

Dear Commissioner of Agriculture Janusz Wojciechowski,

We take the liberty of asking you to take a critical look at Section 3.4 and Section 3.10.3 of The Danish Strategic CAP Plan 2023-27. These sections fail small farmers, and they do not ensure proper care of farm soils.

Section 3.4: Denmark wants to derogate from mandatory redistribution of 10% of direct payments to small farmers, cf. article 29, 98, Annex IX in Regulation 2021/2115 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32021R2115>). Two justifications are given for avoiding this obligation:

- an analysis purportedly showing that a preponderance of farms smaller than the Danish average (68.8 hectares) will apply for eco-scheme support and coupled payment slaughter premiums. These measures are expected to provide approximately 6% more support to smaller than larger farms. How slaughter premiums benefit small farms that do not produce animals for slaughter is unclear. Moreover, the Danish Strategic CAP Plan does not provide the analysis itself, and the analysis is not referenced. The reader therefore cannot know who performed it, and the reader cannot check any calculations that might have been made.
- the cessation of direct payment entitlements in January 2023 will, according to the plan, primarily be at the expense of producers of cattle and starch potatoes, but it will also transfer money from large to small farms. How the latter is supposed to happen is not explained or documented.

**We believe that these justifications for derogation fail to “duly demonstrate that the redistributive needs are relevantly addressed through other interventions / instruments of pillar I.”**

Section 3.10.3 on soil protection, cf. Annex III in Regulation 2021/2115:

- crop rotation. In Regulation 2021/2115, soil protection includes crop rotation in arable land (GAEC 7). In the Danish Strategic CAP Plan, however, crop diversification can replace crop rotation. For reasons that need no elaboration, crop diversification does not protect soil, so we hope that the Commission will ask Denmark to respect the requirement for crop rotation.
- tillage (GAEC 5): In the Danish Strategic CAP Plan, plowing will be allowed unless annual loss of soil exceeds 11 tons / hectare. Even then, tillage may continue with

harrow, or plowing may be allowed if the farmer provides some other way to inhibit erosion (e.g. grass strips, small biotopes, fallow). The proposal is less than responsible, because there is international agreement that annual loss of 1.4 tons / hectare is the threshold for medium-term (50-100 years) unsustainable loss of soil

(<https://dca.au.dk/en/current-news/news/show/artikel/jorderosion-oedelaegger-jorden-og-miljoeet-1>)

([https://ec.europa.eu/eurostat/cache/metadata/EN/t2020\\_rn300\\_esmsip2.htm](https://ec.europa.eu/eurostat/cache/metadata/EN/t2020_rn300_esmsip2.htm)).

**The measures suggested in the Danish Strategic CAP Plan, for these reasons alone, do not provide adequate soil protection. Tillage should not be allowed on inclines exceeding 12% (7 degrees), for example**

([https://pure.au.dk/portal/files/70595287/DCA\\_notat\\_om\\_jorderosion\\_081112.pdf](https://pure.au.dk/portal/files/70595287/DCA_notat_om_jorderosion_081112.pdf)).

**The Commission should ask Denmark to require farmers to practice farming consistent with what we really know about soil protection**

(<https://dcapub.au.dk/djfpublikation/djfpdf/djfma143.pdf.pdf>).

We regret having to trouble you with this request. A draft version of the Danish Strategic CAP Plan was submitted to a public hearing in September 2021, and the final version of the plan was submitted to the Commission in December. Important parts of the final version are taken from the 80 pages long hearing response from the Danish Agriculture and Food Council. That response was not, and was not supposed to be, accessible to the public during the hearing phase, but it is the source of the proposed policy elements concerning GAEC 5 and 7 in the Danish Strategic CAP Plan, as submitted to the Commission, that we have indicated in this letter. We have therefore been unable to comment on some of the most important parts of the Danish plan at any earlier stage.

Sincerely,

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This letter has been submitted 28 January 2022 by

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