



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 13 July 2011

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AGRI 530

NOTE

from: UK delegation
to: Council

Subject: Independent report on reducing regulatory burdens on farm businesses

Delegations will find in the Annex a note from the United Kingdom delegation on the above subject to be presented under "Any other business" at the Council ("Agriculture and Fisheries") at its session on 19 July 2011.

Independent report on reducing regulatory burdens on farm businesses

The UK would like to draw the attention of the European Commission and Council to an important independent report on how to reduce regulatory burdens on farmers without reducing standards, with the aim of increasing farming and food industry competitiveness.

Ministers of the Department for Environment, Food and Rural Affairs (Defra) invited the Farming Regulation Task Force to review all national and EU regulations that affect the farming and food industries and to advise on how best to achieve a risk-based system of regulation, whilst maintaining high environmental, welfare and safety standards. The Task Force was led and guided by industry: it was chaired by the former chief executive of the National Farmers Union, consulted farm businesses on the regulatory problems they faced, and proposed solutions to those problems in its report, published in May.

The Task Force recommends a new approach to regulation, based on trust, responsibility and partnership between Government and industry. The Task Force's recommendations challenge Defra to change the way it approaches regulation of the farming and food processing industries. The Task Force also challenged the farming industry to take responsibility for delivering standards and outcomes. The Task Force also makes many recommendations about how individual regulations and processes could be improved without reducing standards – from environmental and animal health legislation to paperwork and inspections.

Some proposals will require changes to the UK's domestic regulations – but others will need amendments to EU legislation, and we will discuss these with the Commission and Member States over the next year or so. Prominent amongst these, in the light of the forthcoming reform of the Common Agricultural Policy, are a number of recommendations (in Chapter 7 of the report) aimed at reducing bureaucracy and complexity within the CAP, for example through:

- ensuring that regulations focus on outcomes rather than process;
- a provision for regulators to demonstrate trust in farmers by developing a system of earned recognition to inform their risk-assessment strategy; and
- keeping the new CAP, and future proposals, as simple as possible.

On changes to improve ways of working at EU level (Chapter 2), the Task Force recommends:

- helping industry better comply with regulation by agreeing realistic transposition and implementation timescales;
- introducing post-implementation reviews or sunset clauses as standard in EU legislation;
- exploring the range of possible solutions to problems before resorting to regulation;
- using the Commission's *Communication on Smart Regulation* to lead change and place end-users at the centre of EU policy-making and regulation;
- a role for the Commission in improving compliance by working with industry to draft guidance on implementing Community law, and in encouraging wider use of 'compliance promotion initiatives';
- that the Commission develop a better balance between risk-based and random inspections.

Copies of the Task Force report will be distributed at Council. The report is also available to download at: www.defra.gov.uk/food-farm/farm-manage/farm-regulation/.