

# Legislative balances needed between environment and agriculture

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## Abstract

*The pressure and the excess of environmental obligations of the European legislation on agriculture has ended up affecting the original purposes of agriculture and agri-foodstuffs, therefore, art. 39 of the TFEU. The time has therefore come to consider at the legislative level what should be the correct balance between the environment and agriculture or productivity. Agriculture, food and the environment are an inseparable equation. Bureaucracy and certain environmental obligations affect the profitability of the agricultural sector. Therefore, the legislator would have the following task at present: to analyze the level of the results of the application of these rules that impose more bureaucracy and to determine how they are having an effect, where it is necessary to intervene and correct, and how to modify or what to do away with. The profitability of this sector depends on legislative management. This means above all that it is necessary to point out where it is necessary to remove legislative hindrances or obstacles for an adequate profitability of the agricultural sector.*

**Keywords:** Environmental obligations, Agri-food, Territory, Regulatory planning strategies.

## 1. Introduction

The current situation of the agricultural environment is marked by widespread discontent in the agro-livestock sector, largely due to bureaucratic requirements and the lack of profitability necessary to remain in this profession. About all, the pressure of some environmental obligations, where, on the other hand, most cases of fraud are concentrated, is an issue of enormous influence. The difficulty of being able to sell agricultural and livestock production above cost is another element of risk in contracting, which discourages people from remaining in the sector and discourages generational replacement in the future.

Likewise, insecurities are constant for agricultural markets, as has been reflected in the pandemic situation, as is the case with the Russia-Ukraine war, the high price of inputs or the incidence of climatic elements.

It could be said that there are numerous issues of concern for this sector.

Among all the difficulties, those related to the environment are particularly relevant. A deep reflection on the objectives of sustainable development 2030 is necessary, as there has not been sufficient debate on this topic and its impositions have been too automatically transferred. It could be added as well that the *European Green Deal 2020* may be more of an

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obstacle than a support to the CAP. There is an excess of environmental obligations that contradict the traditional objectives of agriculture and, therefore, of art. 39 of the TFEU.

Certainly, the process of accumulation or oversizing of environmental and climate objectives has led to a concurrence or collision with other objectives: the more classic agricultural objectives, causing some contradictions with the purposes of art. 39 of the TFEU, which represents a basic pillar (Costato, 2008; Petit, 2020). It should be borne in mind that art. 39 is not a recommendation or a guideline, it is a mandatory rule, therefore, its contents are the results to be achieved with agricultural policies.

Therefore, the time has come to consider at the legislative level what should be the correct balance between the environment and agriculture or productivity. Agriculture, food and the environment form an inseparable equation.

The timing is extremely opportune for this exercise, ‘the time for change is now’. Consider the new stage that can be opened with the final report of the *Strategic Dialogue on the future of agriculture in the EU*, September 2024, which has been presented by the chairman of the working group<sup>1</sup>, Peter Strohschneider, under the title *A shared prospect for farming and food in Europe*<sup>2</sup>. His recommendations will guide the work of the European Commission in shaping its *Vision for Agriculture and Food*, to be presented during the first 100 days of President Von der Leyen’s second term in office<sup>3</sup>.

In addition, to respond to farmers’ concerns, the Commission has taken targeted action to enable farmers to identify the administrative burden and complexity arising from CAP and other food and farming rules, both in relation to their application at national level and the related regis-

tration and notification obligations, by launching two consultations: consultation on unfair trading practices and consultation on simplification<sup>4</sup>.

## 2. The pressure of environmental obligations

The future of the relevance of the environment in the agricultural sector was already visible even before the EU agricultural policy of 1985 (Winkler, 1994), the European Commission’s document *on the future of the rural world* reflected this perception (EU Commission, 1988); subsequently, the EU’s development in the defense of all things ecological became more visible, so that everything related to agriculture began to be conditioned by environmental recommendations or guidelines, and subsequently mandatory environmental standards were imposed on it. When successively the strategy on climate change was specified sustainability and climate became key to reforming all economic sectors, especially affecting the agricultural and agri-food sector.

The 2003 reform of the CAP intensified everything related to the environment, advocating a greener agriculture, and the evolution intensifies this direction, as it is not without reason that the EU signed the Kyoto Protocol. Subsequently, the CAP 2014-2020 accentuates environmental challenges as a consequence of international commitments. It is understood that the modernisation of the CAP is based on greater sustainability: leading the transition to a “more sustainable” agriculture, and with the mission to promote equally sustainable rural development across the Union. In particular, the Commission highlighted among the main priorities for the post-2020 CAP a greater ambition in the environment and climate action sectors. Thus, from

<sup>1</sup> It brings together Europe’s diverse agri-food sectors, civil society, rural communities and academia to reach a common understanding and vision on the future of the agricultural and food systems, in a shared vision for EU agriculture.

<sup>2</sup> The report is addressed to the European Commission, the European Parliament, Member States and stakeholders.

<sup>3</sup> The aim is to build consensus among stakeholders in the agri-food chain, avoiding polarisation in the public debate on agri-food issues. As reported, the strategic dialogue brings together key stakeholders from across the agri-food chain, such as farmers, cooperatives, agri-food companies and rural communities, as well as non-governmental organisations and representatives of civil society, financial institutions and universities.

<sup>4</sup> [https://agriculture.ec.europa.eu/consultations-eu-initiatives-agriculture-and-rural-development/farmers-consultation-simplification\\_en?prefLang=es](https://agriculture.ec.europa.eu/consultations-eu-initiatives-agriculture-and-rural-development/farmers-consultation-simplification_en?prefLang=es).

the post-2020 CAP, the objective would essentially be to promote measures in the fields of environment and climate change.

These ambitions are further enhanced in the CAP 2023-2027 with a radical change under a new ecological architecture (Petit, 2020), among other factors because it is based not on more compliance, but on results with an intensive environmental framework (Petit, 2020). Strengthening that is desired by the influence of the *European Green Deal*, which is structure as the link that must guide all policies, and this influence is also present in the whole European agroforestry policy (Gamazo Chillon, 2024).

No doubt about it that the turning point in this strategy is the *European Green Deal*. It is part of the current economic, cultural, geopolitical and, of course, legal transformations. It is so strong that the aim is to make it one of the most far-reaching policies of recent years. It affects all sectors of the economy and industry, but especially those most closely related to the ecological transition, such as agriculture and food, which involves rural development (Muñiz Espada, 2021). The EU's Green Pact is a decisive step forward in terms of the environment and climate change. It is intended to bring about a real revolution in which the entire economic and business sector, especially agriculture, is to be reformed to meet the new challenges of renewable energy, the circular economy, digitalisation, the bioeconomy and other objectives.

In addition to all this, there are also hard environment requirements in the new Regulation (EU) 2023/1115 of the European Parliament and of the Council of 31 May 2023 concerning the placing on the Union market and the export from the Union of certain raw materials and products associated with deforestation and forest degradation. Specifically, it affects these products: cattle, timber, palm oil, soybeans, cocoa and coffee.

Indeed, the entire EU agroforestry policy complements the whole environmental field: in 2021 the Commission adopted a new *2030 Forest Strategy*, as an initiative of the *European Green Deal* 2020.

Thus, the set of regulations focuses on everything related to environmental protection and expansion of organic farming, but also, and above all, to curb

climate change. In addition, nature restoration law entails new environmental obligations – Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024.

All this now constitutes the new bases as well for rural development with reinforced criteria, with more environmental criteria, so that the process of erosion of the agricultural discipline to the benefit of environmental matters has rightly been questioned.

On other other hand, not only is the agricultural environment becoming more environmentally expansion and the fight against climate change, but environmental protection has also become a cross-cutting competence – art. 11 TFEU –, with an intense regulatory influence conditioning all the functions of the agricultural and other economic sectors.

Because all of this we are in a phase of transformation that determines very significant legal and regulatory changes.

The criticism all of this which has not been long in coming, pointing out that it “would jeopardize the livelihoods of European farmers, disrupt long-established supply chains, reduce food production, raise prices for consumers and even destroy urban areas to make way for green spaces” – PPE, euronews.com –. The agricultural sector has directly blamed the environmental regulations for the excessive bureaucratic burden.

Reactions to the new policies has been presents in every country of UE: the press recently reported on the discontent of the agricultural sector in France, for example, due to “cost increases, pesticide bans, competition from Ukrainian products, compensation for the health crisis with delays... and a long list of grievances that have worn out the patience of a sector that has decided to move in France, as elsewhere in Europe, to a higher level of pressure on the administrations”. Demonstrations have taken place all over Europe in 2023 at the beginning of 2024 (Plaza Llorente, 2024).

Several agrarian associations as well announced mobilizations to demand “reasonable” production prices until production costs are affordable. It could be said that once again the eternal battle of selling prices to the next link above the production costs, now under increasingly complicated conditions, and always

present the criticism of excessive bureaucracy by Brussels. On the other hand, it is necessary to take into account that if the pressure to fulfil obligations that are difficult to achieve increases there will be a higher level of fraud. Fraud, which in this context not only affects economic issues, but also something more important: the health of citizens and the safety of foodstuffs.

As a result of all this in September 2023, the President of the European Commission appeared before the European Parliament with the *State of the Union* speech with the idea of more dialogue and less polarisation also in relation to the debate on the environment and the future of agriculture in the EU.

It is therefore clear that there is an urgent need to analyze the level of the results of the application of these rules and to determine how they are having an effect, where it is necessary to intervene and correct, and how to modify or what to do away with. The profitability of this sector depends on the legislative ordination. This means, above all, that it is necessary to point out where legislative obstacles need to be removed in order to ensure the profitability of the agricultural sector.

### 3. Environmental influence on spatial planning

This rapid and insistent environmental expansion has also led to the creation of new forms of sharing in the utilities of property, granting a new function also to the territory and space itself (Bodiguel, Cardwell, 2006), with control over the use of this property justified under the idea of public interest, which influences, and not always positively, the concept of property rights. This, in turn, requires a more intensive policy or legal regime of compensation for loss of profitability for the owner of these areas reserved for special planning based on this public interest<sup>5</sup> (Muñiz Espada, 2021).

There is an erosion of the property rights of the owners affected by restrictions of ownership, e.g.

in the respective habitat protection legislation. Sometimes these restrictions do not have sufficient compensations or restitution mechanisms for such restrictions; there is also a lack of collective compensation for losses from the development of activities on the agricultural and rural economy (Hernandez-Zakine, Durand, 2017).

In this way, the relations between agriculture, food and the environment take shape on the territory (Galloni, 1993), and must be integrated or managed from the territory as a coordinated and coherent management, each of them attending to their essential function.

In turn, integration and coordination in the rural environment, space which is insufficiently protected, requires its own model of development, that also involves the urban environment. However, a territorial cohesion policy has yet to be tackled, and its ineffectiveness and lack of an adequate model or due integration of the different uses of space prevent the integrated and ordered achievement of the different purposes that are integrated into it.

Thus, given that the integration of the different factors to be related must begin with the territory, until there is an efficient model of territorial cohesion there will not be an adequate relationship between all its elements, nor will the objectives set for sustainability be guaranteed; territorial cohesion is therefore an arduous undertaking that requires very considerable efforts to tackle this strategy, above all of an economic nature. And from a legislative point of view, this would require less sectoral legislation, because the regulatory systems are not independent and in the agricultural field there are no watertight compartments.

### 4. Environmental influence on agricultural markets

The pressure to comply with environmental obligations has important consequences on agricultural markets and the food chain.

While, on the one hand, the legislator strives

<sup>5</sup> All this especially affects Spain, because it has protected areas above the European average, Red Natura 2000 affects almost 30% of the territory and there are Biosphere Reserves in a privileged position, accounting for 12.4% of the surface, and Castilla y León is one of the communities with more Biosphere Reserves in Spain.

to seek balance in the food chain through specific laws, the same legislator destroys this balance by regulating on the environment. This is evident in Spanish regulation. The regulation of the food chain in Spain dates back to 2013<sup>6</sup> and since then there have been several reforms but it has never given the expected results (Muñiz Espada, 2024a). The main objective of guaranteeing producers a price above production costs continues to be a difficult mission, unless the economic situation itself helps (Caballero Lozano, 2024). In the *Strategic Dialogue on the future of agriculture in the EU 2024*, efficiency and competitiveness are promoted under the banner of sustainability, which undoubtedly makes the balancing forces more costly, thus expressing that the contracts signed between the actors in the chain should include provisions specifying the additional costs and benefits associated with European requirements on the environment, workers' rights and animal welfare.

On the other hand, the imbalances in the chain are constant, as we have seen with the pandemic situation, with the Russia-Ukraine war, with the fall in the prices of agricultural products due to the abolition of tariffs on imports of agricultural products from Ukraine, with the high price of inputs and with the impact of climatic factors. For one reason or another, farmers "discontent is constant, and although the Commission did lower its demands in the wake of the latest farmers' demonstrations across Europe, the adoption of the Nature Restoration Regulation shows that the insistence on climate change and environmental issues is not going backwards. But there is no doubt that all this has consequences on agricultural markets, increasing the prices of agricultural products, making it more difficult to stay in the sector and

making production more expensive, which has an impact on food security objectives.

In any case, to ensure balance in agrifood markets cannot be achieved by regulatory intervention alone; above all, it is necessary to have a clear model of agricultural structure. As we have repeatedly pointed out, it is a problem of model, and the model of small farms is absolutely outdated, and it is a model that has been failing for decades. The negotiating capacity of the sector must be significantly improved, starting with the negotiating capacity of the OPAs, and a special multidisciplinary effort must be made to improve the productive structure to create stronger and better dimensioned farms (Muñiz Espada, 2020). On the other hand, the control over the functioning of the food supply chain should not fall under the responsibility above all on administrative sanctioning nature, but it should have an impact on private law, then not only with the imposition of administrative sanctions (Caballero Lozano, 2024).

The legislation must also take into account the special characteristics of agricultural production, with high levels of risk due to the dependence on biological processes that cannot always be controlled, meteorological events and changing market circumstances (price fluctuations, supply/demand, incidence of the perishable nature of products, etc.).

The regulation should protect the weakest link in the food chain: the primary production sector, the problem is largely made up of small and medium-sized farms (SMEs), many of which are still characterized by their family substratum. It is important to maintain the model of family agricultural: many of these farms make an enormous effort to carry out a quality production, but this is not rewarded with a fair and equitable

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<sup>6</sup> Law 12/2013 of 2 August 2013 on measures to improve the functioning of the food supply chain, that defines the food supply chain as "the set of activities carried out by the various operators involved in the production, processing and distribution of agricultural and food products, excluding transport activities, and hotel and catering businesses with a turnover of less than ten million euros, excluding also businesses in accommodation services activities with a turnover of less than 50 million euros" – Art. 5(a) –. Final consumers are excluded from the operators, since according to Article 5(c) a food chain operator is "A natural or legal person in the food sector, including a buying or selling group, unit or joint venture, carrying out an economic activity within the food supply chain", so that "Final consumers shall not have the status of food chain operators". However, this does not prevent direct sales to final consumers from being a legal business within the food supply chain.

remuneration by the market. Thus, the great economic dependence of the suppliers (farmers) on the buyers makes them vulnerable to the market. Because of this the development and integration of new marketing channels, including short channels, offer added value to producers<sup>7</sup>. This will contribute to more dynamic agri-food systems as projected in the new path to be initiated because of the work of the *Strategic Dialogue on the future of agriculture in the EU* 2024.

The objectives of proximity sales of food products are: to increase the competitiveness and viability of farms in a specific region; to reduce the economic, energy and environmental costs associated with the process of transport, intermediation, promotion and sale of food products; to improve the position of primary producers within the value chain and within the agri-food or agro-industrial system; to increase the added value of food products in terms of quality; to correct possible inefficiencies in the long food chain; to strengthen the links between primary producers and consumers; and favouring the diversification of economic activity in rural areas, contributing to job creation and territorial structuring, improving their sustainability and resilience.

The sale of local agri-food products provides an alternative for mobilising and valuing the economic potential of local agriculture; it contributes to the consolidation of rural tourism; it promotes consumer information and knowledge about the qualities of producers and the quality of foodstuffs; local sales generate new social and ecological impacts of consumption patterns, pro-

moting cooperation between the production and consumption links in the food chain. Local sales make it easier for primary producers to market their produce; in this way, agriculture and trade, together with the long food chain, facilitate the better functioning of agricultural markets.

Local sales have an undeniable environmental protection, favouring the implementation of the *European Green Deal*<sup>8</sup> by reducing the number of links in the food chain, with the consequent savings in greenhouse gas emissions, by significantly limiting the movement of people and raw materials due to the proximity of the producer to the point of sale and the proximity of the final consumer.

Short channels help to reduce the environmental impact of the food processing and retail sector by taking action on transport, storage, packaging and food waste<sup>9</sup>. This strategy is expected to offer “proposals to improve the position of farmers in the value chain”. When it comes to sales of food products through platforms as a form of direct sales from producer to consumer, the lack of intermediaries as a way of making the product cheaper or the appreciation of a certain quality by consumers justifies the existence of specific regulations as a means of supporting the primary producer and consumers, as they generate a new form of consumption (Muñiz Espada, 2024b; Amat Llobart, 2024).

The Farm to Fork Strategy for a fair, healthy and environmentally food system, contained in the Communication from the Commission to the European Parliament, the Council, the

<sup>7</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 laying down rules on support for strategic plans to be drawn up by the Member States under the common agricultural policy (CAP strategic plans), financed by the European Agricultural Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD), and repealing Regulations (EU) Nos. 1305/2013 and (EU) No. 1307/2013, considers it “necessary to improve the position of farmers in the value chain, in particular by fostering forms of cooperation that benefit farmers and encourage their participation, as well as by promoting short supply chains and improving market transparency” (cdo. 25). “Support should allow for the establishment and implementation of cooperation between at least two entities with a view to achieving the objectives of the CAP. Such support should be able to cover all aspects of such cooperation, such as, inter alia, ‘the promotion of short supply chains and local markets’” (cdo. 83). One of the specific objectives is to “improve the position of farmers in the value chain” (cf. Art. 6(1)(c)).

<sup>8</sup> *European Green Deal*, contained in the Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions; and its corollary, Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) N. 401/2009 and (EU) 2018/1999 (*‘European Climate Legislation’*).

<sup>9</sup> “From farm to fork: devising a fair, healthy and environmentally friendly food system” (section 2.1.6).

European Economic and Social Committee and the Committee of the Regions, Brussels, 20.5.2020 COM(2020) 381 final, emphasises the value of short supply chains with the aim of increasing the resilience of local and regional food systems, to reduce dependency on long-distance transport.

Direct sales or short food chains contribute to revaluing and promoting local products, to preserving the characteristics and territorial traditions of the products and the way they are made and presented; it helps to stimulate the local economy, to create employment, so that it assumes a special importance in the national economy in terms of production and employment and reduced external dependence. This close contact between producers and consumers favours beneficial community relations and greater social interaction, which is key in rural areas, and also provides interaction between urban and rural areas as another component of the much sought-after territorial cohesion, in addition to social and economic cohesion. In short, the formula combines the generation of new income for the agricultural sector with the interest of consumers. However, it is not lacking in legislative difficulties either, such as the adaptation of health and hygiene standards and directives to this form of sale.

The importance of its promotion is therefore clear, as is the development of the promotion of farmers' markets, as reflected in the report Strategic dialogue on the future of agriculture in the EU 2024.

Food chain legislation, long and short, is not only about ensuring a balance between all the actors in the food chain, or favouring the proper profitability of producers, it is also about providing proper quality in agri-food production, however abstract and difficult it may be to define what is meant by "quality". In any case, the essential objectives of the new agri-food policy framework are not only to ensure a certain quality, but also, and above all, its sustainability. In the food area, Brussels has declared that 'while food in Europe is quality, it must now also be sustainable'. Promoting sustainability and the ecological transition is a constant in the *Strategic Dialogue on the future of agriculture in the*

*EU 2024*, which will be underpinned by innovation, digitalisation and research, and which will set the future direction of the food chain.

## 5. The new Agrofood European Strategy 2025

In the Commission non paper *Position of farmers in the food supply chain: next steps*, the Commission announced its intention to prepare a range of short, medium and longer-term actions to improve the position of farmers in the food chain and to protect them against unfair trading practices. During the AGRI FISH Council meeting on 26 February 2024, explain this document, Member States showed their willingness to tackle issues related to the food chain.

The Chairman of the European Parliament's committee for agriculture and rural development also identified in a recent letter, has been exposed, the areas where action could be taken. Some measures will benefit from the ongoing discussions within the Strategic Dialogue on the Future of Agriculture. In the meantime, some immediate and short-term measures could be taken:

### A. Immediate measures

*Over the very short term, the Commission proposes several non-legislative measures to reinforce the overall capacity of stakeholders and public authorities to understand and analyse the economic and legal challenges faced by farmers and other actors in the agri-food supply chain, as follows:*

- 1. Creation and launch of an observatory of production costs, margins and trading practices in the agri-food supply chain involving the Commission, the Member States and the stakeholders (farmers, food industry, traders, retail and services, consumers, input providers) while considering the heterogeneity of the supply chain in the Member States.*
- 2. Report on the implementation of the Unfair Trading Practices Directive in April 2024. This report will supplement the Interim report on UTP Directive's implementation that was issued in October 2021 covering 16 Member States only.*

### *B. Short-term measures*

The Commission is exploring targeted changes to the CMO and other CAP-related basic acts, that can contribute to reducing the transaction costs and correcting imbalances in the value chain, while preserving the fundamental principle of market orientation.

The provisions of the CMO could be reinforced in the three following areas:

- i) Strengthening EU-level provisions on contracts involving farmers and their organisations with other actors in the chain:
- ii) Further strengthening of economic Producer Organisations (POs) and their associations (APOs) and reduction of administrative burden for their recognition and constitution
- iii) Setting up an inductive framework for fair-trade voluntary schemes and agreements aimed at improving the remuneration of farmers

### *C. Medium-long term measures*

On the longer-term, the Commission will proceed with the steps foreseen in the normal policy cycle relative to the legislation, in particular regarding the UTP Directive: The first Evaluation of the UTP Directive has been launched in May 2023. Its main findings will feed into a report to the European Parliament and Council as well as to the European Economic and Social Committee and the Committee of the Regions in 2025, accompanied or followed, if appropriate, by legislative proposals. A targeted consultation of the relevant stakeholders and stakeholder workshops are planned for Q3/2024. In addition, a workshop with the UTP enforcement authorities is planned for Q2/2024.

### *D. Additional measures*

- The Commission will keep promoting a better implementation and enforcement at EU level of existing rules on agricultural products.
- Public procurement of food provides the opportunity to create a market for more sustain-

able products (for example, the inclusion of an organic food supply in the catering for public canteens). The use of public procurement as a strategic tool to improve sustainability might trigger the transformation of food systems, as it impacts upon the different components of food systems and affects the entire food chain. The public procurement of food has the potential to promote food system resilience and adaptive change, promoting agricultural production practices that ensure environmental sustainability and promote biodiversity.

In addition, the Commission will continue providing funding programs to support the procurement of sustainable and local products, contributing to promotion and awareness campaigns to raise awareness among public authorities, businesses, and consumers about the benefits of purchasing sustainable and local products, as well as facilitating the collaboration and networking among public authorities, businesses, and other stakeholders to share best practices, exchange information, and foster partnerships for the procurement of sustainable and local products.

- Carbon farming: The recently agreed Union Certification Framework will create new business opportunities for farmers and foresters, who adopt more sustainable management practices, and is expected to strengthen their market position. The Commission will work together with an expert group to develop certification methodologies for carbon removals and soil emissions reductions and to swiftly start the certification process<sup>10</sup>.

Consequently, a combination of the various legal measures is necessary, since the achievement of the primary objective depends on them: ensuring the profitability of the sector and guaranteeing supplies.

The objective remains to stimulate the development of pioneering markets for climate-neutral and circular products, both within and outside the EU. The action plan is to include a

<sup>10</sup> All relevant information can be found in the document available at the following link: <https://www.tweedekamer.nl/downloads/document?id=2024D10316>.

‘sustainable products’ policy based on a common methodology and principles.

All the challenges are therefore included in the phenomenon of the fight against climate change, within a European climate pact, where the challenges of biodiversity should also be taken into account. To this end, the EU is committed to continuing to promote a more rigorous ‘Green Pact diplomacy’, focused on convincing others and offering support to those who take on its sustainable development policy.

## 6. Conclusions and proposals

The deepening of environmental objectives and climate change policies that affect all economic sectors require an enormous economic effort from the States, with a complex management of their resources, mainly affecting the agricultural and food sector, and within this, above all the primary producer, as the most vulnerable part. The balance between all the agents in the chain is still pending, and it is precisely the increase in environmental obligations that has thrown it further out of balance, despite some legislative interventions, which are always very partial.

It is also surprising that, while environmental obligations affect the specific nature of the territories, there is still no improvement in territorial cohesion, and there is a lack of legislative measures to achieve territorial cohesion and a proper relationship between the various uses of space and the appropriate relationship between urban and rural areas. Likewise, in the context of the rural environment, progress must be made in the management and planning of forest areas, especially in Spain, which is the second largest EU country in terms of forest areas, but few of these are duly managed under a specific planning instrument.

The difficulties, in any case, are evident, due to the different regulatory levels involved in agriculture and rural development, making it very difficult to achieve the necessary regulatory coherence. On the other hand, the dispersion and fragmentation of regulations and the dispersion of information with numerous agricultural administrative registers, typical of some EU countries, prevents agricultural and rural development policy from being tackled with a criterion

of unity or with a unitary approach. Likewise, information of agricultural importance should be organised in a uniform way around a single register and the dispersion of information through numerous types of administrative registers should be avoided. The business register is the most appropriate place to contain all the information on agri-food businesses.

In any case, when the relations between agriculture, food and environment are not easy to balance (Gadbin, 2011), a regulatory decision should be taken that is integrative in a flexible way, avoiding unnecessary pressures between thematic areas involved (Bodiguel, 2020).

Agriculture, food and the environment are inseparable, which is why any agricultural policy must have a comprehensive vision, and there must be a unitary vision of the entire value chain, taking into account the balance of profitability between all operators in the chain, eliminating the isolated consideration of sub-sectors.

The principle of food safety must be related to specific food needs, bearing in mind that art. 39 TFEU, as a legal norm, is mandatory and is not a recommendation or a simple guideline; therefore, the objectives of art. 39 are a priority.

Agriculture should be recognised for its valuable contribution to environmental conservation and its efforts to adapt to the natural phenomena that cause climate change should be acknowledged. Farming practices must remain environmentally welcoming, but without losing sight of productivity needs. However, given the current intensity of climate change policies, the right balance between environment and agriculture/productivity must be considered.

Promoting partnerships and cooperatives among primary producers is essential to influence the necessary balance between the interests of agriculture, food and the environment. This requires an integrated policy that is coordinated and coherent with each other. It is also necessary to create new marketing methods and to have specific regulations to encourage new sales channels for agri-food products, such as local channels; such specific regulations are essential for health and consumer protection issues. All of this implies a simplification of legislation organised around a general agricultural and rural law.

Although efforts have been made to improve the labelling of agri-food products, consumers' knowledge of food production systems must continue to be improved, with increasingly precise information on the product, which would also lead to recognition of the value of the investments made by agricultural entrepreneurs. In this respect, efforts should be made to standardise health checks on imports of foodstuffs and raw materials from third countries to ensure the competitiveness of national businesses.

It also recommended, that it is said, "strengthening risk management and crisis management tools, as well as preserving and better managing agricultural land, promoting water resilient agriculture and encouraging innovative methods of plant breeding". What is clear is that in this right balance between agriculture, food and environment, policies on water and water resource management are essential.

The future of agriculture in Europe is marked by the strengthening of the food chain and the recognition of simplification to ensure profitability and generational renewal. The current European strategies, marked by the *Strategic Dialogue on the future of agriculture in the EU*, September 2024, above all promote bureaucratic simplification. In this sense, the recent Spanish Royal Decree 1028/2024, amending various royal decrees on the CAP and taking up the main demands of farmers, introduces important changes in terms of simplifying CAP requirements, reducing bureaucracy and facilitating the management of eco-regimes or eco-schemes, simplifying administrative procedures in terms of biodiversity and sustainability, which is especially relevant for a country like Spain, where agriculture and agri-food represent a transcendental part of the gross domestic product, with record figures in agri-food exports.

There is no doubt that if Europe wants to maintain its leadership in the agri-food sector, it must recognise the sector's revindications and maintain a fair balance between agriculture, food and the environment, reducing the levels of bureaucracy and simplifying agricultural legislation and administration.

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