

Greening review after one year

**Proposed changes on the
Delegated Act**

**Civil Dialogue Group
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*DG Agriculture and Rural Development
European Commission*

Purpose of the review

In response to 4 main issues and priorities coming forwards by the Staff Working Document (SWD), the review is accompanied by a set of concrete proposals for simplification (changes to delegated act n° 639/2014).

The proposals aims to:

- provides a fine-tuning of current rules, especially for EFAs, to make them easier to understand and implement both by farmers and administrations
- Improve the environmental performance of the policy (also to respond to the 2016 REFIT exercise)

Main proposals and topics

Crop diversification

- Possible differentiation for the period of crop diversification at regional and/or sub regional level

Land lying fallow definition

- Common minimal duration of 6 months for a given calendar year (possibility to resume production for farmer before the end of the year)

Catch crop and green cover

- Deletion of deadline for sowing catch crops or green cover (before 1st October)
- Common minimum duration of 8 weeks for catch crops and green cover
- Adjustment of the list of species for under sowing (allowing leguminous)

Nitrogen fixing crops

- Allowing mixture of seeds for Nitrogen Fixing Crops (NFC)

Main proposals and topics

Landscape features and strips (e.g. buffer strips, strips along forest..

- Merging of certain strips (buffer strips and field margins) and streamline associated conditions (min and max width: 1 to 20 m + no production requirements)
- Merging of certain landscape features (trees in line, wooded strips and hedges)
- Streamlining associated conditions for landscape features
Max 10 m for hedges and ditches,
Max 0,3 hectares for ponds and field copses.

Main proposals and topics

Landscape features and strips (e.g. buffer strips, strips along forest..

More flexibility for the qualification of landscape features:

- Corresponding area calculated up the maximum width or size
- Adjacency notion extend to the 2nd element adjacent to the 1st element directly adjacent to the arable land.

Common definition and conditions

- No production requirement applicable to Land Lying Fallow and all strips without production) = no agricultural activity as defined under Art 4 (1) of basic act (reg n°1307/2013) without prejudice other requirements under GAEC ;
- Ban of use of pesticides on productive EFA area Nitrogen fixing crops, catch crops and green cover land lying fallow and strips along forest

Conclusions

All proposal form a balanced package that provides a fine-tuning of current rules, especially for EFAs, to make them easier to understand and implement both by farmers and administrations.

Most of the proposals were broadly welcomed during successive expert group meetings and supported by Member States as they respond to the majority of MS proposals made in 2015. Nevertheless the ban of pesticides on EFA has raised some concerns for many MS.

The purpose of some amendments is to improve also the environmental performance of the policy and to enhance the overall credibility of the 2013 Greening of direct payments, hence also responding to the ongoing 2016 REFIT exercise.

Next steps

As regards the control arrangements, DG AGRI will provide some guidelines to MS and the checks will perform on the basis of farmers' declarations and on-the-spot controls which will be based on visual inspections

We have launched the formal adoption procedure of the new delegated act with a view for an adoption at beginning of 2017. Entry into force, following EP and Council scrutiny, is foreseen during the first quarter of 2017.

A flexibility is offered to Member States to apply the greening modifications only from 2018 with an option for an earlier entry into force (2017) for those Member States which wish to do so.