



19.12.2019

NOTICE TO MEMBERS

Subject: Petition No 0370/2019 by Lucas Estagnasié (French), objecting to the agricultural practice of burning stubble (écobuage)

1. Summary of petition

The petitioner is calling for a restriction or ban on the farming practice (widespread in mountain areas such as Corsica and the Atlantic Pyrenees) of burning stubble and other plant residues in order to fertilise the land. He also stresses the impact it has on air pollution and on the emission of greenhouse gases, as well as the danger it poses to the lives of hikers.

2. Admissibility

Declared admissible on 4 October 2019. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 19 December 2019

The Common Agricultural Policy (CAP) with its Regulation (EU) No 1306/2013¹, on the financing, management and monitoring of the CAP, in Annex II as regards the rules of the cross-compliance pursuant to Article 93, establishes a good agricultural and environmental condition (GAEC 6). The purpose of this standard is the “maintenance of soil organic matter level through appropriate practices including ban on burning arable stubble, except for plant health reasons”.

France put in application this standard defining for the metropolitan area the following rule: “all farmers receiving aid subject to cross-compliance are required not to burn straw stubble of

¹ Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008, *OJ L 347, 20.12.2013, p. 549–607*.

oil crop, protein crop or cereal crop, with the exception of rice, flax and hemp crop stubble, as well as previous cropping of vegetables and grass seeds. The Prefect may, by reasoned decision, exceptionally authorise a farmer to burn arable stubble for plant health reasons”.

In addition, burning biomass in the countryside produces emissions of coarse particulate matter (PM¹⁰), which is an air pollutant submitted to close monitoring by Directive 2008/50/EC², Annex II, point A, on ambient air quality and cleaner air for Europe.

The competence to control the emissions of PM¹⁰ is under the responsibility of each Member State.

The Circular of 18 November 2011, signed by three different Ministries of the French government and sent by the petitioner to the Commission, provides rules forbidding the green biomass burning in the countryside.

Conclusion

The European Union legislation for the agricultural policy (CAP) does not specifically cover the case raised by the petitioner. The petitioner should address the French national administration to flag the problem described in the petition.

² Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, *OJ L 152, 11.6.2008, p. 1–44*.