



CC(08)3876:1

Brussels, 24 June 2008

Monsieur Jean-Louis BORLOO
Ministre d'Etat
Ministère de l'Ecologie, de l'Energie, du
Développement durable et de
l'Aménagement du territoire
Hôtel de Roquelaure
246, Blvd Saint-Germain
F – 75700 PARIS

Re: Thematic Strategy and proposal for a directive on the Protection of Soil

Dear Sir,

On the 22nd of September 2006 the European Commission published the Thematic Strategy for Soil Protection, including a Communication, a proposal for a framework Directive and an Impact Assessment.

Given that farmers' primary interest is in maintaining their land in good condition and in assuring its long-term fertility and productivity, there are many principles and aspects of the Strategy which we fully support.

However, COPA and COGECA doubt that the objective of soil protection is best achieved through the system proposed by the Commission in its framework Directive. We strongly disagree that there is a need for a framework directive on soil protection. Our view is that soil protection is best addressed through carefully targeted advice and information, voluntary action, partnerships and with greater emphasis on monitoring and further research, as highlighted in the Strategy communication document.

The underlying basis of our concern is that the draft directive fails to acknowledge the significant benefits that are and will continue to be delivered through existing and forthcoming policies such as:

- CAP decoupling – the European Commission has stated that this will encourage a more market-focused and rational allocation of land use and inputs and that cropping patterns and grazing densities will be more flexible.
- CAP cross-compliance – this measure, which took effect in 2005, ensures that recipients of the single farm payment must meet basic standards in respect to soil erosion, organic matter and structure across their whole holding. The application of the cross-compliance instrument will expand to cover even more land as the implementation of the CAP reform continues to be carried out.
- CAP farm advisory system – the CAP reform requires Member States to provide advice on key regulatory requirements including the protection of soil.

- The Rural Development Regulation – provides for a wide range of measures to promote higher standards of farm management, including provision for resource protection and measures such as training.

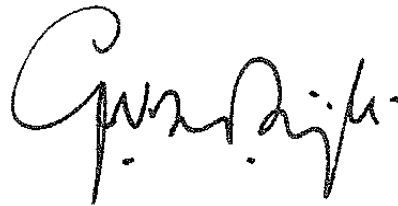
We believe that the draft Directive does not recognise the already existing national and Community legislation and will add unnecessary administrative burdens on Member States, regional and local authorities, and land managers. It is particularly concerning that the Commission's objectives of Better Regulation appear to have been disregarded in respect of these proposals.

During your forthcoming period as the President of the European Council, we urge you instead to focus resources on developing a non-legislative EU Strategy for Soil Protection which supports greater research in areas such as the interactions between soil and water and soil biodiversity; places greater emphasis on advice and exchange of possible best practices on soil protection between EU Member States; and encourages more soil monitoring.

With best regards,



Jean-Michel LEMETAYER
President of COPA



Gert VAN DIJK
President of COGECA