



State of play of the implementation of the greening derogations for 2022

CDG Environment and Climate Change – 17 March 2023

DG AGRI B.2

Commission Implementing Decision (EU) 2022/484 of 23-03-2022

Context

- Russia's invasion of Ukraine on 24 February 2022 has triggered a sharp commodity price surge
- Union agricultural production potential to be increased

The decision allowed Member States

1. To declare land lying fallow as a specific crop for crop diversification even though such land has been grazed or harvested for production or cultivated.
2. To declare land laying fallow under the ecological focus area (EFA) even though such land has been grazed or harvested for production or cultivated.
3. Member States could also decide to allow the use of plant protection products on those areas being grazed or harvested for production or cultivated.

Notifications

- MS notify the Commission of their decision within 28 days from the date of notification of the decision
- By 15 December, Member States shall notify the Commission of the number of holdings which used the derogation and the number of hectares.

Decision to apply the derogation

Use of the derogations	List of Member States	total
Applying all three derogations	BE-F1, BG, EL, ES, FR, HR, IT, CY, LV, LT, LU, HU, AT, PL, PT, SI, SK, FI, SE	19
Derogation from crop diversification and EFA, but not allowing the use of PPP	BE-W	1
Derogation from EFA and authorise the use of PPP	CZ and EE	2
No use of any derogation	DE, DK, IE, NL, MT, RO	6

Implementation of the derogation

- To date, 5 Member States have not provided the information yet

Derogation from crop diversification

- Applied by about 1/3 of farmers able to use this derogation (29%, 104 000 out of 360 000 farmers).
- These farmers cultivate about 21% of the agricultural area that could potentially have been used under the derogation at EU average (710 000 hectares out of 3.4 million hectares).

Derogation from ecological focus area

- Applied by about 1/3 of the farms able to apply the derogation (37%, 112 000 farms out of 303 000 farms).
 - The corresponding area used under this derogation represents 40% of the total land laying fallow declared to fulfil the EFA obligation (771 000 hectares out of 1.95 million hectares).
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- Variable uptake between Member States
 - Main types of crops grown: maize, sunflower, (soya beans). Wheat in Northern MS



State of play and comparison of Member State decisions on derogations from GAEC 7 and GAEC 8 for 2023

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COMMISSION IMPLEMENTING REGULATION (EU) 2022/1317 of 27-07-2022

Context

- (Supply) shock wheat and input costs
- High uncertainty global food supply situation

The decision allowed Member States

- To derogate from GAEC 7 (crop rotation) and/or GAEC 8 (min. % of arable land for non-productive areas or features) in 2023.

Notification

- Within 30 days from entry into force of the Implementing Regulation.
- Assessment of the effects of the application of the derogation to include in APR due on 15/02/2024

Decision to apply the derogation

Use of the derogations	Member States	Total
Derogation from GAEC 7 and GAEC 8	BE-FI, BE-W, BG, CZ, DE, EE, CY, EL, ES, FR, HR, IT, LV, LT, LU, HU, NL, AT, PL, PT, RO, SI, FI, SE	24
Derogation from GAEC 7 only	IE, SK	2
No derogation applied	DK and MT	2

Thank you



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