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ANNEX I

Farm stewardship requirements referred to in Article 3

Part A: Rules on farm stewardship:

Areas	Main issue	Statutory Management Requirements		Drafting suggestions	Comments
Climate and environment	Water	SMR 1	Directive 2000/60/EC: Article 11(3), point (e) and (h), as regards mandatory requirements to control diffuse sources of pollution by phosphates		
		SMR 2	Council Directive 91/676/EEC[1]: Articles 4 and 5		
	Biodiversity and landscape (protection and quality)	SMR 3	Directive 2009/147/EC: Article 3(1), Article 3(2), point (b), and Article 4(1), (2) and (4)		
		SMR 4	Directive 92/43/EEC: Article 6(1) and (2)		

[1] Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1, ELI: http://data.europa.eu/eli/dir/1991/676/oj).

Public health, and plant health	Food safety	SMR 5	Regulation (EC) No 178/2002 of the European Parliament and of the Council[2] Articles 14 and 15, Article 17(1)[3] and Articles 18, 19 and 20		
		SMR 6	Council Directive 96/22/EC[4]: Article 3, points (a), (b), (d) and (e), and Articles 4, 5 and 7		
	Plant protection products	SMR 7	Regulation (EC) No 1107/2009 of the European Parliament and of the Council[5]: Article 55, first and second sentence		

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[2] Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1, ELI: http://data.europa.eu/eli/reg/2002/178/oj).

[3] As implemented in particular by:
— Article 14 of Regulation (EC) No 470/2009 and the Annex to Regulation (EC) No 37/2010,
— Regulation (EC) No 852/2004: Article 4(1) and Annex I part A (II 4 (g, h, j), 5 (f, h), 6; III 8 (a, b, d, e), 9 (a, c)),
— Regulation (EC) No 853/2004: Article 3(1), Annex III Section IX Chapter 1 (I-1 b, c, d, e; I-2 a (i, ii, iii), b (i, ii), c; I-3; I-4; I-5; II-A 1, 2, 3, 4; II-B 1(a, d), 2, 4 (a, b)), Annex III Section X Chapter 1(1),
— Regulation (EC) No 183/2005: Article 5(1), (5) and (6), Annex I, part A (I-4 e, g; II-2 a, b, e), and Annex III (under the heading 'FEEDING', point 1 entitled 'Storage', first and last sentences, and point 2 entitled 'Distribution', third sentence), and
— Regulation (EC) No 396/2005: Article 18.

[4] Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of ß-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3, ELI: http://data.europa.eu/eli/dir/1996/22/oj).

[5] Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/1107/oj).

		SMR 8	Directive 2009/128/EC of the European Parliament and of the Council[6]: Article 5(2) and Article 8(1) to (5), Article 12 with regard to restrictions on the use of pesticides in protected areas defined on the basis of Directive 2000/60/EC and Natura 2000 legislation Article 13(1) and (3) on handling and storage of pesticides and disposal of remnants		
Animal welfare	Animal welfare	SMR 9	Council Directive 2008/119/EC[7]: Articles 3 and 4		
		SMR 10	Council Directive 2008/120/EC[8]: Articles 3 and 4		

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6 Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides (OJ L 309, 24.11.2009, p. 71, ELI: http://data.europa.eu/eli/dir/2009/128/oj).

7 Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7, ELI: http://data.europa.eu/eli/dir/2008/119/oj).

8 Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (OJ L 47, 18.2.2009, p. 5, ELI: http://data.europa.eu/eli/dir/2008/120/oj).

		SMR 11	Council Directive 98/58/EC[9]: Article 4		

Part B: Rules on social conditionality:

Areas	Main issue	Statutory Management Requirements		Drafting suggestions	comments
Employment of workers	Working conditions	SMR 12	Directive (EU) 2019/1152 of the European Parliament and of the Council[10]: Articles 3 to 6, 8, 10 and 13		
	Occupational safety and health	SMR 13	Council Directive 89/391/EEC[11]: Articles 5 to 12		
		SMR 14	Directive 2009/104/EC of the European Parliament and of the Council[12]:		

9 Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes (OJ L 221, 8.8.1998, p. 23, ELI: http://data.europa.eu/eli/dir/1998/58/oj).

10 Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105, ELI: http://data.europa.eu/eli/dir/2019/1152/oj).

11 Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1, ELI: http://data.europa.eu/eli/dir/1989/391/oj).

12 Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 260, 3.10.2009, p. 5, ELI: http://data.europa.eu/eli/dir/2009/104/oj).

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			Articles 3 to 9		

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Part C: Rules on protective practices

General objectives set out in Article 3(4)	**Specific objectives of the protective practices**	**Drafting suggestions**	**comments**
(a) Protection of carbon-rich soils, landscape features and permanent grasslands on agricultural area	Protection of carbon-rich soils including protection of wetlands, peatlands and landscape features		La France a une réserve d'examen sur ce point. EN : France has a scrutiny reservation on this point.
	Protection of environmentally sensitive permanent grasslands on agricultural area in Natura 2000 areas		
(b) Protection of soil against erosion, preservation of the soil potential, maintenance of soil organic matter including soil rotation or diversification, and protection against burning of stubble on arable land	Protection of soil against erosion subject to site specific conditions		
	Preservation of the soil potential, including: - Protection of soils in periods that are most sensitive - Crop rotation or diversification		
	Maintenance of soil organic matter through crop residue management,	~~Maintenance of soil organic matter through crop residue management,~~	Cet objectif intègre un nouvel objectif qui n'est pas prévu dans la réglementation actuelle sur les BCAE

	including ban on burning stubble on arable land	~~including~~ ban on burning stubble on arable land	et apparaît redondante, dans les exemples de mesures données par la Commission dans son questions/réponses avec l'objectif de préservation du potentiel des sols This objective incorporates a new objective that is not provided for in the current GAEC regulations and appears redundant in the examples of measures given by the Commission in its Q&A with the objective of preserving soil potential.
(c) Protection of water courses and ground water against pollution and runoff	Protection of water courses and ground water against pollution and runoff, including through establishment of buffer strips along water courses	Protection of water courses ~~and ground water~~ against pollution and runoff, including through establishment of buffer strips along water courses	Cet ajout constitue une évolution par rapport au cadre actuel des BCAE et interroge dans son articulation avec l'ERMG1 qui vise également la mise en place de mesures sur la pollution des eaux souterraines (point e) "des mesures de contrôle des captages d'eau douce dans les eaux de surface et les eaux souterraines" et point (h) "pour les sources diffuses susceptibles de provoquer une pollution, des mesures destinées à prévenir ou à contrôler les rejets de polluants." Si au contraire, cet ajout vise à introduire l'obligation pour les Etats membres de prévoir des mesures spécifiques pour la protection des eaux

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			souterraines autres que les bandes tampons, la question de l'articulation avec l'ERMG1 se pose et les autorités françaises demandent de supprimer cette exigence dans les pratiques de protection. Cet ajout conduirait sinon à un nouveau cas de superposition de normes pour le même objectif, ce qui est incompatible avec l'objectif général de simplification. This addition represents a change from the current GAEC framework and raises questions about how it fits in with the SMR1, which also aims to introduce measures to combat groundwater pollution (point e) "measures to control freshwater abstraction from surface water and groundwater" and point (h) "for diffuse sources likely to cause pollution, measures to prevent or control the discharge of pollutants." If, on the contrary, this addition aims to introduce an obligation for Member States to provide specific measures for the protection of groundwater other than buffer zones, the question of coordination with the SMR1 arises, and the French authorities request that this requirement be removed from

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			protection practices. Otherwise, this addition would lead to a new case of overlapping standards for the same objective, which is incompatible with the general objective of simplification.

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