**Question:**

Pursuant to art. 3, para 2 of the Regulation (EU) № 1407/2013, the total amount of granted de minimis aid per Member State to a single undertaking performing road freight transport for hire or reward shall not exceed 100 000 euro for the period of three fiscal years and this de minimis aid shall not be used for the acquisition of road freight transport vehicles.

In accordance with the Statistical classification of economic activities in the European Community, Section H of it – “Transportation and Storage”, Group 49.4 refers to “Freight transport by road and removal services”. Group 49.4 consists of two economic activity codes as follows:

-          economic activity code 49.41 which refers to “Freight transport by road” and

-          economic activity code 49.42 which refers to “Removal services”.

*While it is clear that for the economic activity code 49.41 the applicable de minimis threshold under Regulation (EU) № 1407/2013 is 100 000 euro, it is not clear whether this threshold also applies to the economic activity code 49.42 since it is under the same Group 49.4 – “Freight transport by road and removal services”. Therefore, we would like to receive an answer by the European Commission services to the following question:* ***which threshold shall we apply to the economic activity code 49.42: 100 000 euro or 200 000 euro for the period of three fiscal years?***

**Reply:**

Pursuant to Art. 3(2) para. 2 of the de minimis Regulation, the total amount of de minimis aid granted to a single undertaking performing road freight transport for hire or reward is limited to EUR 100 000 over a period of 3 fiscal years. Based on Recital 5, the provision of an integrated service where the actual transportation is only one element, such as removal services, should not be considered as transport service. Therefore, the applicable ceiling of the total amount of de minimis aid granted to a single undertaking performing removal services is EUR 200 000 over a period of three fiscal years based on Art.(2) para. 1.

*Disclaimer: This reply does not represent a formal and definite position of the European Commission but is only an informal guidance provided by the services of DG Competition to facilitate the application of the GBER. It is therefore not binding and cannot create legal certainty or legitimate expectations.*