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From:	General Secretariat of the Council
To:	Special Committee on Agriculture/Council
No. Cion doc.:	7646/14 + ADD 1
Subject:	Commission Delegated Regulation (EU) No .../.. of 11.3.2014 supplementing Regulation (EU) No 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and amending Annex X to that Regulation - Intention not to raise objections to a delegated act

Delegations will find in attached the statements submitted by Denmark ([Annex I](#)) and the Netherlands ([Annex II](#)) to be included in the minutes of Council ("Agriculture and Fisheries") of 14 April 2014.

Statement from the Danish Delegation

The weighting factors for Ecological Focus Areas

Denmark takes note of the statement and the binding guidelines for the implementation of the delegated acts provided by the Commission (document 8363/14).

The reform of the Common Agricultural Policy foresees the possibility of using weighting factors when calculating the hectares of the Ecological Focus Areas. However the use of the factors is mandatory when the weighting is less than 1. These weighting factors reflect the environmental value of each element qualifying for Ecological Focus Areas. Catch crops/green cover, nitrogen-fixing crops and areas with short rotation coppice have equal weighting factors: 0,3 per hectare.

The reasoning, and hence the balance, behind these equal weighting factors is that they are assessed as being of comparable environmental value. Therefore the weighting factors for catch crops/green cover, nitrogen-fixing crops and areas with short rotation coppice should be assessed together and maintained at the same level to ensure a level playing field for farmers in different Member States.

Statement of the Kingdom of the Netherlands

The Government of the Kingdom of the Netherlands has no objection on any of the CAP reform Delegated Acts submitted to the Council, including the Delegated Act on Direct Payments (doc. 07646/14). Nevertheless the Government of the Kingdom of the Netherlands would like to state specifically its problems with two articles in the Delegated Act last-mentioned.

1. Greening, Ecological Focus Area, article 45

One of the objectives of the new CAP is the enhancement of environmental performance through a mandatory "greening" component of direct payments. One of the practices to be followed by farmers is the establishment of ecological focus areas. Given this obligation, the use on these areas of pesticides, manure and fertilisers should be as restricted as possible. Given the need for a level playing field between Member States, setting these restrictions should not be up to the Member States, but should be done at EU level.

The Netherlands considers this an important issue to be covered in the evaluation of the EFA foreseen for 2016 as announced by the European Commission.

2. Young farmers, article 49.

The objective of the payment for young farmers is to enhance the take-over of farms by young farmers. Therefore the (extra) annual payment for young farmers should be granted to young farmers who are solely exercising control of the farm. Granting it also to legal persons where several natural persons, including person(s) who are not young farmer(s), participate in the capital and/or management of the legal person, is not in line with this objective. This should be revised at the earliest possible moment.