



Council of the  
European Union

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#### COVER NOTE

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From:	European Commission
date of receipt:	13 November 2017
To:	General Secretariat of the Council
No. Cion doc.:	D053660/02
Subject:	COMMISSION DECISION (EU) .../... of XXX on the sectoral reference document on best environmental management practices, sector environmental performance indicators and benchmarks of excellence for the agriculture sector under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)

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Delegations will find attached document D053660/02.

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Encl.: D053660/02



Brussels, **XXX**  
D053660/2  
[...](2017) **XXX** draft

**COMMISSION DECISION (EU) .../...**

**of XXX**

**on the sectoral reference document on best environmental management practices, sector environmental performance indicators and benchmarks of excellence for the agriculture sector under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)**

(Text with EEA relevance)

COMMISSION DECISION (EU) .../...

of **XXX**

**on the sectoral reference document on best environmental management practices, sector environmental performance indicators and benchmarks of excellence for the agriculture sector under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC<sup>1</sup>, and in particular Article 46(1) thereof,

Whereas:

- (1) Regulation (EC) No 1221/2009 obliges the Commission to develop sectoral reference documents for specific economic sectors. The documents must include best environmental management practice, environmental performance indicators and, where appropriate, benchmarks of excellence and rating systems identifying environmental performance levels. Organisations registered or preparing to become registered under the eco-management and audit scheme established by that Regulation are required to take those documents into account when developing their environmental management system and when assessing their environmental performance in their environmental statement, or updated environmental statement, prepared in accordance with Annex IV to that Regulation.
- (2) Regulation (EC) No 1221/2009 required the Commission to establish a working plan setting out an indicative list of sectors to be considered priority sectors for the adoption of sectoral and cross-sectoral reference documents. Communication from the Commission - Establishment of the working plan setting out an indicative list of sectors for the adoption of sectoral and cross-sectoral reference documents, under Regulation (EC) No 1221/2009 on the voluntary participation of organisations in a Community eco-management and audit scheme (EMAS)<sup>2</sup> identified the agriculture sector as a priority sector.
- (3) Since the agriculture sector is very diverse and includes a wide variety of produce and farm types, the sectoral reference document for this sector should focus on the key environmental issues for the sector. Consistent with the aim of EMAS to foster continuous improvement in environmental performance whatever the starting point, the sectoral reference document should include best practices that seek to achieve

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<sup>1</sup> OJ L 342, 22.12.2009, p. 1.

<sup>2</sup> OJ C 358, 8.12.2011, p. 2.

improvements across as many parts of the sector as possible. It should identify, by way of best environmental management practice, concrete actions to improve waste and manure management, soil management and irrigation efficiency.

- (4) In order to allow organisations, environmental verifiers and others sufficient time to prepare for introduction of the sectoral reference document for the agriculture sector, the date of application of this Decision should be deferred by a period of 120 days from the date of its publication in the *Official Journal of the European Union*.
- (5) In developing the sectoral reference document annexed to this Decision, the Commission has consulted with Member States and other stakeholders in accordance with Regulation (EC) No 1221/2009.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 49 of Regulation (EC) No 1221/2009,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The sectoral reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the agriculture sector for the purposes of Regulation (EC) No 1221/2009 is set out in the Annex to this Decision.

#### *Article 2*

This Decision shall enter into force on the hundred-and-twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from *[insert date – 120 days following publication]*.

Done at Brussels,

*For the Commission  
The President*