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Brussels,

Dear Minister,

European food is famous for being safe, nutritious and of high quality. Our goal is to make it also a global gold standard for sustainability. The Commission has just adopted the ‘Farm to Fork’ strategy for a fair, healthy and environmentally-friendly food system, aiming to reduce the environmental and climate footprint of the food system, lead a global transition towards competitive sustainability from farm to fork and tap into new growth opportunities.

Citizens and economic players across value chains, both inside and outside the EU, will play a key role in transforming our food systems. In particular, efforts will be needed to reduce the use and risk of synthetic chemical pesticides, the use of antimicrobials in livestock farming and aquaculture and to ensure high standards of animal welfare.

The COVID-19 pandemic has clearly brought to the fore the importance of a **robust and resilient food system** that continues to function in all circumstances, capable of ensuring access to a sufficient supply of affordable food for citizens. It has also made us realise the interrelations between our health, ecosystems, supply chains, consumption patterns and planetary boundaries.

Farmers, fishers, food processors, transporters, retailers and other food chain actors are playing a key role in ensuring that food supply disruptions are minimal in this period of crisis. However, the pandemic also highlights the dependence of our food chain on a well-functioning regulatory and policy framework and effective EU-wide coordination, in particular for the management of borders, the internal market, transport and labour.

In this context, the importance of the proper implementation and enforcement of EU law could not be overstated, and I would like to confirm our determination to take decisive legal action in case of systematic non-compliance. There are a number of critical issues directly linked to the ‘Farm to Fork’ strategy in relation to plant protection products, the sustainable use of pesticides and animal welfare where insufficient enforcement in Spain is a matter of serious concern to the Commission, and where I count on your personal support and commitment to their resolution.

Dr Luis Planas Puchades  
Minister for Agriculture, Fisheries and Food  
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Ensuring the safety of plant protection products and controls on their use is integral to sustainable food production. The Commission is very concerned that Member States are not respecting the deadlines set out in EU rules for completing the assessment procedures for the approval or renewal of active substances and authorisation of plant protection products.

This situation results in repeated, unjustified extensions of approvals, which are increasingly criticised by the European Parliament and some Member States as potentially unsafe substances and products can stay longer on the market. Furthermore, this situation delays the availability of new and safer products to farmers and also delays the withdrawal of unsafe products from the market. This situation is unsustainable and immediate action must be taken to address it. I would therefore call on you to ensure that the competent authorities have the necessary resources and expertise to complete their tasks on time; the Regulation on plant protection products explicitly provides that Member States can charge fees to applicants to recover all the costs related to the resources they need. Our evaluation shows that, in general, fees are not being sufficiently used to finance the relevant competent authorities' work.

We see much room for improvement also as regards the implementation of our rules on the sustainable use of pesticides. Our assessment of Member States' national action plans, findings from audits to Member States, web-based surveys and other sources of information, demonstrate that, despite the progress made by Member States, there are still gaps in many areas of their national action plans, as well as serious weaknesses in the implementation of the Sustainable Use Directive.

In relation to this area, the main issues in Spain are that:

- In all autonomous communities, systems in place for training and certification of professional operators need to include additional training so that they get up-to-date knowledge of proper handling of pesticides so as not to cause risks to the human health and the environment.
- Effective controls on the implementation of the general principles of integrated pest management need to be in place for all types of professional users of plant protection products.
- Measures in place for minimising or prohibiting the use of plant protection products in specific areas need to be verified during official controls.
- Measures for the protection of water courses and aquatic organisms need to be strengthened and effectively verified by official controls.
- Measures in place for handling and storage of plant protection products, their empty packaging and remnants need to be sufficiently verified by official controls.

Animal welfare is another priority area for the Farm to Fork strategy, which is absolutely vital for the sustainability of food systems.

In relation to animal welfare, the main issues in Spain are the following:

- Tail docking of pigs is a routine practice, although this is prohibited as a routine measure by EU rules. The percentage of pigs reared with intact tails has barely changed since 2016 and conditions on farm must improve if the number of tail-docked pigs is to start to decrease.

- Actions have not been effective to prevent the transport of unfit animals to slaughterhouses.
- The approval and inspection of livestock vessels does not guarantee the compliance of the ship with the requirements in Regulation 1/2005 and therefore does not adequately minimise the risks for the welfare of the animals.

We are aware that often in cases where Member States fail to enforce legislation properly, this is often linked to resources and/or a lack of political commitment, particularly where enforcement imposes, or is seen to impose, costs on producers, as for example, in the case of animal welfare. It is critical, therefore, that Spain devotes adequate resources to implementing EU rules in the above areas. There are recurrent requests to further EU legislation in the area of animal welfare, both from stakeholders and Member States, it is therefore essential that the existing legislation is fully implemented and enforced.

I ask therefore for your strong commitment to expedite the necessary actions to ensure immediate and full compliance with EU requirements in these areas. My services will closely monitor the issue and will be in contact with your services to follow up that the necessary actions are taken.

The Commission will also play a strong role in supporting Member States through audits and training programmes on these topics.

It is important that Spain makes the best possible use of all the tools available to support the objectives of the Farm to Fork strategy. Among others, the national strategic plans under the proposed new Common Agricultural Policy should make full use of the range of tools available, and they will be assessed and approved by the Commission on this basis.

I look forward to our continued and close cooperation on these matters, which are of increasing importance for our citizens.

Yours sincerely,

A rectangular grey box used to redact the signature of Stella Kyriakides.

Stella Kyriakides