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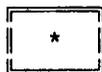
EUROPEAN PARLIAMENT

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R E P O R T

by the Committee on Agriculture, Fisheries and Rural Development

on the Commission proposal for a Council Regulation on the introduction and the maintenance of agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside

(COM(90) 0366 final - C3-0336/90)

Rapporteur: Mr Joaquim MIRANDA DA SILVA

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* = Consultation procedure requiring a single reading

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By letter of 17 October 1990 the Council consulted the European Parliament, pursuant to Article 43 of the EEC Treaty, on the Commission proposal for a Council regulation on the introduction and the maintenance of agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside.

At the sitting of 22 October 1990 the President of Parliament announced that he had referred this proposal to the Committee on Agriculture, Fisheries and Rural Development as the committee responsible and to the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection for their opinions.

At its meeting of 15 and 16 October 1990 the Committee on Agriculture, Fisheries and Rural Development had appointed Mr J. Miranda da Silva rapporteur.

At its meetings of 7 and 8 November, 19 and 20 December 1990 and 7 and 8 February 1991, it considered the Commission proposal and the draft report.

At the last meeting it adopted the draft legislative resolution unopposed with 3 abstentions.

The following were present for the vote: Colino Salamanca, chairman; Graefe zu Baringdorf, vice-chairman; Miranda da Silva, rapporteur (for Piquet); Carvalho Cardoso, Domingo Segarra, Fantuzzi, Fernex (for Falqui), Funk, Görlach, Happart, Keppelhoff-Wiechert, Lulling (for Bocklet), Marck, Partsch (for Verbeek), F. Pisoni (for N. Pisoni), Rothe, Saridakis, Sierra Bardaji, Sonneveld, Stevenson, Thareau; Vohrer and Woltjer.

The opinion of the Committee on the Environment, Public Health and Consumer Protection is attached. The opinion of the Committee on Budgets will be published separately.

The report was tabled on 14 February 1991.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

A

Commission proposal for a Council Regulation on the introduction and the maintenance of agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside

Commission text¹

Amendments

(Amendment No. 1)

First citation

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42, 43 and 130r thereof,

(Amendment No. 2)

First recital

Whereas environmental considerations must be gradually integrated into the common agricultural policy and European agricultural practices;

Whereas environmental considerations must be gradually integrated into the common agricultural policy and European agricultural practices; whereas any measures to reduce agricultural production in the Community must have optimum environmental consequences;

(Amendment No. 3)

Recital 1a (new)

Whereas it is essential to deal with environmental issues at world level, first and foremost in the GATT negotiations, so as to prevent distortions of competition in favour of states which, by disregarding these issues, would reap the benefits of lower production costs and, therefore, certain advantages over competing countries on the world market;

¹ Full text: COM(90) 0366 final - OJ No. C 267, 23.10.1990, p. 11

Commission text

Amendments

(Amendment No. 4)

Recital 1b (new)

Whereas the protection of the environment, in all its facets, is a constant concern of farmers, since it has a profound bearing on their activities and their survival;

(Amendment No. 5)

Recital 1c (new)

Whereas many factors are responsible for damage to the environment, which takes a wide variety of forms in the Community;

(Amendment No. 6)

Second recital

Whereas farmers can serve society as a whole by introducing or continuing to use production methods compatible with the increasingly urgent need for protection of the environment and natural resources and upkeep of the landscape and the countryside;

Whereas farmers could, on the basis of a suitable aid scheme, serve society as a whole by introducing or continuing to use production methods compatible with the increasingly urgent need for protection of the environment and natural resources and upkeep of the landscape and the countryside; whereas a detailed register for each farm in sensitive, hilly and other areas could play an important role in combining environmental considerations with current agricultural practices;

(Amendment No. 7)

Recital 2a (new)

Whereas integrated management can reconcile the use of cultural, biological and varietal control methods with the role of plant protection products; and whereas the introduction of an aid and training scheme to encourage the employment of sound agricultural production methods (code of good farming practice), including integrated management, would consolidate support for European agriculture;

Commission text

Amendments

(Amendment No. 8)

Third recital

Whereas the introduction of an aid scheme to encourage substantial reductions in the use of fertilizers or plant protection products can contribute not only to a reduction in pollution through farming but also to the adjustment of a number of sectors to market requirements by encouraging less intensive production methods; whereas, therefore, such a scheme could replace the extensification scheme provided for in Article 1b of Council Regulation (EEC) No. 797/85 of 12 March 1985 on improving the efficiency of agricultural structures¹, as last amended by Regulation (EEC) No. 752/90² and defined in Article 4 of Commission Regulation (EEC) No. 4115/88³;

Whereas the introduction of an aid scheme to encourage substantial reductions in the use of chemical and organic fertilizers or powerful plant protection products, in respect of which tolerance thresholds should be fixed, can contribute not only to a reduction in pollution through farming but also to the adjustment of a number of sectors to market requirements by encouraging less intensive production methods; whereas, therefore, such a scheme could replace the extensification scheme provided for in Article 1b of Council Regulation (EEC) No. 797/85 of 12 March 1985 on improving the efficiency of agricultural structures¹, as last amended by Regulation (EEC) No. 752/90² and defined in Article 4 of Commission Regulation (EEC) No. 4115/88³;

(Amendment No. 9)

Fourth recital

Whereas the scale of the problem requires that such a scheme be applicable to all farmers in the Community;

Whereas the scale of the problem requires that such a scheme be applicable to farmers in the Community who undertake to farm in a manner which makes for the upkeep and improvement of the environment; whereas this undertaking must consist of an assurance that any further intensification of agricultural production will be avoided;

(Amendment No. 10)

Fifth recital

Whereas such a scheme must also make it possible to encourage the introduction of special production methods to solve specific problems related to the protection of the environment or the countryside;

Whereas a scheme to encourage the introduction or continued use of production methods that can solve specific problems related to the protection of the environment or the countryside can also contribute to meeting these objectives;

Commission text

Amendments

(Amendment No. 11)
Sixth recital

Whereas many areas in the Community are threatened by increasingly serious natural hazards such as soil erosion, flooding and the danger of fires, and whereas the introduction of special measures to encourage the upkeep or afforestation of land can reduce such hazards;

Whereas many areas in the Community are threatened by increasingly serious depopulation, soil erosion, flooding and forest fires, and whereas the introduction of special measures to encourage the upkeep or afforestation of land can reduce such hazards;

(Amendment No. 12)
Seventh recital

Whereas the set-aside scheme provided for in Article 1a of Regulation (EEC) No. 7907/85 should be adjusted to make it more compatible with environmental requirements;

Whereas the set-aside scheme provided for in Article 1a of Regulation (EEC) No. 7907/85 should be adjusted to make it more compatible with environmental requirements; and whereas, in this connection, land set aside could be used for trials of new crops designed to save energy and conserve habitats;

(Amendment No. 13)
Seventh recital a (new)

Whereas such measures must help to achieve the specific objectives of Community environmental legislation;

(Amendment No. 14)
Recital 7b (new)

Whereas, in order to maximize the effectiveness of this programme, it is vital that the results obtained should be disseminated and periodically checked and that the economic and social groups concerned should be actively involved in its implementation;

Commission text

Amendments

(Amendment No. 15)
Seventh recital c (new)

Whereas a number of farms located in or near national parks and protected areas suffer a considerable loss of income resulting from the imposition of environmentally compatible farming and forestry methods in accordance with Community law;

(Amendment No. 16)
Eighth recital

Whereas extending the period during which the set-aside premium is granted could encourage beneficiaries to afforest agricultural land set aside under the scheme;

Whereas extending the period during which the set-aside premium is granted could encourage beneficiaries to afforest agricultural land set aside under the scheme, on condition that plots are first amalgamated to prevent afforested areas from being scattered over micro-plots;

(Amendment No. 17)
Tenth recital

Whereas the rules laid down by Regulation (EEC) No. 797/85 regarding the implementation of measures by the Member States and the Community's financial contribution can apply mutatis mutandis to the measures provided for in this Regulation;

Whereas the rules laid down by Regulation (EEC) No. 797/85 regarding the implementation of measures by the Member States and the Community's financial contribution must supplement the measures provided for in this Regulation;

(Amendment No. 18)
Tenth recital a (new)

Whereas the non-use or reduced use of artificial fertilizers, pesticides and herbicides will lead to reduced production, farmers must therefore be compensated for their loss of income;

Commission text

Amendments

(Amendment No. 19)
Tenth recital b (new)

Whereas the introduction of agricultural production methods compatible with the environment will undoubtedly lead to increased costs of production; whereas account must be taken of a possible disadvantage when compared to third country competitors;

(Amendment No. 20)
Article 1, subparagraph (i)

(i) to encourage the introduction or continued use of farming practices compatible with the requirements of protecting the environment and natural resources, thereby contributing to the adaptation and adjustment of agricultural production in line with market requirements;

(i) to encourage the introduction or continued use of good farming practices compatible with the requirements of protecting the environment and natural resources, thereby contributing to the achievement of the objectives of the Community's environment policy, while guaranteeing farmers an adequate income, the sine qua non for the production of healthy foodstuffs;

(Amendment No. 21)
Article 1(ii)

(ii) to encourage upkeep of the landscape and countryside, particularly in areas sensitive in this respect and in areas threatened by natural hazards and fires.

(ii) to encourage upkeep of the landscape and countryside, particularly in areas sensitive in this respect and in areas threatened by natural hazards, fires and drought, and thus to offset the hazards arising from the depopulation of rural areas.

Commission text

Amendments

(Amendment No. 22)

Article 1, subparagraph (iii) (new)

(iii) to enable Community farmers to move away from the present system whereby agricultural income is derived solely from production to one where protection of the countryside will become an increasingly important contributor.

(Amendment No. 23)

Article 2(1)

1. Member States shall, pursuant to the common measure referred to in Article 1, introduce an aid scheme to encourage farmers substantially to reduce their use of fertilizers and plant protection products, thereby achieving less intensive forms of production compatible with the need to protect the environment.

1. Member States shall, pursuant to the common measure referred to in Article 1, introduce an aid scheme to encourage farmers substantially to reduce their use of fertilizers and/or plant protection products, thereby achieving less intensive forms of production compatible with the need to protect the environment.

Clear and precise rules are however necessary so that agricultural production measures compatible with the environment do not in any way contribute to already high levels of toxic residues in the soil, water, air, etc.

The aid scheme shall also apply to farmers who already meet the objectives of this Regulation in respect of the use of fertilizers and/or plant protection products.

Such aid shall also be granted to farmers who already use extensive farming methods.

Member States may arrange for aid to be varied to take into account regional agricultural and economic differences.

Commission text

Amendments

(Amendment No. 24)

Article 2(2)

2. The aid scheme shall consist in an annual premium per hectare granted to farmers who undertake, for at least five years, to reduce their use of fertilizers and of plant protection products, provided that the use of such products is not increased on other parts of their holdings and that other production capacity does not increase.

2. The aid scheme shall consist in an annual premium per hectare granted to farmers who already meet the objectives of this Regulation in respect of the use of fertilizers and/or plant protection products and to farmers who undertake, for at least five years, to reduce their use of fertilizers and of plant protection products, provided that the use of such products is not increased on other parts of their holdings and that other production capacity does not increase. Farmers who convert their entire holding to environmentally compatible farming methods within the meaning of the regulation on organic production of agricultural products (COM 89) 552) shall be granted the maximum amount laid down in Article 3 for a period of five years.

(Amendment No. 25)

Article 2(2b) (new)

2b. The aid scheme shall also be available for making the optimum use of waste on the farm by the production of compost as well as for research to establish more advanced natural, including mechanical, methods of weed control.

(Amendment No. 26)

Article 2(3)(a)

(a) The conditions for granting the aid, in particular the detailed rules for reducing the use of fertilizers and plant protection products;

(a) The conditions for granting the aid, in particular the detailed rules for reducing the use of chemical and organic fertilizers and plant protection products on a regional basis in line with local environmental conditions.

Commission text

Amendments

(Amendment No. 27)

Article 2(3)(c)

(c) The undertaking to be made by the recipient, particularly with a view to verifying that the use of fertilizers and plant protection products is actually reduced;

(c) The undertaking to be made by the recipient, particularly with a view to verifying that the use of chemical and organic fertilizers and plant protection products is actually reduced by means of a precise tolerance threshold;

(Amendment No. 28)

Article 2(4)

4. Member States may, besides the reduction in the use of fertilizers and plant protection substances, extend the measure to include the introduction of other farming practices compatible with protection of the environment and natural resources and with upkeep of the landscape and the countryside, as well as environmental preservation practices traditionally linked to farming, especially in areas which are particularly sensitive from this point of view.

4. Member States may on the conditions laid down in paragraph 2(3), besides the reduction in the use of fertilizers and/or plant protection substances, extend the measure to include the introduction of other farming practices compatible with protection and improvement of the environment and natural resources and with upkeep of the landscape and the countryside, as well as environmental preservation practices traditionally linked to farming, especially in areas which are particularly sensitive from this point of view; in particular, Member States may include measures to adapt agricultural and forestry production in farms located in or near national parks or protected areas.

(Amendment No. 29)

Article 2(4a) (new)

4a. Under the conditions laid down by the Member States, farmers may simultaneously draw aid under Article 2(4) and Article 2(1).

Commission text

Amendments

(Amendment No. 30)
Article 2(5)

5. This regulation shall not apply to the spreading of animal manure.

5. This regulation shall apply to the spreading of animal manure as long as a specific regulation on stock-farming has not been put into effect. The Commission shall undertake to submit, without delay, a Community document concerning the effects of spreading such manure setting out practical proposals.

(Amendment No. 31)
Article 3(1)

1. The maximum amount of the annual premiums per hectare eligible for aid from the Fund shall be:

- ECU 180 for annual crops and pasture,
- ECU 300 for specialized olive groves,
- ECU 900 for citrus fruits,
- ECU 600 for other perennial crops and wine.

1. The maximum amount of the annual premium per hectare referred to in Article 2(2) and 2(4) eligible for aid from the Fund shall be:

- ECU 360 for annual crops and pasture,
- ECU 600 for specialized olive groves,
- ECU 1500 for citrus fruits,
- ECU 1000 for other perennial crops and wine.

The premium may be limited to a maximum amount per holding and may be varied according to the size of the holding.

(Amendment No. 32)
Article 3(2)

2. Under conditions to be set by the Commission in accordance with the procedure laid down in Article 25 of Regulation (EEC) No. 797/85, the Fund may also contribute to annual premiums per hectare granted by Member States to compensate for losses of income resulting from the compulsory restrictions referred to in Article 2 following the implementation in the Member States of measures adopted under Community rules.

2. Under conditions to be set by the Commission in accordance with the procedure laid down in Article 25 of Regulation (EEC) No. 797/85, the Fund shall also contribute to annual premiums per hectare granted by Member States to compensate for losses of income resulting from the compulsory restrictions referred to in Article 2 following the implementation in the Member States of measures adopted under Community rules.

Commission text

Amendments

(Amendment No. 33)

Article 4(1)

1. Member States may, in areas particularly threatened by natural hazards (such as erosion and flooding) or fire due notably to abandonment of farming or large-scale depopulation, introduce an aid scheme to encourage the upkeep of abandoned farmland or woodlands.

1. Member States may, in areas particularly threatened by natural hazards (such as erosion, flooding, drought, etc.) or fire due notably to abandonment of farming or large-scale depopulation, introduce an aid scheme to encourage the upkeep of abandoned farmland, or woodlands suitable for upgrading or areas where there is a danger of farming and forestry being abandoned. Production should be geared towards the introduction of profitable cultivation methods which help to protect the environment.

(Amendment No. 34)

Article 4(4)

4. The maximum amount of the annual premium per hectare eligible under the Fund shall be ECU 150.

4. The maximum amount of the annual premium per hectare eligible under the Fund shall be ECU 200.

The premium may be limited to a maximum amount per holding and may be varied according to the size of the holdings.

(Amendment No. 35)

Article 5(2)

2. Where a beneficiary under the set-aside scheme afforests land in respect of which set-aside aid has been granted, or where he uses this land for ecological purposes of which the Community interest is well established, the aid may be granted for a period of not more than 20 years.

2. Where a beneficiary under the set-aside scheme afforests land in respect of which set-aside aid has been granted, or where he uses this land for ecological purposes, the aid may be granted for a period of not more than 30 years, subject to the prior amalgamation of plots to prevent the scattering of afforested areas.

Commission text

Member States shall determine the duration of such aid on the basis of the species or types of trees used for afforestation, as well as the duration and the conditions of use towards ecological ends.

Amendments

Member States shall determine the duration of such aid on the basis of the species or types of trees used for afforestation, as well as the duration and the conditions of use towards ecological ends, giving preference to indigenous species or types of trees.

(Amendment No. 36)
Article 5a (new)

The schemes referred to above shall be designed in such a way as to contribute directly to the achievement of the objectives of Community environmental legislation, inter alia the Directive on the conservation of wild birds (79/409/EEC) and the Directive on the protection of natural and semi-natural habitats of wild fauna and flora (./././EEC), or in the case of afforestation, in such a way as not to conflict with those objectives.

(Amendment No. 37)
Article 7(1)

1. The aid scheme provided for in Article 21 of Regulation (EEC) No. 797/85 may cover courses of instruction or training in farming practices compatible with protection of the environment and natural resources and the upkeep of the landscape and countryside, in particular the introduction of a code of good farming practice.

1. The aid scheme provided for in Article 21 of Regulation (EEC) No. 797/85 may cover courses of instruction or training in farming practices compatible with protection of the environment and natural resources and the upkeep of the landscape and countryside, in particular the introduction of a code of good farming practice and instruction in organic farming methods. This aid scheme must benefit the persons attending such courses of instruction and training.

Commission text

Amendments

(Amendment No. 38)
Article 7(2)

The scheme may cover demonstration projects concerning farming practices compatible with protection of the environment, in particular the application of a code of good farming practice and assistance for training and education initiatives by competent local or non-governmental organizations in this field.

The scheme may cover demonstration projects concerning farming practices compatible with protection of the environment, in particular the application of a code of good technically assisted farming practice and assistance for training and education initiatives by competent local or non-governmental organizations in this field.

(Amendment No. 39)
Article 7 - new third paragraph

The Member States are requested to ensure that environmental protection is better covered in agricultural education and training at all levels.

(Amendment No. 40)
Article 10a (new)

At the end of the first three year period the Commission shall draw up an assessment of its effectiveness which shall be submitted to the European Parliament for its opinion.

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament
on the Commission proposal for a Council regulation
on the introduction and the maintenance of agricultural
production methods compatible with the requirements of
the protection of the environment and the maintenance of the countryside

The European Parliament,

- having regard to the Commission proposal to the Council (COM(90) 366 final)¹,
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0336/90),
 - having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (A3-0033/91),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 4. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ No. C 267, 23.10.1990, p. 11

EXPLANATORY STATEMENT1. The CAP and the environment

For centuries agriculture has developed in full harmony with the environment. Who was better placed than the farmer, with his work, his investment, and his knowledge of the natural environment, to preserve and protect farmland? Farmers played a key role in land conservation and the preservation of nature.

This harmony was broken by the spread of industry and cities. The great reduction in the population working the land, the need to supply the food needed for the population, the use of much good land for building and extending towns and cities, motorways, airports and industrial estates, the increase in international competition and the search for low-cost production to guarantee producer incomes have all progressively contributed to the deterioration and breakdown of that harmony. This does not in any way mitigate the responsibility of agriculture for some of the damage to the environment.

With modernization, technical and biological progress and better training, there have been huge gains in agricultural productivity, more than in the rest of the economy. In a few years, with this increase in output, the Community has covered most of its food deficits to become self-sufficient and then an exporter. But the price has been high: the concentration of production in certain regions and the rapid desertification of the poorest regions, the disappearance of small farmers, and the breakdown of the balance of nature.

Instead of correcting these trends, the CAP has only speeded them up. Thus, in its communication of 16 August 1988 on the environment and agriculture, the Commission itself recognizes the fact that where 'Depopulation and abandonment of the land threatens damaging ecological consequences, it is often farming activity which holds these consequences at bay'. Pressure on farm prices has forced farmers to seek to increase production at any price to maintain incomes. For the sake of the holy cows of competitiveness and profitability on which Europe is built, the soil has been over-exploited without regard to the impact on the environment, the health of animals jeopardized, and the emphasis laid on quantity at the expense of quality.

Recently, especially over the last ten years, these changes in farming methods and practices have had serious environmental consequences. Of course the farmers have not become the enemies of nature and overall they are still the best protectors of the environment, but the damage of all kinds being caused by agriculture has reached levels which, in some areas and some regions, cannot be ignored and must be reduced or eliminated.

The principal kinds of damage are as follows:

- water and soil pollution by nitrates and the accumulation of heavy metals linked to the use of fertilizers and plant health products;
- soil deterioration due to both erosion and the cessation of farming;
- acidification of the air by sulphur dioxide, nitrogen oxide and, as regards agriculture, ammonia emissions;

- changes to the countryside (too often destroying the animal and plant biotopes) caused by ill-advised deforestation or reforestation, reparcelling, the destruction of hedges and the drainage of wetlands;
- reductions in the genetic potential and variety of animal and vegetable species.

2. The role of the European Parliament

At international level, the environmental problems raised by agriculture have been considered by the OECD and in the Council of Europe and the United Nations with the BRUNDTLAND report.

The European Parliament has been aware of these risks and, in its opinions on farm prices, has frequently sounded the alarm and proposed new strategies for the CAP with the aims of maintaining rural life and greater respect for the environment. This strategy was set out on 19 February 1986 in the committee's Roelants du Vivier report on 'agriculture and the environment' which called for 'a revision of the common agricultural policy in terms of a more integrated approach to ecological and regional concerns and differences'.

In its 'Green Paper' of 13 July 1985 the Commission gave initial consideration to these matters and pursued it in the document entitled 'The environment and agriculture', of 16 August 1988. It stressed the need for agriculture to be progressively adapted to the requirements of protecting the environment and natural resources, maintaining the landscape and countryside, and having the CAP better reflect the concern for agriculture to be compatible with the environment.

With the Single Act, the environment became one of the Community's spheres of activity. Article 130r, which states that 'Environmental protection requirements shall be a component of the Community's other policies', Article 130r empowers the Community to lay down environmental standards in all fields covered by the Treaties, including the CAP.

Various measures have been taken to improve agricultural structures in the EEC: 'horizontal' measures under Regulation 808/89 of 12.12.1989 as amended by Regulation 797/85 and 'regional schemes' as part of the reform of the Structural Funds (objectives 1 and 5b).

However, these measures have been restricted in scope and inadequate, as the European Parliament has pointed out on several occasions, in particular in the THAREAU report on agricultural structure and the VOHRER report on set-aside.

3. Measures affected by the present proposal

The Commission proposal simply revises certain structural measures on extensification, set-aside and the environment, either because they expire at the end of 1990, because their implementation by the Member States has been uneven, or because they have been ineffective

3.1. Article 19 and extensification (Regulation No. 797/85)

This regulation allows Member States to introduce premiums in environmentally sensitive areas to compensate farmers for their loss of income as a result of pursuing farming practices which are compatible with the need to protect the environment (reduction in the use of fertilizers and plant protection products and other farming practices in harmony with the environment and the countryside). This measure is at present only being applied in four Member States (Denmark, Germany, the UK and the Netherlands). The need to demarcate environmentally sensitive areas and the link to existing farming activity have considerably limited the scope and value of the scheme.

Premiums have also been introduced for extensification of certain productions (Article 1b of Regulation (EEC) No. 797/85) reducing production by 20%, either directly or by modifying production methods (lower use of fertilizers etc.). Only four Member States have implemented this provision (Germany, Belgium, France and Italy).

The measures in application of Article 19 and extensification clearly overlap, although they were conceived with different goals. The Commission is therefore proposing to include them in one measure having the following characteristics:

3.1.1. Obligatory measure

The aid measure, which all Member States would be obliged to apply, is designed substantially to curtail the quantities of fertilizers and plant-protection products, but does not cover the production and application of animal manure.

3.1.2. Optional measure

In the aid scheme referred to above the Member States may include incentives to introduce or continue with other farming practices compatible with the requirements of the protection of the environment and of natural resources.

Aid may apply throughout the country or to designated areas of the Member State (geographical areas or categories of land etc.).

These schemes would affect:

- the maintenance of certain non-profitable productions
- land use practices, especially of grassland
- the maintenance of 'traditional' agriculture.

3.1.3. Areas threatened by natural hazards or fires

Some areas are particularly threatened by natural hazards or fires especially after abandonment of agricultural or forestry activities.

The Member States may introduce aid schemes to meet the cost of services such as upkeep and restoration in such areas.

It also proposes encouraging afforestation of land by the public authorities.

3.2. Set-aside

Current arrangements do not supply sufficient incentive for set-aside and management of land as required on environmental grounds. What is more, the maximum premiums often do not even cover the cost of such management.

The Commission is therefore proposing that set-aside schemes be improved with a view to 'enhancing its environmental and forestry aspects'.

- by introducing a supplementary premium in return for specialized undertakings given by the beneficiaries;
- by extending to 20 years the maximum period for which the set-aside premium may be paid;
- by allowing the Commission to adjust the conditions for allocating afforestation aid.

3.3. Implementation of the scheme and Community participation

The Commission will check and approve the implementation of measures the Member States are obliged to take.

The latter must stipulate:

- the undertakings to be given by farmers,
- the amount of the payments to be granted in view of the agreement made and the resulting loss of income.

Maximum eligible amounts remain the same as those currently payable.

EAGGF levels of participation are those applying to objective 5a measures and set out in Regulation 797/85.

4. Rapporteur's analysis and proposals

The Commission has advanced these new proposals after studying the effectiveness of Regulation 797/85.

4.1. Rather late in the day

The Commission has taken to heart the main criticisms put forward by the European Parliament concerning both Article 19 and extensification (THAREAU report) and set-aside (VOHRER report).

The rapporteur regrets that this time has been lost and invites the Commission to draw the correct conclusions and in future to pay more attention to the European Parliament's criticisms and suggestions.

4.2. Some inadequacies

These new proposals do constitute an improvement over existing schemes and should help improve their effectiveness in environmental protection and maintaining the countryside. But in several respects they are still inadequate:

- the Commission drew up its proposals after analyzing the results achieved by Regulation 797/85; in this respect it would have been valuable for the Commission to have drawn up and sent the European Parliament a report on the implementation of current schemes, as required by Article 6 of Regulation 1760/87.
- the Commission seems to be in danger of reducing the impact of the schemes it is proposing on the environment by adding other aims related to farming practice and its adaptation to market requirements;
- there is ambiguity and imprecision in two areas, on the one hand as regards the link between the proposed new measures and the current arrangements, and on the other in respect of the link between the various measures being proposed, in particular between the obligatory measure (Article 2(1)) and the optional scheme (Article 2(4)).
- pursuant to Article 5a of the reform of the Structural Funds, it is for the Member States to implement the measures proposed. If incentives are not considered adequate, the measures are once again likely to be ineffective. The financial incentives should therefore be improved.
- the problems of information and training are tackled for the first time and this has to be welcomed. It is preferable that farmers should be won over to protecting the environment rather than forced into it. But the proposals are too general in nature and contain no further legal or financial commitments.
- the means of checking that beneficiaries are meeting their commitments are still inadequate. Further detail needs to be added, either in the regulation itself or in the implementing procedures in the Member States.
- many of the measures proposed by the Commission are linked to new constraints and restrictions; would it not be preferable to lay more emphasis on positive measures and incentives by encouraging farming methods having a positive impact on the environment: encouraging microbial fixation, using green fertilizers in rotation or in tandem, and improving water retention in the soil.
- all the problems arising from intensive stock-rearing have been put aside for consideration in a new regulation yet to be proposed; are there not grounds for fearing fresh delays in bringing in effective measures in this field?

4.3. The amendments proposed by the rapporteur, and his reasoning

Recitals: The rapporteur proposes a new recital stressing that it is essential to tackle environmental issues at world level, first and foremost in the GATT negotiations, so as to prevent distortions of competition in favour of states which, by disregarding these issues, will reap the benefits of lower production costs and therefore, certain advantages over competing countries on the world market.

Article 2(1): The aid scheme is intended to encourage substantial reductions in the use of fertilizers and plant protection products. Is this not too vaguely worded, especially as regards any checking of its effectiveness?

Would it not be better to set a range of reductions or a maximum quantity of fertilizers and plant protection products which may be used? The rapporteur does not yet have enough information for a specific proposal on this point.

The aim of the regulation is to reduce the use of fertilizers or plant protection products or both. This rapporteur is therefore proposing that the option be left open by having the text read 'use of fertilizers and/or plant protection products'.

The Commission calls for the proposed scheme to be applied horizontally throughout the Community. It would be better to avoid excessive harmonization by taking regional differences and special circumstances more into account. Thus in Portugal fertilizers and plant health products are already used in very small quantities, so there is very little scope for reducing their use. The rapporteur therefore proposes that Member States be allowed to vary the implementing conditions of these measures to take regional agricultural and economic differences into account.

The rapporteur also proposes that the aid scheme should apply to farmers who already meet the objectives of this Regulation in respect of the use of fertilizers and/or plant protection products. This provision also applies to Article 2(2).

Article 2(4): The rapporteur welcomes the fact that the aid scheme can be extended to include 'the introduction (or continued use¹) of ... practices traditionally linked to farming'; but it needs to be stressed that this system is subject to the same conditions as apply to Article 2(3).

The rapporteur also wishes it to be quite clear that a farmer can receive both the aid laid down in Article 2(1) and that laid down in Article 2(4) under conditions laid down by the Member States.

Article 2(5): The Commission does not wish this regulation to apply to the spreading of animal manure although it acknowledges that it is a serious problem. In its explanatory memorandum it promises appropriate proposals before 30 November. In the absence of such proposals, the rapporteur is proposing that the present regulation should also apply to animal manure pending a specific regulation. The rapporteur does however consider that it would be better to have this regulation also cover the problem of intensive animal rearing in view of the interchangeability of chemical fertilizers and animal manure (with measures governing the spreading of liquid manure and restrictions on the size of production buildings).

Article 3(1): The rapporteur considers that the ambiguity in this paragraph should be removed. There should not be a single ceiling for the two premiums added together. The maximum amount should apply to each premium to compensate those making the effort to participate in the two schemes.

Are not the premiums currently being granted under the present schemes inadequate, as witness the results they have achieved? The conclusion should be drawn and higher ceilings proposed to avoid too much distortion between the

¹ Translator's note: Passage in brackets not in English version of proposal

various Member States which may top up the Community contribution with national premiums. The rapporteur is therefore proposing that the ceilings be raised.

He also proposes that the premium may be varied according to the size of holding.

Article 4: The rapporteur welcomes this provision, which will encourage the upkeep of abandoned farmland or woodland in areas particularly threatened by natural hazards. In fact erosion is threatening 25 million hectares of the Community, in particular in the Mediterranean countries.

The rapporteur approves the granting of premiums to 'persons other than farmers' (paragraph 3(e)), e.g. to cooperatives such as the CUMAs, which may help retain the rural population in the least-favoured regions.

The amount of premium should however be harmonized, and the ceiling raised to that laid down in Article 3(1).

Article 5: The rapporteur approves this provision but wonders whether it would not be better to include it directly in the regulation on set-aside.

He also wishes the Member States to give preference to indigenous species and types of trees.

The maximum of 20 years seems too restrictive, and the rapporteur is proposing that it be increased to 30 years or perhaps even removed altogether, leaving it up to the Member States to decide the duration, as laid down in paragraph 2, second subparagraph.

The rapporteur also has his doubts about the idea of the 'Community interest' of ecological purposes, and therefore proposes to delete it.

Article 7: The aid for training is particularly welcome. The rapporteur does however propose that it be made clear that the aid must go to the people making the effort to participate in courses related to the environment.

It would also be a good thing if environmental protection were an integral part of agricultural training programmes at all levels.

5. Need for an overall plan for agriculture and the environment

The Commission's proposals are doubly ambiguous. On the one hand they take their place in its general strategy of restricting agricultural output, and this aspect frequently overshadows the concept of protecting the environment. On the other hand, they relate almost exclusively to the impact of certain trends in agriculture, the true causes of which they however leave untouched. It is not by chance that water and soil pollution is heaviest in areas where there are concentrations of 'factory' animal-rearing establishments processing mainly feedstuffs imported by derogation from Community preference. To reconcile agriculture with the environment a few technical remedies and a sprinkling of resources to attack pollution of all kinds will not be enough; the causes of the environmental damage and disruptions of all kinds must be tackled.

Instead of a succession of piecemeal regulations, the Commission should therefore propose an overall plan (a sort of framework programme) for transforming the CAP to encourage farming using inputs (fertilizers, pesticides, etc.) more sparingly, making better use of the Community's own natural resources rather than imports, encouraging high-quality products, showing greater respect for the environment and preserving rural economic and social life.

There must be better cooperation between agriculture and industry on the development and manufacture of more environmentally-friendly equipment and products (biodegradable packaging, less toxic products, feedingstuffs which can better be converted by animals, plant varieties needing less water and fertilizer, etc.).

Improvements are also needed in the assessment and allowance made for the effect on the environment of major agricultural, industrial or infrastructure projects and the use of the new technologies, e.g. biotechnology.

These problems must be raised at world level, especially within the GATT negotiations, to avoid distortions of competition in favour of states which, ignoring environmental considerations, are reaping the benefit of low-cost production and therefore undeniable advantages on the world market by comparison with their competitors.

The overall plan combining agriculture and the environment which your rapporteur wishes the Commission to submit without delay should make distinctions between measures to be carried out at national and Community levels under the principle of subsidiarity. There would also have to be transitional and adaptation periods during which the effectiveness of the measures taken could be assessed at regular intervals.

COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH

AND CONSUMER PROTECTION

OPINION

of the Committee on the Environment, Public Health and Consumer Protection

Letter from the chairman of the committee to Mr COLINO SALAMANCA, chairman of the Committee on Agriculture, Fisheries and Rural Development

Subject : Proposal a for Council Regulation on the introduction and the maintenance of agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside
(COM (90) 366 final - C3-0336/90)

Dear Mr Colino Salamanca,

At its meeting of 31 January 1991 the Committee on the Environment, Public health and Consumer Protection considered the above proposal and it adopted the following conclusions unanimously ² :

The main aim of the proposal is to introduce 'an aid scheme to encourage farmers substantially to reduce their use of fertilizers and plant protection products, thereby achieving less intensive forms of production compatible with the need to protect the environment' (Articles 1 and 2).

The Committee on the Environment, Public Health and Consumer Protection warmly welcomes the fact that the Commission has finally submitted a proposal which takes account of the pollution caused by the kind of intensive farming practised in the Community. It also welcomes the fact that, in the proposal in question, the Commission demonstrates concern for areas which are particularly threatened by soil erosion or fires resulting from deforestation or the cessation of farming activity. Lastly, it welcomes the fact that 'the aid scheme provided for may cover courses of instruction or training in farming practices compatible with protection of the environment and natural resources' (Article 7).

² The following took part in the vote : Collins, chairman ; Schleicher, Iversen, vice-chairman ; Alber, Amendola, Avgerinos, Bjornvig, Bombard Bowe, Diez de Rivera Icaza, Gaibisso, Green, Jensen, Kuhn, Monnier-Besombes, Muntingh, Nordmann (for Bertens), Partsch, Pimenta, Santos (for Quistorp), Schwartzenberg, Llewellyn Smith, Veil, Vernier, Vohrer

However, the proposed measures appear inadequate and extremely restricted with regard to environmental protection, and the main emphasis of the proposal is indeed on support for agricultural income in association with environmental objectives, rather than the other way round. It also sets out to correct the negative effects or to improve the poor results of the set-aside scheme introduced by Regulation (EEC) No. 797/85.

The proposal therefore falls rather short of the specific proposals put forward by Parliament in its resolution of 18 February 1986 ³, which was adopted on the basis of the report by Mr Roelants du Vivier on behalf of the Committee on the Environment, and in that of 16 February 1990 ⁴ on the application of the above resolution on agriculture and the environment.

The Committee on the Environment calls again on the Commission to put forward, as part of an overall plan, a coherent set of measures designed to shift the balance of the common agricultural policy in order to ensure better management of arable land in the Community, greater protection of the environment, and, above all, an overall improvement in rural life.

The Committee on the Environment also regrets that the proposal was not dealt with at the same time as, or in close association with, the proposal for a regulation on organic production of agricultural products (COM(89) 552 final-C3-0249/89).

Lastly, the Committee on the Environment hopes that the Committee on Agriculture will take the following points into account in its draft report :

1. To verify that the use of fertilizers and plant protection products is actually reduced, the Member States should set up a system which is more rigorous than just 'the undertaking to be made by the recipient' of the aid (Article 2(3)(c)).
2. In view of the fact that intensive livestock farming causes serious water pollution, the proposed regulation should also be applied to the spreading of animal manure (Article 2(5)).
3. With regard to afforestation or reafforestation, aid should be granted specifically for the planting of species which are suited to the climate and the environment of a given location (Article 5(2), second subparagraph), to prevent the disappearance of uneconomic species or the proliferation of species which would endanger the soil or the environment.
4. The Member States should provide not only training in farming practices which are compatible with the protection of the environment (Article 7), but also technical assistance to farmers to enable them to use pesticides and plant protection products rationally.
5. The Commission should be called on to draw up, in agreement with the appropriate parties, a 'code of good farming practice' (Article 7(1), in connection, particularly, with the proposals which have been announced for rules governing the use and distribution of plant protection products.

³ OJ No. C 68, 24.3.1986, p. 80

⁴ OJ No. C 68, 19.3.1990, p. 182

The committee therefore proposes the following amendments :

Commission text

Amendment

(Amendment No. 1)
Recital 5

Whereas such a scheme must also make it possible to encourage the introduction of special production methods to solve specific problems related to the protection of the environment or the countryside ;

Whereas the introduction of a scheme to encourage the introduction or continued use of production methods that can solve specific problems related to the protection of the environment or the countryside can also contribute to meeting these objectives ;

(Amendment No. 2)
Recital 7 (new)

Whereas such schemes must help to achieve the specific objectives of Community environmental legislation ;

(Amendement No. 3)
(Article 2(3)(c))

(c) the undertaking to be made by the recipient, particularly with a view to verifying that the use of fertilizers and plant protection products is actually reduced ;

(c) the methods of verifying that the use of fertilizers and plant protection products has been reduced, in accordance with the undertaking given by the recipient ;

Commission text

Amendments

(Amendment No. 4)
Article 2, paragraph 4

4. Member States may, besides the reduction in the use of fertilizers and plant protection substances, extend the measure to include the introduction of other farming practices compatible with protection of the environment and natural resources and with upkeep of the landscape and the countryside, as well as environmental preservation practices traditionally linked to farming, especially in areas which are particularly sensitive from this point of view.

4. Member States shall, on the conditions laid down in paragraph 2 (3), beside the reduction in the use of fertilizers and plant protection substances, also introduce a scheme to encourage the introduction or continued use of other farming practices compatible with protection of the environment and natural resources and with upkeep of the landscape and the countryside, as well as environmental preservation practices traditionally linked to farming.

(Amendment No. 5)
Article 2(5)

5. This regulation shall not apply to the spreading of animal manure

5. This regulation shall apply to the spreading of animal manure until such time as a specific regulation on livestock farming is applied.

(Amendment No. 6)
Article 5(2), third subparagraph (new)

Such aid may be granted only for the planting of species which are suited to the climate and the environment of the area to be afforested ;

Commission text

Amendments

(Amendment No. 7)
Article 7

The aid scheme provided for in Article 21 of Regulation (EEC) No. 797/85 may cover courses of instruction or training in farming practices compatible with protection of the environment and natural resources and the upkeep of the landscape and countryside, in particular the introduction of a code of good farming practice.

The aid scheme provided for in Article 21 of Regulation (EC) No. 797/85 may cover courses of instruction or training in farming practices compatible with protection of the environment and natural resources and the upkeep of the landscape and countryside.

(Amendment No. 8)
Article 7, paragraph 1a (new)

1a. The Member States shall also undertake to provide technical assistance to farmers to enable rational use to be made of fertilizers, pesticides and plant protection products.

(Amendment No. 9)
Article 7a (new)

The Commission, in cooperation with all interested parties, shall draw up a code of good farming practice.

Commission text

Amendments

(Amendment No. 10)
Article 7 (new)

The schemes referred to above shall be designed in such a way as to contribute directly to the achievement of the objectives of Community environmental legislation inter alia the Directive on the conservation of wild birds (79/409/EEC) and the directive on the protection of natural and semi-natural habitats of wild fauna and flora (./././EEC), or in the case of afforestation, in such a way as not to conflict with those objectives.

These amendments are no more than improvements to a text which, in the opinion of the Committee on the Environment, goes only a limited way towards making environmental protection a consideration of the common agricultural policy.

Yours sincerely,

(sgd) Kenneth COLLINS)

