EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate D. Direct support
Director

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Subject: Summary minutes of the Expert Group meeting for direct payments on Greening held on 10-12-2015

Chairman: Richard ETIEVANT

All Member States present except Malta.

1. GREENING : PRESENTATIONS FROM MS ON BEST IMPLEMENTATION PRACTICES FOR GREENING

The Member States were invited to present best practices on the implementation on greening on "Non-productive" Ecological Focus Areas (terraces, landscape features, buffer strips, strips along forest edges, agroforestry, afforested areas).

2 MS (Ireland and Czech Republic) presented their own implementation on this greening obligation.

The Commission and the other MS welcomed the two presentations, which gave a good picture of how the MS adapted the greening framework to their own national context.

Ireland reminded that, due to the large areas of permanent grasslands in the country 10% of arable land on the total agricultural area corresponding to 5% of farmers are concerned by EFA obligations. Ireland explained the method used to manage EFA in 2014. Only landscape features under GAEC are considered. The Irish authorities put at disposal of the farmers possible EFA (in particular hedges) defined under GAEC 7 in a pre-application opened in autumn 2014, where the farmers can update the identification or simply confirm the location of the elements. The pre-application was a tool to provide an "informed decision" by the farmers at the moment of the 2015 application. A key point was to remind to farmers and build the control system on the fact that keeping the 5% of EFA is more important than the exact location of EFA. The farmers were reacting using in any case catch crops and nitrogen fixing crops, even in excess above 5%, in order to be sure that the requirement was respected. The possibility to define landscape features under GAEC gave the flexibility to keep the definitions already established in the past, which ensured stability for the farmers (e.g. specific rules for gap in hedges based on a % of the length instead of 2 m set in IACS guidance)

The LU delegate pointed out that Luxembourg authority used a similar system in order to inform farmers on the location and extension of their landscape features EFA, producing a cartographical layer and publishing it on internet. A question on the feedbacks received by Irish farmers was raised during the discussion: the Irish presenter explained that some farmers adapted the proposed landscape features EFA as regards dimension and location (except their existence under GAEC), but not all.

Czech Republic presented data on the implementation of EFA; where the majority of the area declared is on nitrogen fixing crops and catch crops. Also in CZ the chosen EFA were linked with GAEC requirements, not only for GAEC 7, but in complementarity with other GAECs, especially 4 (minimum soil cover), 5 (land management to limit erosion) and 6 (maintenance of soil organic matter). As the main environmental problem in CZ is soil erosion, the EFA definitions were adapted in order to target this issue in the most efficient way, basically using the different options to create different kind of linear elements (strips).

In the discussion, a delegate asked why there are so few landscape features areas declared in 2015. The CZ presenter explained that should be linked with uncertainty for farmers in the first year of implementation, where seemed easier for them to use a nitrogen fixing crop or catch crop more than landscape features.

Faced to some uncertainty as regard measurement and identification issues, CZ has decided to not include buffer strips and strips along forest in the list, despite of the biodiversity value of the element concerned. As equivalent solution is proposed to establish a strip of field margin on the part of the land block adjacent to water body and forests edges

During both presentation MS asked details on the practical implementation of EFA, especially on the sharing of landscape features between two farmers, controls with remote sensing etc.

2. GREENING : QUESTIONS AND ANSWERS

An update on the last replies to questions from MS was presented by the Commission. Some MS asked further clarifications which were given during the meeting. SI argued against the interpretation given for ESPG, according to which when there is an infringement (ploughing up), the corresponding area can be eligible for other greening measures during the 1st year. In view of SI, this is in contradiction with the greening scheme.

3. GREENING : FOLLOW UP OF NOTIFICATION ON MONITORING INDICATORS

An update on equivalence assessment and the new form on monitoring indicators was presented by the Commission. Some MS pointed out that they will have problems to respect the deadline of 15 December. The Commission replied that derogation to the deadline is not foreseen. However if the MS will face problems in respecting it, the data should be send at the latest during the month of January, as these indicators are very important to support the review after one year.

4. <u>ANY OTHER BUSINESS</u>: /

Legal interpretations provided in the context of the expert group are based on the understanding that in the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the European Court of Justice to provide a definitive interpretation of the applicable Union law.

p.o R. ETIEVANT

Pierre BASCOU

EXPERT GROUP FOR DIRECT PAYMENTS

List of participants – 10-12-2015

Member States	ORGANISATION	Number of experts
BE	Service public de Wallonie	2
	Vlaamse Overheid – Departement Landbouw en Visserij	1
BG	Ministry of Agriculture and Food	1
CY	CAPO	2
CZ	Ministry of Agriculture	2
DK	Naturerhvervstyrelsen	2
DE	Ministery of Agriculture	1
	Observer	1
EE	Ministry of Agriculture	1
	ARIB	1
IE	Department of Agriculture, Food and the Marine	2
EL	Opekepe (paying agency)	1
	Perm rep	1
ES	Ministerio de Agricultura, Alimentación y Medio Ambiente	1
	FEGA (MAGRAMA)	1
FR	Ministry of Agriculture	1
HR	Ministry of Agriculture	1
	Paying Agency	1
IT	Ministero delle Politiche Agricole Alimentari e Forestali (MPAAF)	2
LT	Ministry of Agriculture	1
LV	Ministry of Agriculture	1
	Rural support service	1
LU	Ministry of Agriculture	2
HU	Ministry of Rural Development	1
NL	Ministry of Economic Affairs	1
	Paying Agency	1
AT	BMLFUW	1

PL	Ministry of Agriculture	1
PT	GPP	1
RO	MADR	1
SI	MAE	1
SK	Ministry of Agriculture and Rural Development	1
FI	Ministry of Agriculture and Forestry Paying Agency	1 1
SE	Swedish Board of Agriculture	3
UK	DEFRA Paying agency	1 1