Dear Honourable Member,

Thank you for your letter of 8 December 2023 in which you support the request for a partial application of the standard for Good Agricultural and Environmental Condition 8 (GAEC 8) in 2024, submitted by a number of Member States. You also reiterate your concern about the market developments further to the situation in Ukraine and its impact on global food security. Finally, you also refer to the impact of climate change on the European production.

The concerns shared are well noted, but I consider that the context in which the derogations were granted last year is different in terms of the market situation and the considerations on food security.

I would nevertheless like to assure you that the Commission continues monitoring the market situation very closely, including potential impacts of Russia’s invasion of Ukraine on food security in the EU and globally, and the harvest data in light of the extreme weather events witnessed by many regions of Europe last summer. The 2023 cereals harvest is expected to reach a level similar to last year’s. With a production of cereals forecast at 268.6 million tonnes, and exports of wheat expected to reach 31 million tonnes, there is no critical situation in terms of supply at global or EU level. The offer on global markets is plentiful and the grain prices are back at pre-war levels. The 2023 oilseeds harvest has been above average in the EU.

Another key factor is that Solidarity Lanes are well established and operational, which was not the case at the time of the introduction of derogations for 2023. Exports via the Black Sea have also recently resumed.

During the last two AgriFish Council meetings I declared my openness to further analyse the request for further derogation on the GAECs. In particular, a proposal tabled by France submitted during the AgriFish meeting in November bears good reasoning for a careful assessment. However, I would also like to remind you that from a legal perspective a prolongation of the derogations would require opening the basic act. Any modification

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could not be done again via a Commission implementing act. Instead, it would require tabling a proposal to amend the CAP Strategic Plan Regulation and going through a co-decision procedure. This could be a lengthy process and could have unforeseeable consequences for the entire Regulation.

From an economic point of view, a further derogation could lead to more production with a consequence of further falling prices.

GAEC 8 is an instrument designed to improve the contribution to the environmental objectives, in particular with regard to biodiversity. While both nitrogen fixing crops and catch crops can bring certain environmental benefits, productive elements are less beneficial for biodiversity than non-productive areas and features, even when no pesticides are used. In addition, allowing farmers to fulfil this obligation by catch crops and nitrogen fixing crops would increase the production of feed rather than food.

GAEC standards are key elements of the green architecture of the CAP, as agreed by co-legislators during the last reform. Broad derogations from environmental and climate requirements undermine the credibility of the CAP with respect to its sustainability objectives and hinder the transition to more sustainable and resilient agri-food systems. As set out in the preamble to Regulation (EU) 2022/1317, the options to derogate from these requirements were very carefully framed and allowed on a temporary basis to mitigate any possible negative impact on the environment and climate. Instead, I believe we should focus on doing everything we can to strengthen the long-term climate resilience of our farming sector, particularly by using and further reinforcing the available risk management tools and climate adaptation measures.

I can assure you that the Commission stands ready to implement the appropriate and available measures at its disposal to address the challenges facing the sector in view of the objectives of the Common Agricultural Policy. However, for the reasons mentioned above, the Commission does not look favourably to your specific request.

Yours sincerely,

Janusz Wojciechowski

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