

**Danish simplification proposals regarding the CAP**

Policy matter/subject/issue	Description of the issue/Justification/Reasoning	Proposed solution	Timing of solution (short, medium og long term)
<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Weighting factor for catch crops and short rotation coppice</b>	In order to reduce and simplify the complex EFA requirements for farmers the mandatory weighting factors should be the same. Similar types of EFA (nitrogen-fixing crops, catch crops and short rotation coppice) should have the same value.	The mandatory weighting factors for catch crops and short rotation coppice should be the same as for the nitrogen-fixing crops.	Short term - concerns delegated act (EU) 639/2014, Annex II)
<b>Abolish the requirement that EFA-catch crops must be established as a mixture</b>	Farmers risk getting their green payment reduced as there is a large risk that one of the two crops may outperform the other. Also, it is difficult to control which again increases the risk to the farmer.	Abolish requirement for establishing EFA-catch crops as a mixture of crop species.	short term - concerns delegated act (EU) 639/2014, Art. 45 (9)
<b>Only one control visit for basic payment and greening</b>	Today, each greening requirement must be controlled at a minimum rate of 5 %, which makes it impossible to carry out only one control visit to a farmer and also increases the risk for the timely payment for the farmer. It should be made possible to perform the on- the-spot checks of all greening requirements during the same inspection. Inspections should be made similar to the inspections of cross compliance, where everything that can possibly be controlled at the time of inspection, is controlled.	It should be possible to undertake similar inspections such as for cross compliance at the same time . Where everything that can possibly be controlled at the time of inspection is controlled.	short term - concerns implementing act (EU) 809/2014, Art. 31
<b>Reduction of the control rate for greening</b>	It should be possible for Member states as regards greening to reduce the minimum level of on-the-spot checks carried out each year to 3 %. There should be only one control rate for the basic payment scheme and greening.	Member States discretion	short term - concerns implementing act (EU) No 809/2014, art. 36
<b>EFA-layer with non stable elements</b>	It is an administrative burden and superfluously to demand that the EFA-layer should contain all potential types of EFAs chosen by the Member State including non stable elements like fallow land expected to remain for at least 3 years.	Delete this rule in the commissions guidance document on the establishment of the EFA-layer referred to in article 70 (2) of regulation (EU) 1306/2013 (DSCG/2014/31 Rev2-FINAL)	short term - concerns the Commissions guidance document DSCG/2014/31 Rev2-FINAL
<b>Payment for young farmers</b>	Payment for young farmers should also be granted to legal persons. However, the inclusion of legal persons as eligible young farmers significantly increases the complexity of the scheme. The rules in the regulations are not designed to legal persons which create ambiguities in the administration of the payment.	Clarify or delete the requirement regarding access to a legal person to the payment for young farmers.	medium term, concerns delegated act (EU) No 649/2014. Art. 49

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Minimum size for EFA-areas</b>	All areas even as small as 100 m <sup>2</sup> may be included as EFA (for instance fallow land and catch crops) and hence be included. It is difficult for farmers to manage EFA-areas as small as 0,01 ha correctly. A minimum size would not have a negative effect on the fund or the purpose of greening	It should be possible to set a minimum size per type of EFA in a differentiated way and not only for areas eligible for basic payments. It is difficult for farmers to manage EFA-areas as small as 0,01 ha correctly. A minimum size up to 0,3 ha would not have a negative effect on the fund or the purpose of greening	short term -concerns the Commissionens guidance document DSCG/2014/32, section 2.2.3
<b>Eligibility of bovine animals for voluntary coupled support (den har vi fået, det var en af de forenklingsforslag Kommissionen gennemførte i foråret) NAER: Kommissionen har imødekommet forslaget, idet reglerne er ændret i den ønskede retning med forordning (EU) nr. 2015/1385, som er ændring til forordning (EU) nr. 639/2014.</b>	The Commission has just recently in an answer to a Member State declared, that any animal, not correctly identified and registered in accordance with Regulation (EC) No 1760/2000 is excluded from the payment of coupled support for its lifetime, irrespective whether the mistake has been corrected. The requirement will constraint trade in livestock, as the purchaser will be responsible for the seller's fault. This is far too restrictive compared to the legal position situation up until the CAP reform. Member States should have the possibility to apply the same eligibility criteria as used until December 2014, i.e. be authorised to deem animals eligible for the payment if the animal is correctly identified and registered on the first day of a retention period, e.g. that an animal can be eligible after a period, provided the mistake has been corrected.	Member States should be authorised to deem animals eligible for the payment if the animal is correctly identified and registered on the first day of a retention period, e.g. that an animal can be eligible after a period, provided the mistake has been corrected.	Short term -concerns delegated act (EU) 639/2014, Art. 53 (4)
<b>Over-declaration of areas</b>	The current limit for acceptance of over-declaration of areas is 0.1 ha [at applicant level]. Increasing this limit will reduce the number of cases due to small area deviations, which are an administrative burden for farmers and administration	The limit should be increased to 0.5 ha.	medium Term - concerns delegated act (EU) No 640/2014, art. 18(6)
<b>The table of undue payments yet to be recovered at the end of the financial year</b>	The reporting requirements in Art. 29 (f) and Annex II and III of regulation (EU) 908/2014 are extremely complex and costly for the Member States to fulfil. One of the requirements is even not in accordance with the Commission's requirements for book keeping in the paying agencies (column V2). If the Commission requires information of the recovered amounts within the financial year this information should be extracted from the X-tables.	The reporting should alone include the annual entry and the annual exit. Therefore Annex II of regulation (EU) 908/2014 must be simplified in order to remove all requirements related to undue payments recovered within the financial year. Alternatively the new requirements in column V2, W should be removed.	short/medium term - concerns Implementing Act 809/2014, Art. 29 (f) and Annex II and III

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>A diminimis threshold for correction of payments</b>	The regulation on direct support (Article 10 of Regulation No 1307/2013) contains a provision on minimum payments that require Member States to set minimum thresholds for payment of direct aid, either in terms of area or in amount. However, these provisions are only about the payments. If the amount is subsequently adjusted in favor of the beneficiary, the paying agencies are sometimes in a situation where the correct amount is very, very small – only a few cents or euros. In Denmark these small amounts have little or no impact on the beneficiary’s economy.	An introduction of a diminimis threshold for minor correction of payments should be introduced i.e. in regulation 1306/2013.	Short/medium term - concerns Regulation (EU) No 1307/2013, Art. 10
<b>Greening reductions and sanctions should be more proportional</b>	The principle for reductions is very complicated and disproportionate. A farmer risks large reductions of his green payment even due to minor non-compliance.	The reductions and sanctions should be less severe for instance by changing the use of factor 10 in case of non-compliance with the EFA and crop diversification to factor 4. Also, the rule for increased reduction after non-compliance for three years should be repealed.	medium term - concerns delegated act (EU) No 640/2014, art. 25-28)
<b>Organic farms as green by definition</b>	Today, only fields farmed organically during the entire calendar year are green by definition. This means that many organic farms in practice need to be concerned about meeting the greening requirements. This is the case for organic farmers renting land, where the rent might suddenly end if for example the owner dies, as well as for organic farmers converting new land during the calendar year.	All fields with a planned forthcoming conversion that are part of an organic farm at the time of application should be green by definition.	long term - concerns basic act (EU) 1307/2013, Art. 43 (11)
<b>Financial discipline</b>	Simplify the rules in order to carry over unused appropriations in year n to financial year n+1 and earmarked for the crisis reserve. This would make it possible to have a lower adjustment rate for the farmers in year n+1 .	Amounts to be reimbursed to the beneficiaries in year N+1 following unused appropriations in year N should not be paid to the beneficiaries. Instead these appropriations should be carried over to financial year N+1 and earmarked for the reserve for crisis. Provided that such appropriations are carried over, the paying agencies need to apply a lower adjustment rate for the beneficiaries of SPS year N+1. Furthermore, it is difficult for the farmer to understand the complicated rules on financial discipline implying relative small amounts being deducted and added to his/her payments.	long term - concerns basic act (EU) 1306/2013, art. 26

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>A diminimis threshold for correction of payments</b>	Member States can set minimum thresholds for payment of direct aid, either in terms of area or in amount. However, these provisions are only about the payments. If the amount is subsequently adjusted in favor of the beneficiary, the paying agencies are sometimes in a situation where the correct amount is very, very small – only a few cents or euros. In these cases, it would be preferable if the paying agencies were not obliged to pay the amount, since it is disproportionately expensive to administer.	An introduction of a diminimis threshold for minor correction of payments should be introduced i.e. in regulation 1306/2013.	long term -concerns basic act (EU) 1306/2013
<b>Environmental sensitive permanent grassland</b>	The environmental sensitive permanent grassland is now specifically protected meaning that the environmental need for maintaining other permanent grassland is reduced.	Abolish national requirement on maintenance of permanent grassland.	long term - concerns basic act (EU) No 1307/2013, art. 45(2)
<b>Active farmer</b>	No need in having a rule on active farmers regarding the negative list. The land will be leased to somebody else only resulting in administrative costs and burden for farmers and administration with no effect.	Delete the negative list or make it optional for Member States.	long term - concerns basic act (EU) No 1307/2013, art. 9(1)
<b>Crops diversification</b>	The rule of crop diversification of holdings between 10-30 hectares can lead to the opposite effect of the intension of this requirement. The requirement will result in structural change towards larger holdings. Small holdings taken over by larger holdings which overall comply with the diversification demand meaning there will still only be sown one crop on this land). Also the requirement will increase the costs for farmers without any environmental effect as there must be two crops on the farm each year without any requirement for crop rotation from year to year.	Abolish the 10-30 ha rule and make do with the requirement above 30 hectares or assign Annex VIII (average farm size of MS) in 1307/2013 with the requirement so that all countries with an average farm size over a certain level (e.g. 30 ha) are exempted from 10-30 ha rule.	long term - concerns basic act (EU) No 1307/2013, art. 44(1)
<b>National reserve</b>	There should be no obligation to let young farmers and new farmers apply for entitlements (and get the national/regional average payment) in the reserve. All land will be covered by entitlements; hence entitlements should be part of the private transactions. As agricultural land decreases year after year, entitlements will be in excess of demand – this will also make an obligatory use of the reserve unnecessary.	Make art. 30 (6) voluntary: “may” instead of “shall”.	long term - concerns basic act (EU) No 1307/2013, art. 30(6)

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>It should be possible to make the direct payments to farmers that are not selected for control</b>	The large amount of controls due to new elements of the direct payment rules (as for instance active farmer, control of yearly activity, crop diversification etc.) and the fact that the on-the-spot checks may require additional re-visits, makes it difficult to finish all controls as soon as previously, meaning the payments would have to be delayed to all farmers	It should be possible to make the direct payments to farmers that are not selected for control.	long term - concerns basic act (EU) No1306/2013, art. 75 (2)
<b>Financial discipline</b>	The franchise of 2000 € in relation to financial discipline entails that the Member States contribute very differently to financial discipline depending on the average size of their holdings.	The franchise of 2000 € should be abolished.	long term - concerns basic act (EU) No 1307/2013 art. 8(1)
<b>Fallow land</b>	The current rules where fallow land covered by grass can sometimes be used for EFA and sometimes not. This adds to complexity. Additionally, it induces farmers to plough in order to be sure they can use the areas as EFA.	Label fallow land as arable land independent of plant cover	long term -concerns basic act (EU) 1307/2013, art. 4
<b>Rural Development, together with the corresponding elements in the Horizontal regulation</b>			

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Revoke control of baseline conditions in connection with OTSC related to RDP areasupport operations</b>	According to Article 28 and 29 in REG 1305/13 the AECM- and organic farming-support provided under RDP only cover additional costs or income foregone beyond the baseline including “other related mandatory requirements” and Cross Compliance. MS are to control these baseline conditions, and in cases of non-compliance, impose sanctions in accordance with the regulation. Control of these baseline conditions should be revoked from the RDP control as it generates an additional administrative burden and a dis-incentive for the farmer to apply for the PII-support. It does not seem justified to include these extra controls in the RDP control. As payments to farmers under RD shall only cover requirements that go beyond the “baseline conditions”, the need to carry out detailed checks covering other baseline elements would not appear justified. Further, the effect is that on some cross-compliance requirements the control rate is much higher than the 1% control rate set by article 68 (1) in 809/2014. We ask for the wording of the article to be redrafted, so that it is made clear that MS are not required also to verify farmer’s compliance with the baseline condition related to the RD operation, in connection with the RD OTS-check.	The following text amendment is suggested: - in Article 24 (2), REG 809/2014: “Member States shall ensure that compliance with all conditions applicable established <del>by Union law or laid down in relevant national law and documents containing implementing arrangements or</del> by the rural development programme can be checked according to a set of verifiable indicators to be established by the Member States.” - in Article 35 (2), REG 640/2014: “The support claimed shall be refused or be withdrawn in full or in part where the following commitments or other obligations are not complied with: 1. commitments established in the rural development programme; or 2. where relevant, other obligations of the operation established <del>by Union or national law or</del> established in the rural development programme, in particular public procurement, State aid <del>and other obligatory standards and requirements.</del> - (The content of article 37 (2), REG 809/2014 could be clarified in guideline documents on controls).	Short term (Art. 24 (2) REG 809/2014 and art. 35 (2) in REG 640/2014) (Guideline for art. 37(2), REG 809/2014)
<b>Allow new rural development commitments to replace old commitments</b>		0 More flexibility than present to allow new rural development commitments to replace old commitments even if the new commitments in some aspects are less strict	short term (art. 14 in REG 807/2014).
<b>Flexible support instruments</b>	To ensure a second pillar capable of solving some of the greater environmental and climate challenges and providing farm relevant support measures more flexible support instruments should be introduced in the Rural Development Regulation.	It should be possible to compensate the farmer through both agri-environmental measures and investment support for activities which are obligatory for the farmer to fulfil obligations in the nature, environment and climate Regulations. This is especially the case when these obligations derive from the EU Water Framework and Natura 2000 directives and the EU Effort sharing Decision on reduction of greenhouse gases outside the Emission Trading Sectors.	Short term (art. 30, REG 1305/2013)

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Application of the principle of no double funding in relation to the greening payment</b>	As regards the No Double Funding principle ( <i>vis-à-vis</i> greening), no clear criteria has been put forward by the COM for MS`'s risk assessment of double funding. Vague concepts (such as "similarity in commitments") have been advanced, but without any clear definition being provided.	Review of COM guideline (Explanatory Document: Methods of the RD Premia Calculation): DK suggests a more rigorous method and approach applied for the calculation of payment deductions, for example along the lines of the "baseline approach", where it is the commitments per se (as defined legally, e.g. minimum standards, mandatory requirements), which are to be taken into consideration for the calculation. This would: - minimise the risk of unjustified deductions made to farmer`s payments - provide more clarity and simplification in work related to the calculation of support premiums. Preferably the No Double Funding principle ( <i>vis-à-vis</i> greening) should not be applied to Organic Farming.	Short term (art.28 (6); art. 29 (4); art. 30 (8) in REG 1305/2013. art. 9 in REG 807/2014)
<b>Repeal the "other controls" in Cross Compliance</b>	According to the regulation, the PA and control bodies responsible for cross compliance controls (CC) are required to notify all cases of non-compliance with CC rules that they become aware of, incl. those that have been determined or reported to them in connection with other type of controls. These other types of controls may cover checks and controls decided nationally, without necessarily any link to the CAP. Differences in national control systems may result in varying levels of identified cases of CC non-compliance, due to these "other controls".	Amendment to article 38 (5), REG 640/2014: The lack of common standards for "other controls" induces varying approaches to CC sanctions. This is increases the burdens on farmers in some MS. To put farmers on an equal footing in the MS, we suggest the reference to "other controls" aborted, i.e. the following text in article 38 (5) <del>erased</del> : "For the purposes of this Chapter, non-compliances shall be deemed to be 'determined' if they are established as a consequence of any kind of controls carried out in accordance with this Regulation <del>or after having been brought to the attention of the competent control authority or, where applicable, the paying agency, in whatever other way.</del>	Short term (art. 38 (5), REG 640/2014)

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Simplified cost options</b>	Simplified cost options are promoted as a measure to simplify administration of project support. However, due to complexity their application invokes a number of risks which are not yet clear, neither from European legal texts, nor from newly issued guidelines from the Commission. Therefore, it should be clarified how the risks of errors can be mitigated. This should be especially seen in the context of how such options and their application at the level of beneficiaries will be audited in the future by the Commission and the European Court of Auditors.	Risks for financial corrections when applying simplified cost options for Rural Development measures (EAFRD non- IACS) should be clarified.	short term - Commission's Guidance on Simplified Cost Options, EGESIF_14-0017 cf. Art. 67-68 of Regulation (EU) No 1303/2013
<b>Simplify the procedure for reoccurrence</b>	There are several differences in the measures and eligibility conditions between the programming periods. Therefore, the present provision regulating reoccurrence has a very broad scope. In order to increase the legal certainty for the beneficiaries and simplify the administration for control authorities, the provision should be changed reflecting that reoccurrence covers 1) 4 years, 2) a similar non-compliance, 3) contracts within the same programming period, and 4) the same measure.	Amendment to article art.35 (3), section 5 in REG 640/2014: "The reoccurrence shall depend on whether similar non-compliances have been found earlier during the last four years <del>or during the whole programming period 2014-2020</del> in case of the same beneficiary and the same measure <b>within the same programming period</b> <del>or type of operation or in the case of the programming period 2007-2013, the similar measure.</del> "	short term (art.35 (3), section 5 in REG 640/2014)



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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Revoke the requirement to inform the public about the support obtained from the EAFRD</b>	<p>The obligation to place posters and advertise on websites with information about the operation and financial support from EU does not add value to the operation, but only constitute an extra burden for the beneficiary.</p> <p>Proposal 1: We propose to abolish the requirement to place posters and advertise on websites if a beneficiary receives more than 10.000 EUR from the EU regulations (REG 808/2014 Art.13 (2) and Annex III, part 1, no.2).</p> <p>Proposal 2: Alternatively, we seek a modification that will enhance the proportionality in the requirement and limit the administrative burden to farmers with very substantial premiums. Regarding area based operations, we propose that the obligation should apply only in case the annual premium exceeds the 10.000 EUR threshold.</p>	<p>Annex III part 1, no.2.2 (b) should be changed:</p> <p>Proposal 1: <del>“(b) for operations not falling under point (c) the total public support of which exceeds EUR 10 000 and depending on the operation funded (for example for operations under Article 20 on village renewal or LEADER operations), at least one poster with information about the operation (minimum size A3), highlighting the financial support from the Union, at a location readily visible to the public, such as the entrance area of a building.”</del></p> <p>Proposal 2: “(b) for operations not falling under point (c) the total public support of which exceeds EUR 10 000 and depending on the operation funded (for example for operations under Article 20 on village renewal or LEADER operations), at least one poster with information about the operation (minimum size A3), highlighting the financial support from the Union, at a location readily visible to the public, such as the entrance area of a building. <b>Regarding operations based on Art. 21 (1) a) and b), Art. 28-31, 33 and 34 of REG 1305/2013 the limit of 10.000 EUR is per year. “</b></p>	<p>short term (art.13 (2) and Annex III, part 1, no.2 in REG 808/2014)</p>
<b>Repeal the concept of “intentional non-compliance” (cross compliance)</b>	<p>It is left to the MS to conceptualise the notion of intentional non-compliance to be used to in cases of cross-compliance infringements.</p> <p>The lack of common standards leads to different approaches to CC penalties in the MS.</p>	<p>In the interest of ensuring equal conditions for farmers in the MS, it is suggested that the concept of “intentional non-compliance” be aborted and withdrawn from the Horizontal regulation.</p>	<p>medium term (art. 40, REG 640/2014, and art. 99 (3) REG 1306/2013)</p>
<b>Revoking Cross Compliance from Pillar II</b>	<p>Article 92 asserts that for beneficiaries under Rural Development, alike beneficiaries under Direct Payment, article 91 (on cross compliance penalties) shall apply. It does not seem justified to include Rural Development beneficiaries under article 92. Support provided under RDP may only cover additional costs or income foregone that go beyond minimum standards, and CC</p>	<p>Amendment to article 92, REG 1306/2013: In the interest of administrative simplification, the following text is suggested erased: “Article 91 shall apply to beneficiaries receiving direct payments under Regulation (EU) No 1307/2013, payments under Articles 46 and 47 of Regulation (EU) No 1308/2013 and the annual premia under points (a) and (b) of Article 21(1), Articles 28 to 31, 33 and 34 of Regulation (EU) No 1305/2013.</p>	<p>medium term (art. 92, REG 1306/2013)</p>

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Rigid baseline rules for non-productive investments</b>	Art. 30 (REG 1305/2013) provides basis for granting area based payments to compensate farmers for mandatory requirements linked to the WFD. The RD regulation does not provide basis for EAFRD-financed investment support linked to mandatory conditions, although linked to WFD-implementation.	Amendment to article 17 of REG 1305/2013, with text inserted, asserting that investment expenditures linked to disadvantages as a result of implementation of Directives (e.g. WFD) shall be eligible for EAFRD support.	medium term (art. 17, REG 1305/2013)
<b>One-year contracts</b>	Farmers should be provided with the possibility to sign yearly, renewable contracts under the AECM and organic farming measures (art. 28-29). In the previous programming period, farmers responded positively to the art. 68-measures (article 68, REG 73/2009), the shorter contract period reducing the risk of financial reimbursement of previous years' support. Further, one-year contract are considerably less administrative burdensome to manage (fewer contract adjustments, follow up tasks for the MA/PA)	Provide Member States with the option to grant 1-year renewable contracts to first- time applicants under AECM and organic farming measures. With the aim at better responding to farmer demands and reducing the administrative burdens (linked to the management of multiannual contracts). The tool is giving MS more discretion to determine the duration of AECM and organic farming commitments.	medium term (art. 28 (5) and 29 (3), REG 1305/2013)
<b>Certification, control and labelling system</b>	At present, the tie between Annex 1 to the Treaty and eligible beneficiaries under the Rural Development Regulation constitutes an obstacle for Member States as it does not take sufficiently into account that agriculture and related sectors are becoming increasingly diversified. Thus, the guiding principle on what should be eligible for higher support rates should be the overall objective of the measure rather than a narrow focus on agricultural products as defined in Annex 1 to the Treaty.	For example, agricultural products can be used for renewable energy production such as biogas, which at present falls outside Annex 1 to the Treaty. However, it should be possible to use the Rural Development Regulation to support the agricultural sectors legitimate desire to participate to the overall reduction in CO2 emissions and at the same time underpin their search for new earnings. It should not matter what the final destination of the biogas is, whether it is used at the individual farm, whether it is used in the public energy supply, or whether it is used in a larger enterprise as a part of their individual energy set-up.	medium term

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<b>A lean and flexible administrative set-up for RDP</b>	A lean and flexible administrative set-up is needed for the RDP which pays due regard to the principle of subsidiarity when it comes to the utilisation of the funds from the EAFRD.	Less specific measure rules in REG 1305/2013 should leave Member States more flexibility to design schemes that can help pursue appropriate goals. Also, it seems unnecessary to have administrative sections in the programme. To cut red tape these sections can be left out. In addition, the two concepts “Ex ante conditionalities” in Article 9 of Regulation (EU) 1305/13 and Article 19 of Regulation (EU) 1303/2013, and “performance framework” established for the purpose of Article 21 of Regulation (EU) 1303/2013 seem to be unnecessary additional administrative layers for programme implementation and could be left out.	medium term - <i>Concerns Regulation 1305/2013, art. 9 and Regulation 1303/2013, art. 19 and art. 21</i>

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<b>Certification, control and labelling system</b>	<p>Article 16(1) and (2) in the Rural development regulation establishes:</p> <p>“Quality schemes for agricultural products, and foodstuffs</p> <p>1. Support under this measure shall cover new participation by farmers and groups of farmers in:</p> <p>(a) quality schemes established under the following Regulations and provisions:</p> <p>[...]</p> <p>2. Support under this measure may also cover costs arising from information and promotion activities implemented by groups of producers in the internal market, concerning products covered by a quality scheme receiving support in accordance with paragraph 1.”</p> <p>Whereas it is appropriate to limit the support eligibility to certified producers under a recognized quality scheme as outlined in paragraph (1), it seems complicated and unfounded to link the eligibility in relation to paragraph (2) to a requirement that the EU must have supported the certification /control of producers of the scheme covering the products concerned by the promotion activities. - For instance, Denmark has an effective nationwide government-funded system for certification, inspection and labeling in the organic field.</p>	<p>A government’s choice to manage the certification, control and labelling system and carry the costs itself, should not put it in a disadvantaged situation with regard to the possibility of obtaining support for promotion of organic products under the RDR Article 16 (2). On the contrary, it should be considered quite sufficient that the Member State bears or pays part of or all of the control and or certification costs. – All the more so, as this would also save the EU-budget of some resources.</p> <p>Furthermore, it should be clarified that trade and intertrade organisations representing groups of certified producers are also eligible under paragraph 2. These organisations represents the producers who produce under a recognized quality scheme and would be the most competent to carry out the information and promotional activities and thereby ensure the best use of funds and the most successful projects.</p>	<p>long term</p> <p>- <i>Concerns Regulation 1305/2013, art. 16</i></p>
<b>Introduction of tolerance levels in the activation of revision clauses</b>	<p>MS are required to activate revision clauses for area related RD contracts, if amendments are made to relevant minimum requirements or mandatory standards (e.g. on pesticides, fertilizers, cross compliance etc.) (art. 48, 1. paragraph). MS are required to do so in all cases, regardless of the impact of the amendment on support levels. Adjusting contracts using revision clauses can prove time-consuming and burdensome for the farmers.</p>	<p>The tolerance level could be determined on the basis of the calculated income foregone/ additional costs related to the specific change in minimum requirements/mandatory standards, which is then compared to overall income foregone/ additional costs related to support commitment as a whole.</p>	<p>Long term. (art. 48/REG 1305/2013)</p>

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<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Non-application of payment withdrawals in case of minor over-declaration</b>	<p>Art. 54 (3) in REG 1306/2013 asserts that Member State, when duly justified, and for undue payments less than EUR 100, may decide not to pursue recovery of the amounts. Indeed in some cases, amount might be so small, that pursuing recovery would come at too excessive costs, running counter principles of cost-effectiveness.</p> <p>Art. 54 (3) applies at the level of the single beneficiary. Establishing if the undue payment received by a beneficiary is above or below the EUR 100-threshold is not always straightforward: the farmer might have applied for different types of RD contracts on his holding. For each contract, there might be identified several minor elements of non-compliances, each of which need to be assessed and “priced”. Only then, when aggregating all these individually calculated “priced” non-compliances, are you able to determine the total undue payment received by the beneficiary, and check whether it is above or below the EUR 100-threshold.</p> <p>The very calculation procedure, necessary for the threshold check, renders it complicated to use art. 54 (3).</p>	<p>Building on article 54 (3) and in view of simplification, we propose that steps be taken to define an additional tolerance level, measured in hectares, as an alternative criteria in cases of minor non-compliance, for which it would be justified not to precede to payment recoveries. This could simplify the administration related to recovery of payment of minor cases of non-compliance.</p>	<p>Long term (Art. 54 (3) in REG 1306/2013 )</p>
<b>Single CMO, together with the corresponding elements in the Horizontal regulation</b>			
<b>Promotion scheme</b>	<p>Clear and fast responses from the body mandated by the Commission to the proposing organisations must be ensured, including as regards multi-programmes. A long response time could complicate things for the proposing entity and in worst case bring an entire programme to a stop.</p>	<p>The implementing act and/or guidelines should establish rules on maximum response time and responsible contact officials for the Member States in the mandated body etc.</p>	<p>short term - <i>Concerns Implementing act and/or guidelines regarding Regulation 1144/2014</i></p>
<b>EU-support schemes, trade negotiations and EU’s official protected designations</b>	<p>There is an ever growing focus on PGO/PGI products as regards e.g. access to EU-support or in trade negotiations. When the industry explains why – in spite of this fact – they hardly apply for GI’s, they tend to refer to the GI area as non-accessible and the regulatory framework as non-transparent. It seems necessary to ensure increased accessibility and transparency of the quality schemes.</p>	<p>Productions and areas of comparable size should be treated in the same way. Against this background, it seems particularly important to take this opportunity to simplify the rules to the effect that the achievement of PGO/PGI’s become accessible for the agro-food sectors of all Member States. The requirements must be clear and transparent.</p>	<p>short term</p>

Policy matter/subject/issue	Description of the issue/Justification/Reasoning	Proposed solution	Timing of solution (short, medium og long term)
<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Marketing standards in general</b>	Denmark supports the proposal to seek a more horizontal approach on the marketing standards, aiming at simplifying the standard setting, details and improving flexibility. Denmark sees a need for evaluating the necessity of and possibly repeal certain marketing standards. We therefore propose to give priority to first categorising marketing standards which should be kept and which should be possibly repealed.	Harmonise and simplify rules regarding marketing standards. Evaluate and consider possible repeal of certain marketing standards.	short/medium term <i>- concerns a number of regulations om marketing standards in different sectors</i>
<b>Marketing standards for fresh fruit, vegetables and bananas</b>	<p>EU norms and standards for fresh fruit and vegetables (Reg. 543/2011) and unripened bananas (Reg. 1333/2011) should preferably be left to the industry to define and administerate.</p> <p>The regulation (Reg. 543/2011 (the norms itself and several articles)) constitutes a hindrance as regards policy development on food waste reduction and the requirements regarding trade documentation (tracing) is outdated (Reg. 543/2011, art. 5).</p>	<p>Repeal the specific regulation on quality norms and standards for fresh fruit, vegetables and bananas and basically leave it to the industry to set up private codes and norms, based on the UN-ECE norms and standards.</p> <p>If this proposal does not meet general support then Denmark proposes to give priority to adjusting, upgrading and simplifying the EU norms and standards on fresh fruit and vegetables in order to achieve the following:</p> <ul style="list-style-type: none"> <li>- More <u>flexibility</u>, allowing Member States to accept that products, which does not meet the norms and standards, to be delivered under specific conditions in order to reduce food waste.</li> <li>- <u>Upgrading</u> to match todays invoicing/suppliers documentary systems within the industry and study of and <u>alignment</u> with labeling/documentary requirements within other EU legislation in order to recognize tracing information from different existing sources and thereby reduce <u>administrative burdens</u>.</li> </ul>	short/medium term <i>- concerns Implementing Act 543/2011 and Implementing Act 1333/2011</i>

Policy matter/subject/issue	Description of the issue/Justification/Reasoning	Proposed solution	Timing of solution (short, medium og long term)
<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<b>Marketing standards for poultry</b>	<p>It is of paramount importance that rules are not used as a protectionist tool in the European production of poultry meat.</p> <p>The regulation (the norms themselves and several articles), is outdated after several decades in place. It constitutes a hindrance for business development and innovation and for the development of new products and a broader variety in the production.</p> <p>Especially the rigid rules on marketing and certain definitions are severe obstacles to trade, innovation and consumer choices (eg. Reg. 543/2008, art. 11 and 12).</p>	<p>EU norms and standards for poultry meat should partly be left to the industry to define and administerate and be supported by Commission guidelines.</p> <p>Adjust, upgrade and simplify the EU norms and standards on poultry meat in order to:</p> <ul style="list-style-type: none"> <li>• Increase flexibility for the business to innovate in new products and production solutions.</li> <li>• Introduce less rigid rules on marketing of products in order to offer a broader product mix in the consumer choice.</li> <li>• Eliminate or simplify the product definitions in order to reduce administrative burdens where necessary</li> </ul>	<p>short/medium term</p> <p>- <i>concerns Commission regulation 543/2008</i></p>
<b>Abolish "nil" reports</b>	"Nil" notifications create unnessesary administrative burden.	Relevant regulations should be revised and obligation to make "nil" notifications should be abolished.	short/medium term
<b>Import licences</b>	Issuing of import licences represents a heavy administrative burden for national administrations and enterprises.	Moving of not very often used tariff quotas to DG-TAXUD's first-come, first-serve principle basis without a licence. Removing licences will reduce administrative burdens for administrations and enterprises.	<p>medium term</p> <p>- <i>concerns Regulation 1308/2013, art. 184-188</i></p>
<b>Safeguard measures (public intervention, private storage, export refunds)</b>	Public intervention, private storage, export refunds are safeguard measures to be deployed in specific crisis situation. This requires that paying agencies maintain a necessary administrative capacity to be able to implement the measures in case of crisis. This is a difficult task to fulfil, when measures are not applied on a regular basis.	More simple and targeted crisis measures, including abolition of export refunds and simplification/integration/merging together of public intervention and private storage.	<p>long term</p> <p>- <i>concerns Regulation 1308/2013, art. 8-21, art. 196-204, art. 219-221</i></p>
<b>Other</b>			

Policy matter/subject/issue	Description of the issue/Justification/Reasoning	Proposed solution	Timing of solution (short, medium og long term)
<b>Direct Payments, together with the corresponding elements in the Horizontal regulation</b>			
<p><b>Clear target for the relative share of flat-rate corrections.</b>  <b>Maximum ceiling of 30 percent.</b></p>	<p>The Commission has introduced new documents on key and ancilliary controls as well as a new guideline on the calculation on financial corrections. The European Court of Auditors has in its Special Report No. 7 from 2010 (point 67) emphasised the Commissions extensive use of flat-rate corrections. It even calculated the share of flat-rate corrections at 90 per cent of the total value of corrections. Also the European Parliament urged at that time the Commission to decrease its use of flat rate corrections. We are aware that the rules on clearance of accounts have been changed in order to give the Member States a better opportunity to document the risk to the Fund. Nevertheless, when we see the interconnection between the new documents we still fear that they will lead to a continued high use of flat-rate corrections.</p>	<p>Denmark urges the Commission to set a clear target for the relative share of flat-rate corrections to toal corrections for 2014-2020. We would like to propose a maximum ceiling of 30 percent.</p>	<p>short term  - concerns Regulation (EU) No 1306/2013, Art. 52 and Delegated act No. 907/2014, Art. 12</p>
<p><b>Simplificcation of the audit set-up and the establishing of one common EU based certifying body</b></p>		<p>One common EU based certifying body should be established. It should be managed by the Commission or the European Court of Auditors. The common certifying body should certify the annual accounts of all the paying agencies. This enables a uniform annual certification and evaluation of the paying agencies and the payments made under EAGF and EAFRD. Besides a unified certification, the common certifying body will also eliminate the need for audit missions carried out by the Commission and the European Court of Auditors. The need for national audit might also be reduced. Finally, the calculation of the error rates in the respective Member States could be standardised</p>	<p>long term</p>