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German Farmers' Association

Proposals to simplify the Common Agricultural Policy

To be handed to the EU Commissioner for Agriculture, Mr Phil Hogan, by the President of the German Farmers' Association (DBV), Mr Joachim Rukwied, on 17th January 2015

The new European Commission under President is willing to be big on big things and small on small things. In the area of agricultural policy, a fresh impetus for growth, investment and employment should be given. Particular attention will be paid to simplification and the reduction of bureaucratic constraints. The German Farmers' Association supports these goals and would like to submit the following proposals for simplification:

1. Immediate measures to simplify direct payments/CAP reform:

1.1 The payment scheme (so called Single Area Payment System, SAPS) should seriously be looked at as an alternative to payment entitlements in Member States with regional or national single area payments, such as Germany. Such a step would disburden all farmers. Removing payment entitlements is also compatible with WTO requirements and will not lead to any recoupling of payments.

1.2 Carry out checks on "active farmers" using the sole criterion of whether the land is being used actively for agricultural production. Other criteria (i.e. the negative list, checking whether the main source of income is agricultural, non-agricultural sources of income etc.) should be removed. There must be no discrimination against farmers who have diversified their holdings.

1.3 Check and amend the tolerance limits for recording land use.

1.4 Aligning the reference areas for direct payment applications should be carried out on clearly fixed dates. The current practice is that until new area data are available (aerial photos), the area applications from the current year and even those from the previous year are rolled out again. This system ties up a lot of resources for both farmers and administrative authorities. What's more, there is often merely a few square meters at stake with these alignments.

- 1.5 Publishing information on aid beneficiaries: protecting farmers' data and privacy should be better taken into account. Publishing statistics on the recipients is sufficient so that names do not have to be published.

Greening: farmers would like to integrate the greening measures into their production in a flexible way.

- 1.6 Ecological Focus Areas: group together the different strips (buffer strips, strips of land along forest edges, field margins) into one system with simple and uniform requirements that can be integrated into the production. Existing small structures and landscape elements have to be incorporated into a simple process, also without an upper limit of 2,000/3,000 square meters. A standardisation of the rules of use, for example concerning grazing, is necessary.
- 1.7 The current five-year definition that applies to permanent grassland prompts farmers to periodically switch between using the land for perennial arable crops and green cover, although maintaining grassland for a longer period of time would make more operational sense. The five-year definition should be checked. One immediate measure to take is to fully exempt any new permanent grassland from 2015 onwards from the requirement to receive authorisation before converting.

As a basic principle and as far as direct payments are concerned, a strict ban on converting grassland without the possibility to swap areas in order to adapt to the needs of the individual farms will be rejected. These requirements rather fall to the regional law on the targeted protection of nature and landscapes.

- 1.8 Decrease control rates by more than 10% in some cases to the standard level that applies for area payments.
- 1.9 Instead of 3 strict greening measures, farmers should be offered the possibility to manage greening at individual farm level. Therefore, they should be able to choose from a selection of different measures targeting the efficient protection of natural resources or biodiversity.
- 1.10 At national level, both the Federal State and Regions in Germany are required to check the detailed provisions on greening for excess bureaucracy, e.g. harmonising the management requirements for all land uses under greening, by setting uniform rules for grazing for example. The amount of land use codes (currently some 400) should urgently be decreased and combined. The anti-erosion measures under cross-compliance should be limited to those that simply avoid concrete erosion problems. Blanket extensive requirements to prevent from erosion must be removed.

2. EAFRD: rural development programmes

- 2.1 In order to move as smoothly and seamlessly as possible to the new EAFRD funding period, it is essential for the European Commission to quickly process with all rural development programmes (EAFRD), for example by temporarily employing more staff.
- 2.2 The EU Commission must provide clear and reliable confirmation that all applications for rural development programmes that will indeed be approved, even if they can only be officially rubberstamped in the second half of 2015 for formal or budgetary reasons. This concerns seven Federal States in Germany alone.
- 2.3 The bureaucratic constraints within EAFRD programmes have more than doubled during the last years. The EU Commission should reduce its requirements for record keeping to the nitty-gritty.

3. Common Market Organisation for fruit and vegetables

It is vital to simplify the provisions on producer organisations in Regulation 543/2011.

- 3.1 The provisions in Chapter I of the Regulation (Articles 26 and 27) on producer organisations' main activities, marketing products outside of the producer organisation, outsourcing and evidence for controls must all be simplified.
- 3.2 Furthermore, under the section on operational funds and operational programmes in Chapter II, it is essential to simplify the provisions on possible measures (Article 55 making the national strategy more flexible), on the contents of operational programmes and on the eligibility of actions under said programmes (Articles 59 and 60).
- 3.3 The process to make amendments to these operational programmes during the year should be made simpler and more practicable (Article 66).
- 3.4 In order to improve legal certainty, a mediation board should be set up, which producer organisations and national authorities could turn to in cases of dubious interpretation of the rules.
- 3.5 As far as EU controls are concerned, it would make sense to provide check lists and information on the areas to be controlled by the EU Member States before these controls to be carried out. This would ensure that controls are transparent and can be carried out swiftly in the EU Member States.
- 3.6 Reform of the wine market: During the transition to the new authorization system for vineyards double and multiple notifications must be summarized (replanting after a clearing on the same area).

4. Milk superlevy

Due to the significant drop in milk prices, more time should be granted to the Member States to pay the superlevy for the last quota year. Decision-makers should ensure that everything possible is done to avoid that dairy farmers could face financial difficulties.

5. Origin labelling

The provisions on labelling the origin of fresh, chilled or frozen pigmeat, sheepmeat, goatmeat and poultrymeat that were adopted in December 2013 will come into force on 1st April 2015. These provisions are really confusing. For example, different labelling provisions apply depending on the age and weight of a pig at slaughter. This rule is not appropriate for producers, for processors or consumers. The compromise reached pushes up the price of the meat produced and therefore does not provide transparency for consumers.

The new provisions on origin labelling should therefore be put into question. It is also vital to avoid similarly complicated rules for the milk sector. Voluntary labelling schemes also enable consumers to make well-informed choices and to opt for products from their regions.

6. Food chain information

The Commission is currently considering amending Regulation (EC) No 2074/2005. The DBV fears an overload in the record keeping farmers would have to make, especially on livestock populations or animal medication, etc. Any additional bureaucracy should be avoided.

7. EU Regulation on official controls for food safety

The EU Commission has started a process of amending Regulation 882/2004 in which the introduction of mandatory fees for controls in the food sector is being proposed. The European Parliament does not want to impose costs for official controls on farmers as they are primary producers of food and feed. DBV calls on to support this exemption. It is not acceptable to impose general official controls to operators abiding by the rules.

8. The Commission's proposal to amend the NEC Directive (emission ceilings for certain atmospheric pollutants) should be completely withdrawn and not simply balanced out with the climate policy.

9. Given existing national regulations no European framework on soil protection is needed.
10. The Directorate-General for agriculture of the European Commission should actively contribute to the review of the habitats and birds Directives that is currently being undertaken by the Directorate-General for environment of the European Commission, with the objective of improving the compatibility between land use and nature protection under Natura 2000.
11. Water protection (Water Framework Directive, Nitrates Directive)
- Realistic periods for the implementation of actions plans have to be chosen. In order to avoid pointless actions and to all reviews of existing measures, periods longer than four or five years are needed. The measuring networks should be standardised, representative and comparable in the entire EU.
12. Zonal authorisations for plant protection products (PPPs)
- The newly introduced zonal authorisation system is a step in the right direction. Yet it does not work in reality. The authorisation process must be simplified and streamlined. Also the cultivation areas, conditions for use, fields of application and evaluation criteria must all be harmonised.
13. Organic farming
- It is not necessary to fully review EU organic Regulation, which was amended in 2007. We therefore reject this proposal. In order to maintain continuity and confidence amongst farmers and consumers alike, it would make sense to further develop the current framework. Any improvements should be made via concrete individual provisions, with the overarching aim of further strengthening the circular economy in organic farming, for example by purchasing additional (conventional) farm manure. The process quality in organic farming has to be strengthened; unfortunately this is not what the reviewed Regulation on organic farming is aiming at.
14. General proposals for cutting red-tape
- The EU Commission should introduce a compulsory process of “practice/reality check” prior to adopting Regulations and Directives. The practical implementation

of new provisions and new bureaucratic rules has to be looked at especially from the perspective of smaller agricultural holdings.

- The EU Commission should introduce a new compulsory principle for its legislative proposals that could be called “One in – One out”. The CAP reform, has led to additional administrative burdens of about 20 % or even more. This must not happen again and can not be accepted in the future.