



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels  
AGRI.I.1/RW D(2024)

**Subject: Your application for access to documents N° 2024/0818**

Dear Mr Daalder,

We refer to your request for access to European Commission documents registered on 12 February 2024 under the above-mentioned reference number.

You request access to all documents held by the Commission on the derogation for GAEC 7 and GAEC 8 for the years 2023 and 2024:

\* Datasheets, excel sheets, analysis of data, both aggregate data and on individual Member State level about the number of hectares used under the derogation and which crops were grown and whether these crops were for human consumption or were to be used as animal fodder;

\* Communication, including draft versions, such as: exchanges via e-mail, including attachments, letter, text messages, or phone call notes within the Commission and between the Commission and member states about the aggregated data;

\* Meeting notes, PowerPoints, presentations.

We regret to inform you that the Directorate-General for Agriculture and Rural Development (DG AGRI) does not hold any documents that would correspond to the description given in your application.

Following article 2(5) of Commission Implementing Regulation (EU) 2022/1317 of 27 July 2022, Member States making use of any of the derogations referred to Article 1(1), shall include in the annual performance report referred to in Article 134 of Regulation (EU) 2021/2115 due on 15 February 2024, an assessment of the effects of the application of such derogations on global food security, on the preservation of the environment and the fight against climate change. At the moment, we have not received the Annual Performance Reports from the Member States with the assessment of the effect of the derogation. It is expected that these documents are to arrive in the second half of February.

Mr Jan Daalder  
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[ask+request-14218-a46de792@asktheeu.org](mailto:ask+request-14218-a46de792@asktheeu.org)

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in your application, are held by DG AGRI, DG AGRI is not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

via your EASE portal<sup>1</sup> account,

by post, to:

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)

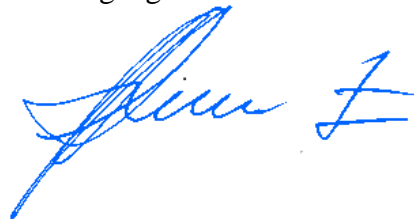
BERL 7/076

B-1049 Bruxelles

or by email, to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

In absence of the Director General  
Wolfgang BURTSCHER



Mihail DUMITRU  
Deputy Director General

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<sup>1</sup> <https://www.ec.europa.eu/transparency/documents-request>