**Amendment 1357**

**Martin Häusling, Bas Eickhout**
on behalf of the Verts/ALE Group

**Report**

**Peter Jahr**

Common agricultural policy - support for strategic plans to be drawn up by Member States and financed by the EAGF and by the EAFRD (COM(2018)0392 – C8-0248/2018 – 2018/0216(COD))

Proposal for a regulation

Annex III

---

**Text proposed by the Commission**

**ANNEX III**

**RULES ON CONDITIONALITY PURSUANT TO ARTICLE 11**

<table>
<thead>
<tr>
<th>Areas</th>
<th>Main Issue</th>
<th>Requirements and standards</th>
<th>Main objective of the standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate and environment</td>
<td>Climate change (mitigation of and adaptation to)</td>
<td>GAEC 1 Maintenance of permanent grassland based on a ratio of permanent grassland in relation to agricultural area</td>
<td>General safeguard against conversion to other agricultural uses to preserve carbon stock</td>
</tr>
<tr>
<td></td>
<td></td>
<td>GAEC 2 Appropriate protection of wetland and peatland</td>
<td>Protection of carbon-rich soils</td>
</tr>
<tr>
<td></td>
<td></td>
<td>GAEC 3 Ban on burning arable stubble, except for plant health reasons</td>
<td>Maintenance of soil organic matter</td>
</tr>
<tr>
<td>Water</td>
<td>SMR 1 Directive 2000/60/EC of 23 October 2000 of the European Parliament and of the Council establishing a framework for Community action in the field of water policy: Article 11(3)(e) and Article 11(3)(h) as regards mandatory requirements to control diffuse sources of pollution by phosphates</td>
<td>GAEC 4 Establishment of buffer strips along water courses¹</td>
<td>Protection of river courses against pollution and run-off</td>
</tr>
</tbody>
</table>

¹ The GAEC buffer strips must respect, both within and outside vulnerable zones designated pursuant to
<table>
<thead>
<tr>
<th>GAEC 5</th>
<th>Use of Farm Sustainability Tool for Nutrients</th>
<th>Sustainable management of nutrients</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Soil (protection and quality)</strong></td>
<td><strong>GAEC 6</strong></td>
<td>Tillage management reducing the risk of soil degradation, including slope consideration</td>
</tr>
<tr>
<td><strong>GAEC 7</strong></td>
<td>No bare soil <strong>in most sensitive period(s)</strong></td>
<td>Protection of soils <strong>in winter</strong></td>
</tr>
<tr>
<td><strong>GAEC 8</strong></td>
<td>Crop rotation</td>
<td>Preserve the soil potential</td>
</tr>
</tbody>
</table>
| **GAEC 9** | ● Minimum share of agricultural area devoted to non-productive features or areas  
● Retention of landscape features  
● Ban on cutting hedges and trees during the bird breeding and rearing season  
● As an option, measures for avoiding invasive plant species | Maintenance of non-productive features and area to improve on-farm biodiversity |
| **GAEC 10** | Ban on converting or ploughing permanent grassland in Natura 2000 sites | Protection of habitats and species |
| **SMR 5** | Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and beta-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 121, 23.5.1996, p. 37), Article 3(2) of Directive 91/676/EEC, at least the requirements relating to the conditions for land application of fertiliser near water courses, referred to in point A.4 of Annex II to Directive 91/676/EEC and to be applied in accordance with Article 3(a), (b), (d) and (e) and Articles 5(4) and 7 of Directive 91/676/EEC |

**AM:\P8\AMA(2019)0200(1357-1357)_EN.docx**

**PE658.380v01-00**

The Tool shall provide at least the following elements and functionalities:

**a) Elements**
- Relevant farm information based on LPIS and IACS;
- Information from the soil sampling on an appropriate spatial and temporal scale;
- Information on relevant management practices, crop history, and yield goals;
- Indications regarding legal limits and requirements relevant to farm nutrients management;
- A complete nutrient budget.

**b) Functionalities**
- Automatic integration of data from various sources (LPIS and IACS, farmer-generated data, soil analyses etc.) as far as possible, to avoid data input duplication for farmers;
- Two-way communication between PA/MAs and farmers allowed;
- Modularity and possibility to support further sustainability objectives (e.g. emissions management, water management);
- Respect of EU data inter-operability, openness and re-use principles;
- Guarantees for data security and privacy in line with best current standards.

As implemented in particular by:
- Regulation (EC) No 852/2004: Article 4(1) and Annex I part A (II 4 (g, h, j), 5 (f, h), 6; III 8 (a, b, d, e), 9 (a, c)),
- Regulation (EC) No 853/2004: Article 3(1) and Annex III Section IX Chapter 1 (I-1 b, c, d, e; I-2 a (i, ii, iii), b (i, ii), c; I-3; I-4; I-5; II-A 1, 2, 3, 4; II-B 1 (a, d), 2, 4 (a, b)), Annex III Section X Chapter 1(1),
- Regulation (EC) No 183/2005: Article 5(1) and Annex I part A (II-2 a, d, e), Article 5(5) and Annex III (under the heading ‘FEEDING’, point 1 entitled ‘Storage’, first and last sentences, and point 2 entitled ‘Distribution’, third sentence), Article 5(6), and
- Article 5(2) and
- Article 8(1) to (5)
- Article 12 with regard to restrictions on the use of pesticides in protected areas defined on the basis of the Water Framework Directive and Natura 2000 legislation.
- Article 13(1) and (3) on handling and storage of pesticides and disposal of remnants. |
- Articles 3 and 4 |
- Article 3 and Article 4 |
- Article 4 |

1 The GAEC buffer strips must respect, both within and outside vulnerable zones designated pursuant to Article 3(2) of Directive 91/676/EEC, at least the requirements relating to the conditions for land application of fertiliser near water courses, referred to in point A.4 of Annex II to Directive 91/676/EEC to be applied in accordance with the action programmes of Member States established under Article 5(4) of Directive 91/676/EEC.

2 The Tool shall provide at least for the following elements and functionalities:
   a) Elements
   - Relevant farm information based on LPIS and IACS;
   - Information from the soil sampling, on an appropriate spatial and temporal scale;
   - Information on relevant management practices, crop history, and yield goals;
   - Indications regarding legal limits and requirements relevant to farm nutrients management;
   - A complete nutrient budget.

   b) Functionalities
   - Automatic integration of data from various sources (LPIS and IACS, farmer-generated data, soil analyses etc.) as far as possible, to avoid data input duplication for farmers;
   - Two-way communication between PA/MAs and farmers allowed;
   - Modularity and possibility to support further sustainability objectives (e.g. emissions management, water management);
   - Respect of EU data inter-operability, openness and re-use principles;
   - Guarantees for data security and privacy in line with best current standards.

3 As implemented in particular by:
   — Regulation (EC) No 852/2004: Article 4(1) and Annex I part A (II 4 (g, h, j), 5 (f, h), 6; III 8 (a, b, d, e), 9 (a,
c)),
— Regulation (EC) No 853/2004: Article 3(1) and Annex III Section IX Chapter 1 (I-1 b, c, d, e; I-2 a (i, ii, iii), b (i, ii), c; I-3; I-4; I-5; II-A 1, 2, 3, 4; II-B 1(a, d), 2, 4 (a, b)), Annex III Section X Chapter I(1),
— Regulation (EC) No 183/2005: Article 5(1) and Annex I, part A (I-4 e, g; II-2 a, b, e), Article 5(5) and Annex III (under the heading ‘FEEDING’, point 1 entitled ‘Storage’, first and last sentences, and point 2 entitled ‘Distribution’, third sentence), Article 5(6), and

4 The figures in “2018 prices” are included for information purposes; they are indicative and are not legally binding.

---

**Amendment**

**ANNEX III**

**RULES ON CONDITIONALITY PURSUANT TO ARTICLE 11**

SMR: Statutory Management Requirement  
GAEC: Standards for good agricultural and environmental condition of land

<table>
<thead>
<tr>
<th>Areas</th>
<th>Main Issue</th>
<th>Requirements and standards</th>
<th>Main objective of the standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate and environment</td>
<td>Climate change (mitigation of and adaptation to)</td>
<td>GAEC 1 Maintenance of permanent grassland at regional level based on a ratio of permanent grassland in relation to agricultural area in comparison to the reference year 2018</td>
<td>General safeguard against conversion to other agricultural uses to preserve carbon stock</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum variation coefficient of 2.5 per cent compared to the reference year.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>GAEC 2 Effective protection of wetland and appropriate maintenance of the area of peatland</td>
<td>Protection of carbon-rich soils</td>
</tr>
<tr>
<td></td>
<td></td>
<td>GAEC 3 Ban on burning arable stubble, except for plant health reasons</td>
<td>Maintenance of soil organic matter</td>
</tr>
<tr>
<td>GAEC 4</td>
<td>Establishment of buffer strips along water courses with a minimum width of 3m without using pesticides and fertilizers</td>
<td>Protection of river courses against pollution and run-off</td>
<td></td>
</tr>
<tr>
<td>GAEC 5</td>
<td>Use of Farm Sustainability Tools for Nutrients input reduction</td>
<td>Sustainable management of nutrients and diffuse substance deposit</td>
<td></td>
</tr>
<tr>
<td>Soil (protection and quality)</td>
<td>GAEC 6</td>
<td>Tillage management reducing the risk of soil degradation and loss, including slope consideration</td>
<td>Minimum land management reflecting site specific conditions to limit erosion</td>
</tr>
<tr>
<td>GAEC 7</td>
<td>No bare soil except when it is being worked</td>
<td>Protection of soils</td>
<td></td>
</tr>
<tr>
<td>GAEC 8</td>
<td>Crop rotation on arable land for at least 4 years, including a leguminous crop</td>
<td>Preserve the soil potential</td>
<td></td>
</tr>
<tr>
<td>Biodiversity and landscape (protection and quality)</td>
<td>SMR 3</td>
<td>Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7): Article 3(1), Article 3(2)(b), Article 4(1), (2) and (4), Article 5(a), (b) and (d)</td>
<td>Maintenance of non-productive features and area to improve on-farm biodiversity</td>
</tr>
<tr>
<td>GAEC 9</td>
<td>● Minimum share of 7% of agricultural area devoted to non-productive features or areas ● Retention of landscape features ● Ban on cutting hedges and trees during the bird breeding and rearing season ● As an option, measures for avoiding invasive plant species</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GAEC 10</td>
<td>Ban on converting or ploughing permanent grassland in Natura 2000 sites</td>
<td>Protection of habitats and species</td>
<td></td>
</tr>
</tbody>
</table>

1 The GAEC buffer strips must respect, both within and outside vulnerable zones designated pursuant to Article 3(2) of Directive 91/676/EEC, at least the requirements relating to the conditions for land application of fertiliser near water courses, referred to in point A.4 of Annex II to Directive 91/676/EEC to be applied in accordance with the action programmes of Member States established under Article 5(4) of Directive 91/676/EEC
Articles 14 and 15, Article 17(1) and Articles 18, 19 and 20 |
|---|---|
Article (a), (b), (d) and (e) and Articles 4, 5 and 7 |
Articles 107 and 108 |
| Action against antimicrobial resistance |
Articles 3, 4 and 5 |
Articles 4 and 7 |
Articles 3, 4 and 5 |

---

2 As implemented in particular by:
— Regulation (EC) No 852/2004: Article 4(1) and Annex I part A (II 4 (g, h, j), 5 (f, h), 6; III 8 (a, b, d, e), 9 (a, c)),
— Regulation (EC) No 853/2004: Article 3(1) and Annex III Section IX Chapter 1 (I-1 b, c, d, e; I-2 a (i, ii, iii), b (i, ii), c; I-3; I-4; I-5; II-A 1, 2, 3, 4; II-B 1(a, d), 2, 4 (a, b)), Annex III Section X Chapter 1(1),
— Regulation (EC) No 183/2005: Article 5(1) and Annex I, part A (I-4 e, g; II-2 a, b, e), Article 5(5) and Annex III (under the heading ‘FEEDING’, point 1 entitled ‘Storage’, first and last sentences, and point 2 entitled ‘Distribution’, third sentence), Article 5(6), and
<table>
<thead>
<tr>
<th>SMR</th>
<th>Regulation/Directive</th>
<th>Information</th>
</tr>
</thead>
</table>
- Article 5(2) and  
- Article 8(1) to (5)  
- Article 12 with regard to restrictions on the use of pesticides in protected areas defined on the basis of the Water Framework Directive and Natura 2000 legislation.  
- Article 13(1) and (3) **and Article 14** on handling and storage of pesticides and disposal of remnants. |

**GAEC** *Animals must be able to lie down, stand up,*
extend their limbs and turn around

1a (new)

1 The GAEC buffer strips must respect, both within and outside vulnerable zones designated pursuant to Article 3(2) of Directive 91/676/EEC, at least the requirements relating to the conditions for land application of fertiliser near water courses, referred to in point A.4 of Annex II to Directive 91/676/EEC to be applied in accordance with the action programmes of Member States established under Article 5(4) of Directive 91/676/EEC

2 The Tool shall provide at least for the following elements and functionalities:

a) Elements

- Relevant farm information based on LPIS and IACS;
- Information from the soil sampling, on an appropriate spatial and temporal scale;
- Information on relevant management practices, crop history, and yield goals;
- Indications regarding legal limits and requirements relevant to farm nutrients management;
- A complete nutrient budget.

b) Functionalities

- Automatic integration of data from various sources (LPIS and IACS, farmer-generated data, soil analyses etc.) as far as possible, to avoid data input duplication for farmers;
- Two-way communication between PA/MA and farmers allowed;
- Modularity and possibility to support further sustainability objectives (e.g. emissions management, water management);
- Respect of EU data inter-operability, openness and re-use principles;
- Guarantees for data security and privacy in line with best current standards.

3 As implemented in particular by:

- Regulation (EC) No 852/2004: Article 4(1) and Annex I part A (I 4 (g, h, j), 5 (f, h), 6; III 8 (a, b, d, e), 9 (a, c)),
- Regulation (EC) No 853/2004: Article 3(1) and Annex III Section IX Chapter 1 (I-1 b, c, d, e; I-2 a (i, ii, iii), b (i, ii), c; I-3; I-4; I-5; II-A 1, 2, 3, 4; II-B 1(a, d), 2, 4 (a, b)), Annex III Section X Chapter 1(1),
- Regulation (EC) No 183/2005: Article 5(1) and Annex I, part A (I-4 e, g; II-2 a, b, e), Article 5(5) and Annex III (under the heading ‘FEEDING’, point 1 entitled ‘Storage’, first and last sentences, and point 2 entitled ‘Distribution’, third sentence), Article 5(6), and

4 The figures in “2018 prices” are included for information purposes; they are indicative and are not legally binding.

Or. en

Justification

GAEC 1: the definition of permanent grassland was modified in 2018 by the Omnibus. It thus makes sense to take that year as the year of reference, in order for the comparison of surfaces to make sense. A variation in surface should be possible but minimal, so as to avoid a constant erosion of the permanent grassland areas.

GAEC 2: This makes a distinction between wetlands on one hand, and soils containing peat which may be currently farmed extensively.

GAEC 4: buffer strips have no real efficiency under 3m of width

SMR3: Article 5 of Directive 2009/147/EC covers the ban of killing or capturing protected wild birds, destruction of their nests and disturbance during breeding or rearing. It is important this article is included.
GAEC 9: It is important to fix the minimum percentage in the annex. This percentage should be high enough to allow the reaching of the objectives set up by the Biodiversity strategy, in synergy with other measures (notably the ecoschemes).

SMR 6a: acting against antimicrobial resistance is a priority for the EU. Article 107 and 108 of Regulation (EU) 2019/6 cover the use of antimicrobial products and record keeping.

SMR 12: Article 67 of Regulation (EC) No 1107/2009 cover notably record keeping by professional users of plant protection products. This is necessary to reach the Green Deal targets of reduction of pesticide use.


GAEC 10a: This is basic rule of animal welfare that should be a pre-requisite to access CAP funds.