares), except for cow's milk where it should be granted on the basis of units of production (kilograms) within the total limits laid down by this Decision.
- (12) With a view to allowing prompt reactions to the volatility of agricultural output prices and to maintaining agricultural activities in the northern regions of Sweden, it is appropriate to allow Sweden to establish, for each calendar year, the amount of aid per sector within an aid category and per unit of production.
- (13) Sweden should differentiate the aid in its northern regions and set the annual aid amounts according to the severity of the natural handicap and other objective and transparent and justified criteria relating to the objectives set out in Article 142(3), third subparagraph, of the Act of Accession, which are to maintain traditional primary production and processing particularly suited to the climatic conditions of the regions concerned, to improve the structures for the production, marketing and processing of agricultural products, to facilitate the disposal of the said products and to ensure that the environment is protected and countryside preserved.
- (14) The aid should be paid annually based on the actual number of eligible production factors. Sweden should however be allowed to pay the aid for cow's milk, laying hens and pigs for slaughter as well as for transport of cow's milk in monthly instalments. The aid for cow's milk shall be based on actual production in order to ensure the continuity of production.

⁽⁴⁾ 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 (OJ L 435, 6.12.2021, p. 1).

⁽⁵⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

- (15) Overcompensation to the producers should be avoided by recovering undue payments promptly and at the latest before 1 June of the following year.
- (16) As provided for in Article 142(2) of the Act of Accession, the aid granted under this Decision should not lead to an increase in overall production over the traditional production level in the area covered by the Nordic aid scheme.
- (17) Therefore it is necessary to establish an annual maximum number of eligible production factors for each aid category, and a maximum eligible annual amount of production for cow's milk, at a level equal to or lower than that in the reference periods.
- (18) Where the number of production factors in a category, or the amount of production for cow's milk, exceeds the maximum level in a given year, the number of eligible production factors or the amount of cow's milk, should, in order to respect the 5-year averages, be reduced by a corresponding number of production factors in the calendar years following the year in which the maximum was exceeded, except for transport aid for cow's milk, laying hens and pigs for slaughter and cow's milk in regard to which the eligible amount may be reduced by an amount corresponding to the excess amount in the last month of the year in which the maximum was exceeded.
- (19) As the notification of proposals to the Commission for prolonging and amending the aid authorised under this Decision should allow for timely preparation of assessment of the scheme, it is necessary to allow such notification to be made in the same year as the 5-year report and to extend the duration of validity of the authorisation of the Nordic aid scheme from five to six years.
- (20) In accordance with Article 143(2) of the Act of Accession, Sweden is to provide to the Commission information on the implementation and effects of the aid. In order to better assess the long-term effects of the aid and with a view to setting the aid levels as multiple-year averages, it is appropriate to report on the socioeconomic effects of the aid every five years and provide annual reports containing the financial and other implementation information necessary to ensure that the conditions laid down in this Decision are complied with.
- (21) It is appropriate to specify the rules applicable to amendments to the scheme introduced by the Commission or proposed by Sweden in order to safeguard the legitimate expectations of the aid beneficiaries and ensure the continuity of the scheme so that the objectives of Article 142 of the Act of Accession can be efficiently pursued.
- (22) Sweden should ensure that appropriate control measures are taken vis-à-vis aid beneficiaries. In order to ensure the effectiveness of those measures and transparency in the implementation of the Nordic aid scheme, those control measures should be as far as possible aligned to those carried out under the common agricultural policy.
- (23) In order to achieve the aim of maintaining production, as stated in Article 142 of the Act of Accession, and to facilitate the administration of support, this Decision should apply from 1 January 2023.
- (24) For reasons of clarity, Decision (EU) 2018/479 should be repealed. It is appropriate to provide transitional measures regarding the reporting on the support pursuant to Article 142 of the Act of Accession paid in 2018–2022 under Commission Decision (EU) 2018/479,

HAS ADOPTED THIS DECISION:

Article 1

Authorised aid

1. From 1 January 2023 to 31 December 2028 Sweden is authorised to implement the long-term aid scheme for agriculture in its northern regions listed in Annex I.
2. The total amount of aid granted shall not exceed SEK 473,75 million per calendar year. The yearly maximum amounts shall be considered as annual averages of the aid granted in the period of six calendar years covered by this Decision.

3. Aid categories and the production sectors for each category, the maximum average yearly amounts allowed, as specified in paragraph 2, including the separate maximum amount for cow's milk production and transport, as well as the maximum yearly number of eligible production factors per aid category, are set out in Annex II.

4. Aid shall be granted on the basis of eligible production factors or production amounts as follows:

- (a) per kilogram milk of actual production for the production of cow's milk;
- (b) per livestock unit for animal husbandry;
- (c) per hectare for crop and horticultural production including berries;
- (d) as a compensation for actual costs for the transport of cow's milk, deducting any other public support for the same costs.

Aid linked to production amounts may be granted only towards the production of cow's milk and in no case shall the aid be linked to future production.

The conversion rates into livestock units for the various types of livestock are set out in Annex II.

5. In accordance with paragraph 3 and within the limits set out in Annex II, Sweden shall differentiate the aid in its northern regions and set the aid amounts annually per production factor, cost or unit of production on the basis of objective criteria relating to the severity of the natural handicap and other factors contributing to attaining the objectives set out in Article 142(3), third subparagraph, of the Act of Accession.

Article 2

Reference periods

The reference period referred to in the second indent of Article 142(3), first subparagraph, of the Act of Accession shall be 1993 as regards both the quantities and the level of support set out in Article 1 of this Decision.

Article 3

Conditions for granting aid

1. Sweden shall lay down, within the limits provided for in this Decision, the conditions for granting aid to the various categories of beneficiaries. Such conditions shall include the eligibility and selection criteria applied and ensure the equal treatment of beneficiaries.

2. The aid shall be paid to the beneficiaries based on actual production factors or, as regards the production of cow's milk, amount of actual production, referred to in Article 1(4).

3. The aid shall be paid annually, except for cow's milk, transport aid for cow's milk, laying hens and pigs for slaughter in regard to which the aid may be paid in monthly instalments.

4. An overrun of the maximum yearly number of production factors or amounts eligible for aid, as set out in Annex II, shall be taken into account as a corresponding reduction in the number of production factors in the year following the overrun where the aid is paid in annual instalments or in the last month of the year where the aid is paid monthly.

5. Sweden shall take appropriate measures to prevent the overrun referred to in paragraph 4 where such an overrun appears likely, based on official or officially verified statistical projections.

6. An overpayment or undue payment to a beneficiary shall be recovered by deducting the corresponding amounts from the aid paid to the beneficiary the following year or be otherwise recovered in that year, where no aid is due to the beneficiary. The undue amounts shall be recovered by 1 June of the following year.

*Article 4***Information and control measures**

1. Sweden shall, as part of the information provided pursuant to Article 143(2) of the Act of Accession, submit to the Commission each year before 1 June information on implementation of the aid granted under this Decision during the preceding calendar year.

The information shall concern in particular:

- (a) identification of the municipal units in which the aid was paid by means of a detailed map and where necessary by other data;
- (b) the total production, covering the reporting year, for the sub-regions eligible for aid under this Decision, expressed in quantities for each of the products specified in Annex II;
- (c) the total number of production factors and quantities, the number of production factors and quantities eligible for aid and the number of production factors and quantities supported per production sector specified in Annex II with a breakdown by product within each sector, including the indication of any overrun of the allowed maximum yearly number of production factors and quantities, as well as the description of measures, if any, taken to prevent such an overrun;
- (d) the total aid paid, the total amount of aid per aid category and the type of production, amounts paid to beneficiaries per production factor/other unit, as well as the criteria for differentiating aid amounts by sub-regions and types of farm holdings or on the basis of other considerations;
- (e) the payment system applied with details concerning any advances based on estimates, final payments as well as observed overpayments and their recovery;
- (f) amounts of aid paid under Article 32 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council in the administrative units covered by this Decision;
- (g) references to national legislation whereby the aid is implemented.

2. Before 1 June 2028 Sweden shall, in addition to the annual report covering year 2027, submit to the Commission a report covering the 5-year period from 1 January 2023 until 31 December 2027.

That report shall indicate, in particular:

- (a) the total aid paid during the 5-year period, and its distribution among aid categories, types of production and sub-regions;
- (b) for each aid category, the total production amounts per year and for the 5-year period, the number of production factors and the income levels of farmers in the regions eligible for the aid;
- (c) the evolution of agricultural production, processing and marketing in the social and economic context of the northern regions;
- (d) the effects of the aid on the protection of the environment and the preservation of the countryside;
- (e) proposals for the medium-term development of the aid based on the data presented in the report.

3. Sweden shall provide data in a form compatible with the statistical standards used by the Union.

4. Sweden shall take all steps necessary to apply this Decision and suitable control measures vis-à-vis beneficiaries of aid.

5. Control measures shall to the extent possible be harmonised with the control systems applied under the Union support schemes.

*Article 5***Application of any amendments**

1. Based on the information on the support scheme referred to in Article 4 and having regard to the national and Union context of agricultural production as well as other relevant factors, Sweden shall by 1 July 2028 make appropriate proposals to the Commission for prolonging and amending the aid authorised under this Decision.
2. If the Commission decides to amend this Decision, in particular on the basis of any changes in the common market organisations or the direct support scheme or a change in the rate of any authorised national agricultural State aid, any amendment to the aid authorised by this Decision shall apply only from the year following that in which the amendment was adopted.

*Article 6***Repeal**

Decision (EU) 2018/479 is repealed with effect from 1 January 2023. However, Article 4(2) of that Decision shall continue to apply to the aid granted in 2018–2022 under that Decision.

*Article 7***Application**

This Decision shall apply from 1 January 2023.

*Article 8***Addressee**

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 13 December 2022.

For the Commission
Janusz WOJCIECHOWSKI
Member of the Commission

ANNEX I

SUB-REGION 1

Province	Municipal unit	Parish
Dalarna	Älvdalen	Idre
Jämtland	Krokom	Hotagen
	Strömsund	Frostviken
	Åre	Åre
		Kall
		Undersåker
	Berg	Storsjö
	Härjedalen	Linsell
		Hede
		Ljusnedal
		Tännäs
Västerbotten	Storuman	Tärna
	Sorsele	Sorsele
	Dorotea	Risbäck
	Vilhelmina	Vilhelmina
Norrbotten	Arvidsjaur	Arvidsjaur
	Arjeplog	Arjeplog
	Jokkmokk	Jokkmokk
		Porjus
	Pajala	Muonionalusta
		Junosuando
	Gällivare	Gällivare
		Nilivaara
		Malmberget
	Kiruna	Jukkasjärvi
		Vittangi
		Karesuando
Agricultural area sub-region 1		6 700 ha

SUB-REGION 2

Province	Municipal unit	District
Dalarna	Malung	Lima
		Transtrand
	Älvdalen	Särna
Västernorrland	Örnsköldsvik	Trehörningsjö

Jämtland	Ragunda	Borgvattnet
		Stugun
	Bräcke	Bräcke
		Nyhem
		Håsjö
		Sundsjö
		Revsund
		Bodsjö
	Krokom	Näskott
		Aspås
		Ås
		Laxsjö
		Föllinge
		Offerdal
		Alsen
	Strömsund	Ström
		Alanäs
		Gåxsjö
		Hammerdal
		Bodum
		Tåsjö
	Åre	Mattmar
		Mörsil
		Hallen
	Berg	Berg
		Hackås
		Oviken
		Myssjö
		Åsarne
		Klövsjö
		Rätan
	Härjedalen	Sveg
		Vemdalen
		Ängersjö
		Lillhärdal
	Östersund	Östersund
		Frösö
		Sunne
		Näs

Västerbotten	Vindeln	Lockne
		Marieby
		Brunflo
		Kyrkås
		Lit
		Häggenås
		Vindeln
		Åmsele
		Norsjö
		Malå
		Storuman
		Sorsele
		Dorotea
		Åsele
Norrbotten	Lycksele	Fredrika
		Lycksele
		Björksele
		Örträsk
		Boliden
		Fällfors
		Jörn
		Kalvträsk
		Vuollerim
		Svanstein
		Pajala
		Korpilombolo
		Tärendö
		Hakkas
Agricultural area sub-region 2		46 600 ha

SUB-REGION 3

Province	Municipal unit	District
Värmland	Torsby	Södra Finnskoga
Dalarna	Älvdalen	Älvdalen
Gävleborg	Nordanstig	Hassela
	Ljusdal	Hamra
		Los
		Kårböle

Västernorrland	Ånge	Haverö
	Timrå	Ljustorp
	Härnösand	Stigsjö
		Viksjö
	Sundsvall	Indal
		Holm
		Liden
	Kramfors	Nordingrå
		Vibyggerå
		Ullånger
		Torsåker
	Sollefteå	Graninge
		Junsele
		Edsele
		Ramsele
	Örnsköldsvik	Örnsköldsvik
		Anundsjö
		Skorped
		Sidensjö
		Nätra
Jämtland		Själevad
		Mo
		Gideå
		Björna
	Ragunda	Ragunda
	Bräcke	Hällesjö
	Krokom	Rödön
	Strömsund	Fjällsjö
	Åre	Marby
	Härjedalen	Älvros
Västerbotten		Överhogdal
		Ytterhogdal
	Östersund	Norderö
	Nordmaling	Nordmaling
	Bjurholm	Bjurholm
	Robertsfors	Bygdeå
		Nysätra
	Vännäs	Vännäs
	Umeå	Umeå Landsförsamling

Norrbotten	Skellefteå	Tavelsjö
		Sävar
		Skellefteå Landsförsamling
		Kågedalen
		Byske
	Överkalix	Löfvånger
		Burträsk
		Överkalix
		Nederkalix
		Töre
	Övertorneå	Övertorneå
		Hietaniemi
	Älvsbyn	Älvsby
		Luleå
	Örnäset	
	Nederluleå	
	Råneå	
	Piteå	
	Boden	Piteå Stadsförsamling
		Hortlax
		Piteå Landsförsamling
		Norrfjärden
		Överluleå
	Haparanda	Gunnarsbyn
		Edefors
		Sävast
		Nedertorneå-Haparanda
Karl Gustav		
Agricultural area sub-region 3		
108 650 ha		

SUB-REGION 4

Province	Municipal unit	District
Värmland	Torsby	Lekvattnet
		Nyskoga
		Norra Finnskoga
		Dalby
		Norra Ny
	Filipstad	Rämmen
	Hagfors	Gustav Adolf

Dalarna	Vansbro	Järna
		Nås
		Äppelbo
	Malung	Malung
	Rättvik	Boda
		Ore
	Orsa	Orsa
	Mora	Våmhus
		Venjan
	Falun	Bjursås
Gävleborg	Ludvika	Säfsnäs
	Ovanåker	Ovanåker
		Voxna
	Nordanstig	Ilsbo
		Harmånger
		Jättendal
		Gnarp
		Bergsjö
	Ljusdal	Ljusdal
		Färila
Västernorrland		Ramsjö
		Järvsö
	Bollnäs	Rengsjö
		Undersvik
		Arbrå
	Hudiksvall	Bjuråker
	Ånge	Borgsjö
		Torp
	Timrå	Timrå
		Hässjö
		Tynderö
	Härnösand	Härnösands Domkyrkoförsamling
		Högsjö
		Häggdånger
		Säbrå
		Hemsö
	Sundsvall	Sundsvalls Gustav Adolf
		Skönsmon

Jämtland Västerbotten	Kramfors	Skön	
		Alnö	
		Sättna	
		Selånger	
		Stöde	
		Tuna	
		Attmar	
		Njurunda	
		Gudmundrå	
		Nora	
		Skog	
		Bjärträ	
		Styrnäs	
		Dal	
		Ytterlännäs	
	Sollefteå	Sollefteå	
		Multrä	
		Långsele	
		Ed	
		Resele	
		Helgum	
		Ådals-Liden	
		Boteå	
		Överlännäs	
		Sånga	
	Örnsköldsvik	Arnäs	
		Grundsunda	
		Fors	
	Ragunda	Umeå Stadsförsamling	
	Umeå	Teg	
		Ålidhem	
		Holmsund	
		Hörnefors	
		Holmön	
		Umeå Maria	
		Skellefteå Sankt Olov	
		Skellefteå Sankt Örjan	
		Bureå	
		Skellefteå	
Agricultural area sub-region 4		69 050 ha	

SUB-REGION 5

Province	Municipal unit	District
Värmland	Kil	Boda
	Eda	Eda
		Järnskog
		Skillingmark
		Köla
	Torsby	Fryksände
		Vitsand
		Östmark
	Grums	Värmskog
	Årjäng	Silbodal
		Sillerud
		Karlanda
		Holmedal
		Blomskog
		Trankil
		Västra Fågelvik
		Töcksmark
		Östervallskog
	Sunne	Gräsmark
		Lysvik
	Filipstad	Gåsborn
	Hagfors	Hagfors
		Ekshärad
		Norra Råda
		Sunnemo
	Arvika	Arvika Östra
		Arvika Västra
		Stavnäs
		Högerud
		Glava
		Bogen
		Gunnarskog
		Ny
		Älgå
		Mangskog
		Brunskog
	Säffle	Svanskog

Dalarna	Gagnef	Långserud
		Mockfjärd
		Gagnef
		Floda
	Leksand	Leksand
		Djura
		Ål
		Siljansnäs
	Rättvik	Rättvik
	Mora	Mora
	Falun	Sollerön
		Svärdsjö
		Enviken
		Ockelbo
Gävleborg	Ovanåker	Alfta
	Gävle	Hamrånge
	Söderhamn	Söderhamn
		Sandarne
		Skog
		Ljusne
		Söderala
		Bergvik
		Mo
		Trönö
		Norråla
		Bollnäs
	Bollnäs	Bollnäs
	Segerstå	
Hanebo		
Hudiksvall	Hudiksvall	
	Idenor	
	Hälsingtuna	
	Rogsta	
	Njutånger	
	Enånger	
	Delsbo	
	Norrbo	
	Forsa	
	Hög	
Agricultural area sub-region 5		72 300 ha

ANNEX II

	Maximum average yearly aid for a 6-year period from 1 January 2023 until 31 December 2028 (million SEK)	Maximum yearly number of eligible production factors ⁽¹⁾
Dairy cow's milk and transport aid for dairy cow's milk		450 000 tonnes each
She-goats, pigs for slaughter, sows, laying hens		17 000 LU
Soft fruit, vegetables and potatoes		3 660 hectares
TOTAL AID	473,75 ⁽²⁾	

⁽¹⁾ Conversion rate into livestock units (LU): a she-goat is 0,20 LU, a laying hen 0,01 LU, a sow 0,33 LU and a pig for slaughter 0,10 LU.

⁽²⁾ Of which a maximum support of SEK 443,44 million may be granted towards the category dairy cow's milk and transport aid for dairy cow's milk.