

# A CAP for Health

## *Recommendations for a human and planetary healthy agricultural policy*

### 1. Add a nutrition indicator to advance healthy supply chains

Adding an impact and result [indicator on nutrition](#) into Annex I of the CAP Strategic Plans Regulation, will provide a clear incentive to align the CAP with efforts to promote healthy, sustainable food consumption patterns in accordance with the Farm to Fork Strategy.

An appropriate aim for such new indicator would be to [increase the supply of, and access to fruit and vegetables](#). Member States would report their achievements on the basis of projects supported, in which increasing fruit and vegetables, as well as whole grains, pulses and/or nuts, figure as a prominent aim.

Such projects can notably include the development of local market infrastructures for fresh produce, enhancing urban to peri-urban supply chain linkages, establishing innovative business models involving improved access to healthy product and so forth.

*Detailed recommendations below.*

### 2. End wine promotion subsidies

The option to fund wine promotion measures both on the internal market and in third countries should be ended as a way to phase-out health incompatible subsidies and ensure an efficient use of public money.

In the period 2014-2018 nearly €220 million per year [was spent](#) on wine promotion measures, the bulk of which flowed to major wine and spirits companies. The European Court of Auditors concluded that this measure constitutes a subsidy for these companies' operational costs.

Amendments 106 and 107, adopted in the COMENVI Opinion [2018/0216\(COD\)](#), have as their objective the removal of these wasteful subsidies.

*Detailed recommendations below.*

### 3. Strengthen the legal framework to enable antibiotics use reduction

In light of the impending application of the Veterinary Medicines and Medicated Feed Regulations and the 50% antibiotics sales reduction target introduced by the Farm to Fork Strategy, the CAP needs to strengthen its resolve to support antibiotics use reduction. The CAP Strategic Plans Regulation should include new legislative provisions to this end.

This has recently been [recommended](#) by the European Commission as well.

*Detailed recommendations below.*

### 4. Align the CAP with the European Green Deal to ensure planetary health

The European Parliament should ensure the CAP delivers on its potential to improve environmental health by integrating agriculture-related European Green Deal targets, ensuring strong accountability, transparency and public participation mechanisms – inclusive of public health actors, phasing out environmentally harmful subsidies, and ensuring appropriate funding for farmers to adopt more sustainable practices.

*Detailed recommendations below.*

See more in: [EPHA \(2018\) CAP: 11 Ways to Deliver for Better Health](#)

## Add a nutrition indicator to advance healthy supply chains

### CAP Strategic Plans Regulation:

Annex I	
Commission proposal	Proposed amendment
	<p>Add the following impact and result indicators:</p> <p><b>I.29 Make nutritiously valuable products such as fruit and vegetables easily available for EU citizens: Increased fruit and vegetables intake, with reference to national dietary guidelines.</b></p> <p><b>R.29 Make nutritiously valuable products such as fruit and vegetables easily available for EU citizens: Projects supported for the development of nutrition-oriented supply chains.</b></p>
Justification	
<p>The addition of an impact and result indicator on nutrition into Annex I of the CAP Strategic Plans Regulation will provide a clear incentive to align the CAP with efforts to promote healthy, sustainable food consumption patterns in accordance with the Farm to Fork Strategy.</p>	

## End wine promotion subsidies

Or support Amendments 106 and 107 adopted in the COMENVI Opinion [2018/0216\(COD\)](#)

### CAP Strategic Plans Regulation:

Article 52 (1)	
Commission proposal	Proposed amendment
<p>Remove the following points:</p> <p><b>(g) information actions concerning Union wines carried out in Member States encouraging responsible consumption of wine or promoting Union quality schemes covering designations of origin and geographical indications;</b></p> <p><b>(h) promotion carried out in third countries, consisting of one or more of the following:</b></p> <ul style="list-style-type: none"> <li><b>(i) public relations, promotion or advertisement actions, in particular highlighting the high standards of the Union products, especially in terms of quality, food safety or the environment;</b></li> <li><b>(ii) participation at events, fairs or exhibitions of international importance;</b></li> <li><b>(iii) information campaigns, in particular on the Union quality schemes concerning designations of origin, geographical indications and organic production;</b></li> <li><b>(iv) studies of new markets, necessary for the expansion of market outlets;</b></li> <li><b>(v) studies to evaluate the results of the information and promotion measures;</b></li> <li><b>(vi) preparation of technical files, including laboratory tests and assessments, concerning oenological practices, phytosanitary and hygiene rules, as well as other third country requirements for import of products of the wine sector, to facilitate access to third country markets;</b></li> </ul>	
Article 53 (6)	
Commission proposal	Proposed amendment
<p>Remove the following point:</p> <p><b>The Union financial assistance for information actions and promotion referred to in points (g) and (h) of Article 52(1) shall not exceed 50% of eligible expenditure.</b></p>	
Justification	
<p>The option to fund wine promotion measures both on the internal market and in third countries should be ended as a way to phase-out health incompatible subsidies and ensure an efficient use of public money.</p>	

## Strengthen the legal framework to support antibiotics use reduction

### CAP Strategic Plans Regulation:

Annex XIa (new)	
Commission proposal	Proposed amendment
	<p><b>EU LEGISLATION CONCERNING THE USE OF ANTIMICROBIAL MEDICINAL PRODUCTS TO WHOSE OBJECTIVES MEMBER STATES' CAP STRATEGIC PLANS SHOULD CONTRIBUTE PURSUANT TO ARTICLES 96 AND 97:</b></p>
	<ul style="list-style-type: none"> <li>- <b>Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC</b></li> <li>- <b>Regulation (EU) 2019/4 of the European Parliament and of the Council of 11 December 2018 on the manufacture, placing on the market and use of medicated feed, amending Regulation (EC) No 1831/2003 of the European Parliament and of the Council and repealing Council Directive 90/167/EEC</b></li> </ul>
Justification	
<p>The addition of a new article that explicitly mandates national CAP Strategic Plans to contribute to the Veterinary Medicines and Medicated Feed Regulations will ensure antibiotics use reduction is more fully embedded into the CAP.</p>	
Article 96	
Commission proposal	Proposed amendment (addition)
<p>(...)</p> <p>For the specific environmental and climate objectives referred to in points (d), (e), and (f) of Article 6(1), the assessment shall take into account the national environmental and climate plans emanating from the legislative instruments referred to in Annex XI.</p> <p>Member States shall use the most recent and most reliable data for this assessment.</p>	<p>(...)</p> <p>For the specific environmental and climate objectives referred to in points (d), (e), and (f) of Article 6(1), the assessment shall take into account the national environmental and climate plans emanating from the legislative instruments referred to in Annex XI.</p> <p><b>For the specific objective on food and health referred to in point (i) of Article 6(1), the assessment shall take into account the provisions on the use of antimicrobial medicinal products emanating from the legislative instruments referred to in Annex XIa and the Farm to Fork Strategy.</b></p> <p>Member States shall use the most recent and most reliable data for this assessment.</p>
Justification	
<p>The assessment of needs should include reference to antibiotics use reduction.</p>	



Article 97	
Commission proposal	Proposed amendment (addition)
<p><b>Paragraph 2</b></p> <p>(b) an explanation of how the environment and climate architecture of the CAP Strategic Plan is meant to contribute to already established long-term national targets set out in or deriving from the legislative instruments referred to in Annex XI;</p>	<p><b>New subparagraph 2:</b></p> <p>(b) an explanation of how the environment and climate architecture of the CAP Strategic Plan is meant to contribute to already established long-term national targets set out in or deriving from the legislative instruments referred to in Annex XI;</p> <p><b><i>(b)(a) an explanation of how the CAP Strategic Plan will contribute to provisions on the use of antimicrobial medicinal products, especially ensure that such products are not applied routinely nor used to compensate for poor hygiene, inadequate animal husbandry or lack of care or to compensate for poor farm management, as set out in the legislative instruments referred to in Annex XIa, as well as how it will contribute to the EU target on antibiotics use reduction included into the Farm to Fork Strategy;</i></b></p>
Justification	
The intervention strategy needs to set out how it will contribute to the implementation of the Veterinary Medicines and Medicated Feed Regulations, and the Farm to Fork Strategy.	
Annex III	
Commission proposal	Proposed amendment
	<p>Add in the table under the heading “Public health, animal health and plant health” new category: <b>“Antibiotics use”</b></p> <p>Insert the following SMR:  <b>SMR 11(a). Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC</b></p> <p><b>Articles 107 [Use of antimicrobial medicinal products], 108 [Record-keeping by owners and keepers of food-producing animals]</b></p>
	<p>Add in the table under the heading “Public health, animal health and plant health”, new category: <b>“Antibiotics use”</b></p> <p>Insert the following SMR:  <b>SMR 11(b). Regulation (EU) 2019/4 of the European Parliament and of the Council of 11 December 2018 on the manufacture, placing on the market and use of medicated feed, amending Regulation (EC) No 183/2005 of the European Parliament and of the Council and repealing Council Directive 90/167/EEC</b></p> <p><b>Article 17 [Use of medicated feed]</b></p>
Justification	
The Veterinary Medicines and Medicated Feed Regulations should be included into conditionality.	





## Align the CAP with the European Green Deal to ensure planetary health

EPHA supports the recommendations below prepared by ClientEarth, European Environmental Bureau, WWF-EPO, Bird Life Europe and Central Asia and Greenpeace EU.

EPHA has added the recommendation to ensure involvement of *public health* civil society in Article 94.

Colour code:    **ENVI amendment**  
                      **AGRI amendment**  
                      **New proposed amendment**

### CAP Strategic Plans Regulation:

#### 1. Integrating EGD targets in the CAP

CAP SPR + amendment	Justification
<b>Article 6: Specific Objectives</b>	
<p>1.The achievement of the general objectives shall be pursued through the following specific objectives:</p> <p>(...)</p> <p>(d) contribute to climate change mitigation and adaptation, as well as sustainable energy <i>particularly by reducing greenhouse gas emissions from the agricultural and food sector, including biogenic source of GHG emissions and through enhancing the removal and sequestration of carbon in the soil, in line with the Paris Agreement and the European Climate Law [Reg XX];</i></p> <p>(e) <i>contribute to the protection and improvement of the quality of air and water, while reducing pesticide and antibiotic use in accordance with the Farm to Fork Strategy, and promote a more sustainable use of water and to the protection and improvement of soil;</i></p> <p>(f) enhance ecosystem services <i>including in rural areas, and halt and reverse biodiversity loss, including pollinators; to contribute to the conservation, preservation and enhancement of habitats, High Nature Value farming systems, species and landscapes, in accordance with the Biodiversity Strategy;</i></p> <p>(...)</p> <p>(i) improve the response of EU agriculture to societal demands on food and health, including safe, nutritious and sustainable food, food waste, as well as animal welfare, <i>in accordance with the Farm to Fork Strategy.</i></p> <p><b>NEW 1a. The achievement of the specific objectives under paragraph 1 shall occur in so far as there is sufficient progress by the end of the period covered by this regulation towards the following targets at European Union level for 2030:</b></p>	<p>On one hand, the language of the specific objectives should be strengthened in line with the ENVI opinion, and the relevant specific objectives should link with relevant EU Green Deal (EGD) initiatives</p> <p>On the other hand, a direct and legally binding link with the targets of the F2F and BDV Strategies - as suggested in new § 1a - will ensure that CAP Strategic Plans (SP) actively contribute to these objectives.</p> <p>Note that Context Indicator C.32 is not part of Annex I as proposed by the European Commission, but the most recent Council drafting suggestions have added all Context Indicators to that Annex.</p>





<p>(a) <i>Reduction of 30% of the greenhouse gas emissions linked to the agricultural sector and its related land-use compared to 2005, as per I.10 of Annex I</i></p> <p>(b) <i>Reduction of 50% of nutrient losses, as per I.15 of Annex I, compared to the latest year for which data is available,</i></p> <p>(c) <i>Achieving 10% of UAA covered by high-biodiversity landscape features, as per I.20 of Annex I</i></p> <p>(d) <i>Reduction of 50% of the use of antibiotics in agriculture, as per I.26 of Annex I, compared to the latest year for which data is available</i></p> <p>(e) <i>Reduction of 50% of risks and impacts of pesticides as per I.27 of Annex I, compared to the latest year for which data is available</i></p> <p>(f) <i>Achieving 25% of UAA under organic farming [as per CAP context indicator C.32]</i></p> <p>2. When pursuing the specific objectives Member States shall ensure simplification and performance of the CAP support.</p>	
<b>Article 7: Indicators</b>	
<p>1. Achievement of the objectives referred to in Articles 5 and 6(1) shall be assessed on the basis of common indicators related to output, result and impact. The set of common indicators shall include</p> <p>[...]</p> <p>(c) impact indicators related <i>to the objectives set out in Articles 5 and 6(1) and used to support the establishment of quantified performance targets in respect to the specific objectives</i> in the context of the CAP Strategic Plans and <i>assessing progress made towards the targets and</i> the CAP.</p> <p>[...]</p> <p>2. <i>The Commission shall carry out a full assessment on the effectiveness of the output, result and impact indicators laid down in Annex I by the end of the third year of application of the Strategic Plans.</i></p> <p><i>Following that assessment,</i> the Commission is empowered to adopt delegated <i>acts</i>, in accordance with Article 138, amending Annex I to adapt, <i>if necessary,</i> the common indicators <i>taking</i> into account the experience <i>gained during the policy implementation.</i></p>	<p>This ENVI amendment requiring MS to use impact indicators in setting targets and assessing progress (§1 (c)) is key to make the new CAP more performance-based.</p> <p>The AGRI amendment requiring an assessment of the CAP indicators (§2) is a good addition and should be maintained.</p>
<b>Article 92: Increased ambition with regard to environmental- and climate-related objectives</b>	
<p>1. Member States shall <i>allocate</i>, through their CAP Strategic Plans and in particular through the elements of the intervention strategy referred to in point (a) of Article 97(2), a greater overall <i>share of the budget</i> to the achievement of the specific <i>objectives related to agri-environment and</i> climate set out in points (d), (e) and (f) of Article 6(1) in comparison to the overall <i>share of the budget allocated</i> to the achievement of the objective laid down in point (b) of the first</p>	<p>The European Commission considers this a key article to ensure CAP Strategic Plans deliver on the EU Green Deal; but <a href="#">independent assessments have</a></p>





subparagraph of Article 110(2) of Regulation (EU) No 1306/2013 through support under the EAGF and the EAFRD in the period 2014 to 2020.

*The greater overall contribution shall support the achievement of the targets set out in the Farm to Fork and Biodiversity Strategies*

*1a. Payments towards organic conversion and maintenance in CAP Strategic Plans under Articles 28 and 65 shall exceed the total payments made before 2021 under Rural Development to organic farmers, calculated as a yearly average using constant prices, with a view to achieving the objective of 25% of UAA under organic farming by 2030, as measured by Context Indicator C.32.*

*1b. The increased ambition with regard to environmental and climate-related objectives will also be quantified by comparing the latest available values of the impact indicators set out in Annex I, and the target values for these indicators that Member States aim to achieve by 2027. Special consideration will be given to achieving the following targets at European Union level:*

- (a) Reduction of 30% of the greenhouse gas emissions linked to the agricultural sector and its related land-use compared to 2005, as per I.10 of Annex I*
- (b) Reduction of 50% of nutrient losses, as per I.15 of Annex I, compared to the latest year for which data is available,*
- (c) Achieving 10% of UAA covered by high-biodiversity landscape features, as per I.20 of Annex I*
- (d) Reduction of 50% of the use of antibiotics in agriculture, as per I.26 of Annex I, compared to the latest year for which data is available*
- (e) Reduction of 50% of risks and impacts of pesticides as per I.27 of Annex I, compared to the latest year for which data is available*
- (f) Achieving 25% of UAA under organic farming [as per CAP context indicator C.32]*

**OR**

*1b. The increased ambition with regard to environmental and climate-related objectives should be in accordance with the targets set out in the F2F and BDV Strategies. Therefore, it will also be quantified by comparing the latest available values of the impact indicators I.10, I.15, I.20, I.26, I.27, and C.32 set out in Annex I, and the target values for these indicators that Member States aim to achieve by 2027.*

2. Member States shall **justify** in their CAP Strategic Plans, on the basis of available information, how they intend to achieve the greater overall contribution set out in paragraph 1, **1a and 1b and how they intend to achieve the targets set out in the F2F and BDV Strategies**. That **justification** shall be based on relevant information such as the elements referred to in points (a) to (f) of Article 95(1) and in point (b) of Article 95(2).

[found the language to be too weak to have a legal force.](#)

The AGRI amendment (§1) requiring a higher share of the budget for environmental objectives goes in the right direction and should be maintained.

The ENVI amendment (new §1a) requiring an increase in organic payments should also be maintained and complemented with a reference to the F2F target.

In addition, a link to the F2F and BDV Strategies should be added (§1) so that MS are required to justify how their CAP SP contributes to these quantitative objectives (§1)

Finally, MS should be required to justify their “increased ambition” against impact indicators. As an alternative to the ENVI amendment to that purpose (§2, not copied here), we suggest to establish this obligation only for those indicators relevant to the F2F and BDV targets (new §1b, two options).

**Article 95: Content for the CAP Strategic Plans**







<p>Each CAP Strategic Plan shall contain the following sections:</p> <p>(a) an assessment of needs;</p> <p><i>NEW (aa) national values for the key agricultural targets foreseen under the European Green Deal, corresponding to the impact and context indicators I.10, I.15, I.20, I.26, I.27, and C.32</i></p> <p>(b) an intervention strategy;</p> <p>[...]</p>	<p>In line with amendments to previous articles, this requires Member States to set and include in their CAP SP national targets against the key agriculture-related EGD objectives. This will ensure that all MS deliver on the commitments of the EGD to the extent of their capabilities, through their CAP SP.</p>
<b>Article 97: Intervention Strategy</b>	
<p>1. The intervention strategy referred to in point (b) of Article 95(1) shall set out, for each specific objective set out in Article 6(1) and addressed in the CAP Strategic Plan:</p> <p>(a) targets for each relevant common and, where relevant, CAP Strategic Plan specific result <b>and impact</b> indicators and related milestones. The value of these targets shall be justified in view of the assessment of needs referred to in Article 96 <i>and in view of the EU-level targets set out in the Farm to Fork and Biodiversity Strategies</i>. As regards the specific objectives set out in points (d), (e), and (f) of Article 6(1), targets shall be derived from the elements of explanation given in points (a) and (b) of paragraph 2 of this Article;</p> <p>[...]</p> <p>2. The intervention strategy shall also provide the following elements, showing the consistency of the strategy, <del>and</del> the complementarity of interventions across the specific objectives set out in Article 6(1), <i>and the coherence of the strategy with EU environmental and climate legislation and with the European Green Deal, in particular regarding the targets set out in the Farm to Fork and Biodiversity Strategies</i>:</p> <p>(a) an overview of the environmental and climate architecture of the CAP Strategic Plan which describes the complementarity and baseline conditions between the conditionality and the different interventions addressing the specific environmental- and climate-related objectives set out to in points (d), (e), and (f) of Article 6(1), as well as the way to achieve the greater overall contribution set out to in Article 92;</p> <p>(b) an explanation of how the environment and climate architecture of the CAP Strategic Plan is meant to contribute to already established long-term national targets set out in or deriving from the legislative instruments referred to in Annex XI <i>and to European Union targets set out in the Farm to Fork and Biodiversity Strategies</i>;</p> <p>[...]</p>	<p>A clear link between the CAP SP and the F2F and BDV Strategies (§1(a)) in the Intervention Strategy is needed, so that MS will have to explain their targets for the indicators relevant to the F2F and BDV Strategies, and justify how their CAP SP will contribute to the Strategies.</p> <p>In addition, MS should be required to assess and explain the coherence of their CAP SP Intervention Strategy with existing EU laws and with the EU Green Deal (§2). Consistency across policies is a principle enshrined in EU treaties, and requirements to assess the interaction and coherence among policy areas is something well established in other contexts: for instance, article 6 of the NEC Directive requires MS when drawing up their plan to “ensure coherence with other relevant plans and programmes established by virtue of the requirements set out in national or Union legislation.” The CAP should follow this good practice.</p>





## 2. Strengthening the governance of CAP Strategic Plans

CAP SPR + amendment	Justification
<b>Article 94: Procedural requirements</b>	
<p>1. Member States shall draw up the CAP Strategic Plans based on transparent procedures, in accordance with their institutional and legal framework.</p> <p><b>1a. Member States shall make CAP Strategic Plans and related annexes public, both at the draft stage and after their approval.</b></p> <p>2. The body of the Member State responsible for drawing up the CAP Strategic Plan shall ensure that the competent authorities for the environment and climate are effectively involved in the preparation of the environmental and climate aspects of the plan.</p> <p>3. Each Member State shall organise a partnership with the competent regional and local authorities <b>and all interested parties</b>. The partnership shall include at least the following partners:</p> <p>(a) relevant public authorities;</p> <p>(b) economic, <b>environmental</b> and social partners;</p> <p>(c) Relevant bodies representing civil society, <b>including non-governmental organisations promoting environmental protection, public health</b> and where relevant bodies responsible for promoting social inclusion, fundamental rights, gender equality and non-discrimination.</p> <p><b>All partners listed under (b) shall have equal representation, and a balanced representation between (b) and (c) shall be ensured.</b> Member States shall involve those partners in the preparation of the CAP Strategic Plans, <b>ensuring that the public is given early and effective opportunities to participate in the preparation of the draft and of the amendments of the CAP Strategic Plan, in compliance with the Aarhus Convention.</b></p> <p>4. Member States and the Commission shall cooperate to ensure effective coordination in the implementation of CAP Strategic Plans, taking account of the principles of proportionality and shared management.</p> <p><b>4a. The Commission is empowered to adopt a delegated act in accordance with Article 138 to set out a code of conduct to support Member States in the organisation of the partnership referred to in paragraph 3. The code of conduct shall set out the framework within which Member States, in accordance with their national law and regional competences, are to pursue the implementation of the partnership principle.</b></p>	<p>ENVI's amendment requiring MS to publish CAP SPs (new §1a) would greatly improve the transparency of the CAP implementation process and should be maintained.</p> <p>In addition, §3 must be improved to be aligned with the Aarhus Convention to which the EU is a signatory, ensuring that civil society is effectively and meaningfully involved in CAP SP preparation.</p> <p>AGRI's amendment requiring the Commission to prepare a code of conduct (new §4a) is a good approach and should be maintained. As there will inevitably be some delay before this new code of conduct is adopted, amendments to §3 are crucial to ensure public participation follows due process in the meantime.</p>
<b>Article 106: Approval of CAP Strategic Plans</b>	





[...]

2. The Commission shall assess the proposed CAP Strategic Plans **on clear and objective criteria including** the basis of the completeness of the plans, the consistency and coherence with the general principles of Union law, with this Regulation and the provisions adopted pursuant to it and with the Horizontal Regulation, **their potential achievement and** effective contribution to the specific objectives set out in Article 6(1), **coherence and compliance with legislation set out in Annex XI**, the impact on the proper functioning of the internal market and distortion of competition, the level of administrative burden on beneficiaries and administration. The assessment shall address, in particular, the adequacy of the strategy of the CAP Strategic Plan, the corresponding specific objectives, targets, interventions and the allocation of budgetary resources to meet **the European Green Deal targets for agriculture and** the specific CAP Strategic Plan objectives through the proposed set of interventions on the basis of the SWOT analysis and the ex-ante evaluation.

3. Depending on the results of the assessment referred to in paragraph 2, the Commission may address observations to the Member States within **four** months of the date of submission of the CAP Strategic Plan.

The Member State shall provide to the Commission all necessary additional information and, where appropriate, revise the proposed plan. **Each Member State shall take due account of any observations from the Commission in its CAP Strategic plan. If the Member State concerned does not address an observation, that Member State shall provide and make public its reasons.**

4. The Commission shall approve the proposed CAP Strategic Plan provided that the necessary information has been submitted and the Commission is satisfied that the Plan is compatible with the general principles of Union law, the requirements set out in this Regulation, the provisions adopted pursuant to it and in Regulation (EU) [HzR].

5. The approval of each CAP Strategic Plan shall take place no later than eight months following its submission by the Member State concerned, **once all formal requirements and quality standards are met.**

~~The approval shall not cover the information referred to in point (c) of Article 101 and in Annexes I to IV to the CAP Strategic Plan referred to in points (a) to (d) of Article 95(2).~~

~~In duly justified cases, the Member State may ask the Commission to approve a CAP Strategic Plan which does not contain all elements. In that case the Member State concerned shall indicate the parts of the CAP Strategic Plan that are missing and provide indicative targets and financial plans as referred to in Article 100 for the whole CAP Strategic Plan in order to show the overall consistency and coherence of the plan. The missing elements of the CAP Strategic Plan shall be submitted to the Commission as an amendment of the plan in accordance with Article 107.~~

**When these requirements and standards are not fully met, the Commission may withhold approval of those specific parts of a CAP strategic plan. This partial approval shall be accompanied by a request to the Member State concerned to provide additional information and revise the deficient or**

This article is crucial for the good governance of the CAP Strategic Plan approval process. In particular, three aspects must be strengthened.

**Accountability:** The requirements of the approval process should be strengthened to enhance the accountability of MS towards the Commission, in particular with regards to the environmental and climate ambition of their CAP SP (§2 and §5). The CAP SP annexes must be part of the approval process (as per AGRI amendment to §5) as these contain important information on the public participation process and green architecture of the CAP SP. We also reject the possibility for MS to seek approval of incomplete CAP SPs, which could have negative consequences (as per ENVI amendment to §5), instead we propose to allow the Commission to do a partial approval where some parts of the CAP SP do not meet quality requirements (new amendment to §5)

**Transparency:** Citizens, MEPs and national MPs must have access to information on the implementation of the CAP. We therefore strongly support AGRI's new §7a and §7b requiring the Commission to translate and publish draft and final CAP SPs.

**Timing:** For the approval process to be meaningful, it is key to ensure there is sufficient time for the Commission to review draft CAP SP, for MS to act on the observations they receive, and the Commission to complete the final assessment. For this reason, we propose an amendment to §3, and reject AGRI's new §7c to this article.

We also warn against the AGRI amendment deleting §2 of article 108 which "pauses the clock" once the Commission has sent comments to MS and until the MS replies. This amendment in effect strongly





<p><i>incomplete parts of the plan within a maximum of 6 months.</i></p> <p>6. Each CAP Strategic Plan shall be approved by the Commission by means of an implementing decision without applying the Committee procedure referred to in Article 139</p> <p>7. The CAP Strategic Plans shall only have legal effects after their approval by the Commission.</p> <p><i>7a. The Commission shall submit to the European Parliament and to the Council a summary report of the national CAP Strategic Plans within six months after their approval, accompanied by clearly described evaluations in order to provide information on the decisions taken by the Member States to tackle the specific objectives set out in Article 6(1)</i></p> <p><i>7b. The Commission shall translate the CAP Strategic Plans into English and publish them in a way that ensures publicity and transparency at Union level.</i></p>	<p>reduces the timeline of the approval process and undermines the quality of the approval process.</p> <p>AGRI §7c <i>The approval of the CAP Strategic Plans and its implementation by Member States shall not cause any delays in the aid application period for beneficiaries nor in the timely payment of the aid, especially in the first year of implementation.</i></p>
<b>Article 111: Monitoring Committee</b>	
<p>[...]</p> <p>3. The Monitoring Committee shall examine in particular:</p> <p>(a) progress in CAP Strategic Plan implementation and in achieving the milestones and targets;</p> <p>(b) any issues that affect the performance of the CAP Strategic Plan and the actions taken to address those issues <i>including the quality and the quantity of data and indicators available for monitoring</i>;</p> <p>[...]</p>	<p>Good data and sound indicators are crucial for an effective response to complex environmental challenges. This should therefore be added to the responsibilities of the Monitoring Committee (§3 (b))</p>
<b>Article 127: Performance Assessment and Evaluation</b>	
<p>1. The Commission shall establish a multiannual evaluation plan of the CAP to be carried out under its responsibility.</p> <p><i>1a As soon as all the national CAP strategic plans are approved, the European Commission will commission an independent assessment of their aggregated expected impact. If this analysis reveals an insufficient joint effort in relation to the ambition of the European Green Deal, the European Commission will take appropriate action, which may involve requesting Member States to modify CAP strategic plans or tabling amendments to this regulation.</i></p> <p>2. The Commission shall carry out <b>and make public</b> an interim evaluation to examine the effectiveness, efficiency, relevance, coherence and Union added value of the EAGF and the EAFRD by the end of the third year following the start of implementation of the CAP Strategic Plans taking into account the</p>	<p>Given the urgency of the climate and biodiversity crises and the 2030 F2F and BDV targets, continuous monitoring and evaluation of the performance of the CAP is critical. This can ensure the policy adapts and improves gradually over its programming period, rather than waiting until the next reform round.</p> <p>In a first instance, the Commission should assess whether on an aggregated level, the 27 CAP Strategic Plans will deliver sufficient environmental and climate action, in</p>





<p>indicators set out in Annex I. The Commission may make use of all relevant information already available in accordance with Article [128] of the [New Financial Regulation]. <i>If the interim evaluation reveals an insufficient joint effort in relation with the ambition of the European Green Deal and Union environmental and climate legislation, the European Commission will issue recommendations to the Member States to ensure the achievement of the objectives of the European Green Deal and the legislation listed in Annex XI. In their annual performance report, Member States shall set out how the recommendations have been taken into account or the reasoning for not addressing recommendations or a part thereof.</i></p> <p>[...]</p>	<p>line with EU law and the Green Deal (new §1a). In addition, this article should require the Commission to act on the findings of the interim evaluation (§2).</p> <p>Note that AGRI created a new Article 139a: 'Mid-term review', however it is focused solely on the new delivery model, so there is little added value to this extra requirement and strengthening this article should be prioritised.</p>
<b>Article 129: General provisions</b>	
<p>1. Member States shall provide the Commission with all the necessary information <i>or data</i> enabling it to perform the monitoring and evaluation of the CAP. <i>Granting of CAP funds shall be conditional upon the provision by the Member States of this information and data.</i></p> <p>2. Data needed for the context and impact indicators shall primarily come from established data sources, such as the Farm Accountancy Data Network and Eurostat. Where data for these indicators are not available or not complete, the gaps shall be addressed <i>jointly by the European Commission and the Member State</i> in the context of the European Statistical Program established under Regulation (EC) No 223/2009 of the European Parliament and of the Council<sup>40</sup>, the legal framework governing the Farm Accountancy Data Network or through formal agreements with other data providers such as the Joint Research Centre and the European Environment Agency.</p> <p><i>2a. Member States shall improve the quality and frequency of data collection for the key agricultural targets foreseen under the European Green Deal, corresponding to the impact and context indicators I.10, I.15, I.20, I.26, I.27, and C.32. These data shall be made public and provided to the European Commission in a timely manner, to assess the effectiveness of the CAP and enable monitoring progress towards the EU-level objectives.</i></p> <p>3. Existing <i>up-to-date</i> administrative registers such as the IACS, LPIS, animal and vineyard registers shall be maintained <i>and reinforced</i>. The IACS and LPIS shall be further developed to better meet the statistical needs of the CAP. <i>By 1 January 2023, at the latest, all Member States shall have in their LPIS an updated layer with full territorial coverage for high-biodiversity landscape features.</i> Data from administrative registers shall be used as much as possible for statistical purposes <i>and to monitor compliance</i> in cooperation with statistical authorities in Member States and with Eurostat.</p> <p>[...]</p>	<p>Lack of data is too often used as an excuse for inaction. This can no longer be accepted, and Member States should be required to ensure they are collecting all the necessary data to achieve the CAP's 9 specific objectives (§1) and contribute to the agriculture-related EU Green Deal objectives (new §2a). Regarding the latter, data on landscape features is particularly important and currently very poor. A time-bound obligation for Member States to fill this gap is therefore justified. The technology is available to solve this data gap (in particular imaging technologies), but MS must speed up the update of their IACS and LPIS systems (§3).</p>





### 3. Phasing out harmful subsidies

CAP SPR + amendment	Justification
<b>Article 3: Definitions</b>	
<p>[...]</p> <p><i>(ba) 'stocking density' means the total weight of animals which are present in a house at the same time per square metre of useable area.</i></p> <p><i>(bb) 'concentrated animal feeding operation' means a livestock holding rearing animals at a density beyond that permitted by the area and natural resources, or carrying capacity, of the holding, or in the case of cattle and ruminants, where the animals are without access to grazing or without the appropriate amount of supporting forage hectares to support pasture or grassland based grazing or foraging.</i></p> <p>[...]</p>	<p>These definitions are needed to operationalise safeguards against CAP support for highly intensive livestock farming established in later articles (see below).</p>
<b>Article 4: Definitions to be formulated in the CAP Strategic Plans</b>	
<p><u>ENVI amendments</u>, in particular to the definitions of:</p> <p>§1 (b) 'agricultural area'</p> <p>(i). 'arable land'</p> <p>(iii). 'permanent grassland and permanent pasture'</p> <p><u>AGRI amendments</u>, as well as <u>new amendments</u> to:</p> <p>(a) 'agricultural activity' shall be defined in a way that it includes both the production of agricultural products listed in Annex I to the TFEU, including cotton and short rotation coppice <i>and paludiculture</i>, and maintenance of the agricultural area in a state which makes it suitable for grazing or cultivation, without preparatory action going beyond usual agricultural methods and machineries;</p> <p>(...)</p> <p>(c) defined in a way that it includes any agricultural area of the holding, <i>including mobile or stationary temporary technical installations, in particular internal farm tracks and water troughs, as well as silage bales and rewetted areas used for paludiculture</i>:</p> <p>(i) that, during the year for which support is requested, is used for an agricultural activity or, where the area is also used for non-agricultural activities, is predominantly used for agricultural activities, and which is at the farmer's disposal. Where duly justified for environmental reasons, eligible hectares may also include</p>	<p>The amendments adopted by ENVI to the definitions of 'agricultural area', 'arable land' and 'permanent grassland' are key to remove perverse incentives against landscape features or agroforestry systems.</p> <p>In addition, amendments to the definition of 'agricultural activity' and 'eligible hectare' are needed to end the discrimination against farming on wet peatlands. Two AGRI amendments go in the right direction and should be complemented with two new amendments to ensure that farmed peatlands or other carbon-rich land can maintain its eligibility for CAP direct payments even if the land use is changed to prevent further greenhouse gas emissions.</p>







<p>certain areas used for agricultural activities only every <b>third</b> year.</p> <p>(ii) that gave a right to payments under Subsection 2 of Section 2 of Chapter II of Title III of this Regulation or under the basic payment scheme or the single area payment scheme laid down in Title III of Regulation (EU) No 1307/2013, and which:</p> <ul style="list-style-type: none"><li>– no longer complies with the definition of 'eligible hectare' set out in point (a) of Regulation (EU) No 1307/2013 as a result of the implementation of Directives 92/43/EEC and 2009/147/EC, <b>Regulation (EU) 2018/841</b> or Directive 2000/60/EC;</li></ul>	
<b>Article 11 and 12 &amp; Annex III: Conditionality</b>	
<p><b>Article 11: ENVI amendments</b>, in particular:</p> <p>1. Member States shall include in their CAP Strategic Plans a system of conditionality, under which beneficiaries receiving direct payments under <b>Chapters II and III</b> of this Title or the annual premia under Articles 65, 66 and 67 <b>shall be subject to an administrative penalty should they not comply, where applicable</b>, with the statutory management requirements under Union law and the standards for good agricultural and environmental condition of land <b>as listed in Annex III</b>, established in the CAP Strategic Plan, [...]</p> <p><b>Article 12:</b> Commission text or <b>ENVI amendments</b></p> <p><b>Annex III: ENVI amendments</b>, in particular:</p> <p>GAEC 1: Maintenance of permanent grassland based on a ratio of permanent grassland in relation to agricultural area <b>and the rate of conversion to arable land. This ratio should not decrease by more than 5% compared to an equivalent ratio that is established by Member States for reference year 2013.</b></p> <p><b>(new) GAEC 3a: Maximum stocking density (No exceedance of a limit of 0.7 livestock units per hectare on agricultural land)</b></p> <p>GAEC 4: Establishment of buffer strips along water courses<sup>1</sup> <b>with a minimum width of 3 m and on which no fertilisers and plant protection products may be used</b></p> <p>GAEC 8: <b>Minimum four years crop</b> rotation <b>including a leguminous crop</b></p> <p>GAEC 9:</p> <ul style="list-style-type: none"><li>• Minimum share of <b>7 % of</b> agricultural area devoted to non-productive features or areas, <b>where no synthetic pesticides and fertilisers are used</b></li></ul> <p>SMR 12: <b>Article 14, Sustainable Use of Pesticides Directive</b></p> <p>SMR13: <b>Article 55 and Article 67 of Plant Protection Product Regulation</b></p>	<p>The system of conditionality sets the mandatory baseline of environmental standards for CAP recipients. ENVI's amendment extending the scope to Sectoral Interventions (art. 11 §1) makes a lot of sense, as all recipients should be required to abide by the same standards.</p> <p>In line with this basic principle of equal treatment, AGRI's amendments to article 12 (new § 3a, § 3b, § 3c and amended § 4) must be rejected, as they create an unnecessary system of equivalences (replacing certain conditionality standards with certification schemes) and add unjustified exemptions for organic farmers and outermost regions.</p> <p>ENVI's amendments to Annex III should be kept, as they enhance the links with EU environmental laws and establish common EU-wide quantitative standards which protect the level playing field between all European farmers. These amendments also promote better alignment with the EU Green Deal, as all of these standards are relevant to the F2F and BDV objectives.</p> <p>Note that the scientific evidence indicates that 10-14% of non-productive areas and features at farm-level are needed to restore</p>





	healthy agro-eco-systems, so ENVI's amended GAEC 9 should ideally be increased.
<b>Article 29, 30, 31, 31a: Coupled Income Support</b>	
<p><u>ENVI amendments</u>, in particular:</p> <p><b>Article 29:</b></p> <p><i>(new) 3a The Commission shall ensure in line with Chapter III of Title V that coupled support for livestock shall only be granted to farms that stay within a defined maximum livestock stocking density for a given river basin as defined in Directive 2000/60/EC.</i></p> <p><i>(new) 3b When a Member State proposes voluntary coupled support in its Strategic Plan as envisaged in Article 106, the Commission shall ensure that:</i></p> <ul style="list-style-type: none"><li><i>(a) the aid meets the 'do no harm' principle;</i></li><li><i>(b) there is a clear environmental or social need or benefit, justified with empirical quantifiable and independently verifiable evidence;</i></li><li><i>(c) the support is used to satisfy the Union's food security needs and does not create distortions of the internal or international markets;</i></li><li><i>(d) the granting of the support coupled income support does not lead to trade outcomes which adversely impact on agro-food sector investment, production and processing development in partner developing countries;</i></li><li><i>(e) voluntary coupled support is not to be granted for markets that are in crisis due to overproduction or oversupply;</i></li><li><i>(f) support for livestock production is only to be granted for low population densities within limits of the ecological carrying capacities of the river basins concerned according to the Water Framework Directive 2000/60/EC, and is linked to sufficient areas of fodder or grazing to be maintained without external inputs.</i></li></ul> <p><i>When the conditions set out in points (a) to (f) are fulfilled, the Commission may approve or, in coordination with that Member State, as described in Articles 115 and 116 of this Regulation, adjust the variables proposed by that Member State.</i></p> <p><b>Article 31:</b></p> <p>2. Coupled income support <i>may only be granted if:</i></p> <ul style="list-style-type: none"><li><i>(a) The Member State demonstrates that it is the only option remaining, notably relating to pastoral systems where environmental schemes or decoupled payments can be difficult to deliver due to grazed commons or transhumance</i></li><li><i>(b) the Member State demonstrates the coverage of the additional costs actually incurred and income foregone in order to fulfil the specific objectives (d), (e) and (f) of Article 6(1).</i></li></ul>	<p>These amendments by ENVI increase the burden of proof Member States must provide to justify their use of Voluntary Coupled Support (VCS), and tighten the conditions for the use of VCS, excluding intensive livestock farms from this form of support.</p> <p>These safeguards are crucial to bring the CAP in line with the EU Green Deal, in particular the climate-neutrality and zero-pollution objectives. Indeed, the <a href="#">official evaluation of the CAP's impact on climate</a> found that VCS had a negative impact on climate mitigation, as 49.5% of all beef and veal cows and 36.5% of dairy cattle were supported through VCS in 2016). Yet, these sectors are responsible for the lion's share of EU methane emissions. Methane is a powerful greenhouse gas, and a precursor to ground level ozone (smog), which harms human health and biodiversity. Intensive livestock farming also causes considerable ammonia emissions and nitrates pollution into watercourses.</p>







<p><i>(new) 2a. When the coupled income support concerns bovine animals or sheep and goats, Member States may only support animals raised in a grass-fed, pasture-based grazing system and with significantly higher environmental or animal welfare results.</i></p> <p><i>(new) 2b. The Commission and Member States shall ensure through the procedure outlined in Title V of this Regulation, that the CAP Strategic Plans contain provisions to ensure that by the end of the strategic plan programming period, the total livestock stocking density per Member State does not exceed 0,7 livestock units per hectare.</i></p> <p><i>(new) 2c. Concentrated animal feeding operations shall not be eligible for coupled support.</i></p>	
<b>Article 68: Investments</b>	
<p><b>ENVI amendments</b>, in particular:</p> <p>§3 (f) investments in irrigation <i>which do not lead to a net reduction in the water used for irrigation in that catchment area and</i> which are not consistent with the achievement of good status of water bodies, as laid down in Article 4(1) of Directive 2000/60/EC, including expansion of irrigation affecting water bodies whose status has been defined as less than good in the relevant river basin management plan;</p> <p><i>§3 (ha) investments in concentrated animal feeding operations and in infrastructure that do not comply with recommendations for good animal welfare, and principles contained in Council Directive 98/58/EC;</i></p>	<p>These ENVI amendments tighten the rules for investments which cannot be eligible for CAP support. This is crucial, as the <a href="#">official evaluation of the CAP's impact on water</a> found evidence of detrimental investments in irrigation, and</p>

#### 4. Enabling positive change

CAP SPR + amendment	Justification
<b>Article 28 and 65: Eco-schemes and Environmental, climate and other management commitments</b>	
<p><u>Commission text or ENVI amendments</u></p>	<p>ENVI made some useful amendments to these articles, for example allowing eco-schemes to be undertaken by groups of farmers (art. 28 §1), highlighting the importance of High Nature Value farming (§4), allowing Member States to make certain eco-schemes mandatory in specific areas (new §6a), or linking agri-environment-climate measures (AECM) explicitly to specific objectives (d), (e) and (f) (art. 65 §2). These amendments are</p>





	welcome, though not game-changing.
<b>Article 28a / 66: Natural or other area-specific constraints</b>	
<b>ENVI deleted article 66 and created a new article 28a with exactly the same text.</b>	Given the increased modulation introduced by the European Council in the MFF allowing Member States to transfer 25-30% of funds from Pillar 2 to Pillar 1, it is crucial to ensure Pillar 2 is reinforced and funds are reserved for the most targeted measures. Since ANC payments are a type of income support, they should be moved to Pillar 1. Additionally, ANCs must not be included in the environmental ringfencing, respecting the initial intention of the Commission (article 86 §2)
<b>Article 84a: Resources from the European Union Recovery Instrument</b>	
<p>[...]</p> <p>4. <del>Article 86 shall not apply to the additional resources referred to in paragraph 1 of this Article.</del></p> <p>5. Up to 4 % of the total additional resources referred to in paragraph 1 may be allocated to technical assistance at the initiative of the Member States under EAFRD contributions to the CAP Strategic Plans of the Member States.</p> <p>6. The additional resources referred to in paragraph 1 shall be used <del>under a new specific objective complementing the specific objectives set out in Article 6</del> to support operations preparing the recovery of the economy <i>in line with the European Green Deal, and in particular the Farm to Fork and Biodiversity Strategies. They shall respect the do-no-harm principle and demonstrably contribute to at least one of specific objectives (d), (e), and (f) of Article 6 (1).</i></p>	<p>This new article, added by an <a href="#">amendment by the European Commission</a> on 28th May 2020 is incredibly vague in how the additional Covid-19 recovery funds are to be spent through the CAP. Article 2 of <a href="#">Regulation [ERI]</a> barely states “§1 (i) support measures to address the impact of the Covid-19 pandemic on agriculture and rural development”, and the Commission has not proposed a new specific objective as referred to in §6.</p> <p>Given the Commission’s insistence that the EU Green Deal provides the blueprint for the EU’s recovery from the Covid-19 crisis, this article must establish a clear link with environmental objectives and the F2F and BDV Strategies (§6). Moreover, these funds should be subject to the same conditions (incl. ringfencing) as EAFRD funds (delete §4).</p>
<b>Article 86: Minimum and maximum financial allocations</b>	
<p>[...]</p> <p>2. At least <b>40%</b> of the total EAFRD contribution to the CAP Strategic Plan as set out in Annex IX shall be reserved for interventions addressing the</p>	This ENVI amendment is crucial to ensure sufficient funds are dedicated to measures enabling and incentivising farmers to (maintain or) adopt more





<p>specific environmental- and climate-related objectives set out in points (d), (e) and (f) of Article 6(1) of this Regulation, excluding interventions based on Article 66. <i>At least 30% of the total EAGF contribution to the CAP Strategic Plan as set out in Annex IV shall be reserved for schemes for the climate and the environment set out in Article 28.</i></p> <p><i>Every Member State shall set a minimum amount reserved for contributing to the specific objective named in point (f) of Article 6(1). It shall be calculated based on the SWOT analysis and the identification of needs relating to priority species and natural habitats as part of the prioritised action framework as set out in Directive 92/43/EEC and Directive 2009/147/EC. This amount shall be used for the measures described in Articles 65 and 67 and point (a) of Article 68(4) of this Regulation and to utilise support for Strategic Nature Projects as defined under the [LIFE Regulation] in accordance with paragraph 7 of this Article.</i></p> <p>[...]</p>	<p>sustainable practices. This, in turn, is essential for the success of the EU Green Deal and the long-term viability of European agriculture.</p>
<b>Article 87: Tracking climate expenditure</b>	
<p>1. On the basis of the information provided by Member States the Commission shall evaluate the contribution of the policy to the climate change objectives using a simple, <i>appropriate, accurate</i> and common methodology, <i>based on the EU Taxonomy for Sustainable Finance. The Commission shall regularly report on the progress towards mainstreaming both environment action and climate action, including the amount of expenditures. The findings shall be presented in the annual year review as set out in Article 122.</i></p> <p><i>2. Delete</i></p>	<p>The current methodology for tracking climate expenditure has been harshly criticised by the <a href="#">European Court of Auditors</a>, the <a href="#">European Parliament's Think Tank</a> and <a href="#">independent experts</a>. Yet, in this article the Commission maintained a similar methodology, which would allow it to claim that 40% of CAP funds are spent on climate action without actually ensuring these funds lead to any emissions reduction. This greenwashing must end: the "Rio markers" proposed by the Commission must be abandoned and the Commission must develop a better methodology.</p>

