copa cogeca

european farmers european agri-cooperatives

LETTER(26)02226:1 – PG-CG/jg

To the attention of the agricultural attachés of the Permanent Representations to the European Union

Brussels, 29 September 2026

RE: The CAP post 2027: ongoing discussions at Council level

Dear Madam/Sir,

As a follow-up to our previous letter dated 17 September 2026 and in view of the ongoing discussions regarding some important aspects in the CAP proposals, Copa and Cogeca would like to share with you their concrete proposals as follows:

- the definition of "***farmer***":
    - The former recital 45 from the Single Fund/NRPP proposal, should be amended in such a way as to **allow Member States to choose the criteria** to define the farmer/beneficiary in a clear, simple and operational manner while keeping the **possibility for Member States to complement with additional ones and** include **a negative list**. This should take into account their national conditions and existing systems while protecting the functioning of the internal market.
    - In amending the former recital 45 and the definition of beneficiary/farmer in the context of the CAP, **the concept of "principal activity" should be removed**, instead referring to **"natural or legal persons or groups of natural or legal persons exercising a minimum productive agricultural activity on their holding(s)" while not precluding the granting of support to pluri-active or part-time farmers in accordance with the criteria established by Member States**.
    - We also propose the deletion of the reference to "small" legal person since the size of the entity should not be relevant for the eligibility for support. **Our proposal follows the current definition** thus revising the two sub-points of the Commission's proposal.
    - When granting **area-based income support**, Member States should take into account the criteria that they established when defining farmers/beneficiaries for their actions towards food security and agricultural sovereignty.
    - Besides individual farmers, **cooperatives, Producer Organisations (POs) and Associations of Producer Organisations** (APOs) play an important role in the implementation of several CAP interventions (e.g. interventions in certain sectors, investments, etc.). In this case, the definition governing the CAP interventions should reflect the activities of these structures (aggregating and marketing members' production, providing inputs, processing agricultural products etc.). Consequently, it should be **possible to use the concept of "beneficiary"** in this specific case as is currently the case.

- the definition of *"**eligible hectare**":*
    - As regards the eligible hectare, we propose to **delete from the definition the part "under the farmer's control in terms of management, benefits and financial risks"**. The current guidance and interpretation by the European Commission to Member States on the concept 'land at farmers disposal' is resulting in excessive administrative burden to farmers. This concept can be acceptable for future use only if the European Commission refrains from this excessive approach and urgently adopts remedies to correct this.
    - In addition to environmental and climate related CAP specific objectives referred to in this definition, a reference to **"biodiversity" may be added** in the part referring to the Union or national interventions or other programmes which contribute to these objectives.
- **crisis payments to farmers following natural disasters, adverse climatic events and catastrophic events:**
    - Depending on the local and climatic conditions, some Member States and farmers are more exposed than others to natural disasters, adverse climatic events and catastrophic events, which leads to different approaches. Consequently, Member States should have a **certain degree of flexibility** in implementing this measure. Nevertheless, there should be a **commitment by the Member State that such support (crisis payments) would be made available promptly, in principle via NRPP or via national measures**, while respecting State Aid rules and the functioning of the internal market should such an event occur.
    - Incentivising farmers to take up preventive measures against climatic events could be of use, nevertheless in the event of severe natural disasters and catastrophic events, **the lack of a preventive approach should not lead to farmers being denied the right to an adequate level of compensation** because there is not always a correlation.
    - To improve the efficiency of the system, **a lower damages threshold** should be set.
- **control and penalty system for the farm stewardship**
    - The Commission proposed that **authorities in charge of environment, climate, public health, animal welfare and general topics are responsible for checking the compliance with farm stewardship**, instead of paying agencies as it is today. We **strongly oppose this change** as it will lead to an increased number of controlling authorities, administrative complexity and, consequently, uncertainty for beneficiaries when it comes to the number of controls at farm level. The **current control system should be kept** for reasons of simplicity and homogeneity.
    - The system of **payment reduction** should remain **proportionate, legally clear** and take into account the nature and **severity of non-compliance**. With the introduction of satellite controls, intentional non-compliance is almost impossible. There should be a **maximum 5% reduction for negligent non-compliance (3% in the case of the first instance of non-compliance)**. In cases where non compliance is **insignificant**, it should be possible that **no penalty** is applied. Any payment reduction should be based on the relevant holding / unit of production rather than all holdings over which a natural or legal person has control.
    - To avoid disproportionate treatment between farmers for the same mistake, a **fixed penalty amount (instead of percentages) could be considered**.

- We believe that there must be an EU-wide system providing for the possibility for the applicant to change their CAP application without penalty **("early warning"/"right to error"**). This helps address unintentional mistakes and supports a proportionate sanction system.
- In line with the CAP simplification objectives, on-the-spot-checks should follow the principle of **maximum one control per beneficiary per year**.
- In the case of **controls via the area monitoring system (AMS)**, any non-compliance should result in an adjustment of the applied area and **not in a penalty**.
- In the interest of planning certainty and reliability for farmers, EU rules must require reference parcels to be updated at most once per year and any changes must be proactively communicated to farmers well ahead of the application period.

- **CAP data interoperability**
  - While we support the principle and consider that there might be advantages for the farmers (e.g. no need for farmers to communicate data twice), we believe that the **system should be voluntary**. There is a need to ensure **more clarity when it comes to the rules governing data access, individual data protection (aggregation, anonymisation) and secondary use of farm-level data as well as preventing its misuse**. This clarification would need to be provided for as early on as the basic act.
  - As a principle, any data collection system should respect **strict data protection rules and business confidentiality**, **avoid unnecessary administrative burden, ensure farmers retain control over the use of their data** as per the EU Code of Conduct on Agricultural Data Sharing and the Data Governance Act. Digitalisation must reduce the administrative burden on farmers and cooperatives and farmers organisations already play an important role in the digital transition of the sector.

We thus urge you as a co-legislator to consider our suggestions during your discussions.

We remain engaged constructively with the EU Institutions to deliver the results needed on the ground to enhance the competitiveness and resilience of a sector that is strategic for the EU.

Thanking you for the attention, we remain available to provide any clarifications.

Yours faithfully,

Elli Tsiforou
Secretary General