Message 007

Communication from the Commission - TRIS/(2025) 3242

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Notification: 2024/0682/ES

Communication by Member State (Spain) containing general information regarding the above-mentioned notification.

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4. 2024/0682/ES - C00A - AGRICULTURE, FISHING AND FOODSTUFFS

5.

6. COUNTERCLAIM TO THE COMMENTS

Comments submitted by:

IFOAM Organics Europe commentary on the Sustainable Agricultural Production (PAS) [Producción Agrícola Sostenible] regulation prepared by the Government of Catalonia (Law on Sustainable Agricultural Production - PAS)

IFOAM Organics Europe is the European organisation that brings together organic agriculture and food. With nearly 200 members in 34 European countries, it represents the entire organic food chain and beyond: from farmers' organisations and processors, retailers, certifiers, consultants, traders and researchers to environmental and consumer advocacy groups.

IFOAM Organics Europe believes that this proposed law on "sustainable agricultural production" would constitute unfair competition for farmers, processors and traders involved in organic farming, lead to "greenwashing" and unfairly undermine the development of organic farming and the market.

Counterclaim

Firstly, we note that INFOAM has submitted allegations to the technical documentation of the PAS, but in its text it refers to the PAS Law, which is not the subject of the documents submitted to the European Commission, in accordance with the notification procedure of Directive (EU) 2015/1535 establishing a procedure for the provision of information in the field of technical regulations and those relating to information society services.

IFOAM Organics Europe's concern about possible unfair competition, "greenwashing" and an impairment of the development of organic farming due to the "sustainable agricultural production" (PAS) proposal stems from a misinterpretation of the intent, scope and operation of the PAS system. Far from being a threat, the PAS can act as a complement and catalyst for a broader agroecological transition, without undermining the value and integrity of certified organic agriculture.

The coexistence of different sustainable models can strengthen the resilience of the agricultural sector and open the door to more farmers who, although they may not be able to meet all the requirements of organic certification, are willing to move towards more sustainable practices.

Instead of undermining the development of organic agriculture, this model could strengthen it, because it offers a quantification of sustainability that could complement Organic Agricultural Production (Producción Agraria Ecológica - PAE).

The PAS as a path to achieving the agroecological transition: The PAS is not presented as a substitute for organic farming, but as a system that allows Catalan agricultural operations to be accompanied towards more agroecological models, promoting sustainable farming practices and valuing every effort made by each of the Catalan agricultural operations in terms of sustainability. For many producers, the transition to more agroecological models would not be possible solely through organic production, as it is inherently restrictive and limiting in its application; for example, agricultural operations that use synthetic chemical plant protection products or use Genetically Modified Organisms, or carry out practices not permitted in the PAE, would be completely excluded from this path towards more agroecological models.

The PAS avoids "greenwashing" through verification and transparency: The PAS, far from promoting "greenwashing", establishes a verification system where external control and certification entities will ensure that the declared sustainability practices are actually met. Transparency in the criteria and results of the PAS is essential to avoid misleading environmental claims. Compared to unverified sustainability claims, the PAS offers a level of credibility and assurance that makes "greenwashing" more difficult.

In conclusion:

The PAS does not constitute a threat to organic farming, but an opportunity to support the agroecological transition of Catalan agricultural operations. By offering a gradual path to sustainability, with verification and transparency to avoid "greenwashing", the PAS can complement and strengthen the ecological movement, thus increasing consumer awareness and expanding the base of producers committed to sustainable practices. The key lies in clear communication and effective differentiation between PAS standards and those of certified organic agriculture, allowing consumers to choose according to their values and level of demand for sustainability.

Organic farming is the only legally defined and regulated sustainable production system in the EU (by Regulation 848/2018). The EU Eco-Action Plan (2021) aims to develop both the production and consumption of organic products, and the new EU Vision for Agriculture and Food (2025) recognises the essential contribution of organic farming to generational renewal and that continued support for organic farming remains critical, especially in the context of soil health and the protection of natural resources.

Counterclaim

While it is true that organic farming enjoys a defined and regulated legal framework in the EU under Regulation 848/2018, and that the EU Ecological Action Plan and the EU Vision for Agriculture and Food recognise its important contribution to sustainability, generational renewal and the protection of natural resources, this does not imply that it is the only path to sustainability or that other systems, such as the one that the PAS seeks to promote, do not have a crucial role in the agroecological transition.

1. Sustainability is a broad and multidimensional concept: Sustainability in agriculture encompasses multiple dimensions: environmental, social, and economic. While organic farming addresses key aspects, other systems and initiatives, such as the PAS, can focus on specific aspects of sustainability and contribute significantly to the overall improvement of the sector.

2. The PAS as a complement and gateway to sustainable practices: The PAS does not seek to replace organic farming, but to offer a framework for continuous improvement and the progressive adoption of sustainable practices for a wider range of farmers. For many conventional producers, the immediate transition to organic farming can be a considerable challenge and in some cases impossible. The PAS can act as a gateway, allowing the gradual adoption of measures that improve sustainability and that, in some cases, can be a preliminary step towards organic certification.

3. Recognition of the diversity of systems and challenges: The European Union, in its policies and strategies, also recognises the diversity of agricultural systems and the specific challenges faced by different regions and sectors. A focus solely on organic farming may not be the optimal solution for all situations. Initiatives like the PAS, adapted to specific contexts, can address concrete challenges and promote sustainability in a more flexible way.

4. The PAS and the assessment of sustainability efforts: The PAS seeks to recognise and value the concrete efforts that farmers make to improve sustainability. This recognition can encourage a greater number of farmers to adopt more sustainable practices, thus generating a positive impact on a wider scale.

In conclusion:

While the importance and role of organic farming in the transition to more sustainable food systems are undeniable and well recognised by the EU, it should not be interpreted as the only possible path. Initiatives like the PAS have the potential to complement organic farming, bringing sustainability closer to a greater number of Catalan agricultural operations, addressing specific challenges and promoting continuous improvement in the sustainability of the agricultural sector as a whole. The ultimate goal should be a broad and inclusive agroecological transition, where different systems and approaches can coexist and contribute to a more sustainable future.

The PAS would be based on a methodology that is misleading and not suitable for measuring the sustainability of agricultural products. The impact assessment is very weak in quantifying the impacts and completely ignores the impact of this new standard of "sustainable agricultural production" on organic production. For these reasons, IFOAM Organics Europe believes that this proposed regulation on PAS should be withdrawn.

Counterclaim

To characterise the PAS methodology as "deceptive and inadequate" and with a "very weak" impact assessment is a categorical and unjustified statement that belittles the scientific rigour and the intentionality of the proposal. Furthermore, suggesting that it completely ignores the impact on organic production demonstrates a lack of understanding of the complementary approach and the willingness to coexist that inspires the PAS system.

1. Methodology based on science and continuous improvement: The PAS is based on a methodology built with scientific rigour, with the intention of providing an accessible and adaptable sustainability assessment tool for the agricultural sector. While it may have differences with organic farming standards, this does not imply that it is inherently deceptive. On the contrary, it seeks to offer a framework for continuous improvement, allowing producers to assess their current situation and identify ways to move towards more sustainable practices.

2. Impact assessment with a specific focus: The impact assessment of the PAS may have a different approach than that of organic farming, emphasising specific aspects of sustainability that are considered relevant to the context and objectives of the system. This does not mean that it is "weak", but rather that it prioritises certain indicators in order to offer a specific view of sustainability and facilitate the participation of a wider spectrum of producers.

3. Implicit consideration of the ecological impact: The PAS does not ignore organic farming; in fact, its existence and success are a benchmark and an inspiration for the transition towards more sustainable agri-food systems. The PAS can complement organic agricultural production; we already have clear examples of organic farms that also opt for the PAS. By increasing awareness of sustainability and encouraging the adoption of more sustainable practices, the PAS can broaden the base of producers and consumers interested in more sustainable production models, which in the long term can also benefit the organic sector.

4. Potential for a broad agroecological transition: The PAS has the potential to involve a significantly larger number of farmers in improving sustainability, at a pace and with requirements that may be more accessible to many. This broader base of agriculture with improvements in sustainability is crucial to achieving a large-scale agroecological transition.

5. Withdrawing the proposal would be counterproductive: Requesting the withdrawal of the PAS proposal based on unfounded claims would be counterproductive to the common goal of promoting sustainability in the agricultural sector. Instead of rejecting new initiatives, constructive dialogue and collaboration should be encouraged in order to identify synergies and ensure that different approaches can coexist and contribute to more sustainable agriculture for all.

In conclusion:

Labelling the PAS as "deceptive" and with a "weak" assessment is a disqualification without solid evidence. The PAS represents an effort to broaden the scope of sustainability in agriculture and livestock farming, thus offering a gradual and accessible path to continuous improvement. Instead of viewing it as a threat, it should be considered an opportunity for accelerating the agroecological transition on a larger scale.

The Integrated Production (IP) method has not met the expectations of the agricultural sector in Catalonia since its introduction in 2002, as well as in other European regions. This has led to the development of a regulatory proposal for a new certification called "sustainable agricultural production", which also includes economic and social indicators within the assessment system.

Counterclaim:

The claim that the Integrated Production (IP) method has not met the expectations of the agricultural sector in Catalonia since its introduction in 2002, and that this would justify the development of a new certification, is a clear misrepresentation of reality and ignores the objective data that demonstrate precisely the opposite.

The figures completely refute this:

The year 2025 marks a historic record for the area covered by Integrated Production. With more than 64,851 hectares certified, this is the largest area recorded since the beginning of the historical series in 1995. This remarkable growth, which includes both new operators and expansions of surface area by existing ones, is clear evidence of the vitality, interest and viability of IP, especially when there is an adequate institutional support framework.

Key sectors with high IP implementation: The significant implementation of IP in strategic sectors such as fruit (seed and stone), nuts, olive groves and citrus fruits, which represent an important part of Catalan agricultural production, demonstrates its relevance.

Whenever the possibility of incorporating new beneficiaries and new areas has been maintained in the agri-

environmental aid of the Common Agricultural Policy, this has favoured this growth, although the associated premiums have not always been the most attractive for the sector when compared to the premiums they have in the organic sector.

There is therefore clear evidence of the vitality, interest, and viability of IP when an adequate institutional support framework is available.

If it is questioned whether Integrated Production (IP) has met the expectations of the agricultural sector because it has a penetration rate close to 10%, it would be necessary, in a coherent way, to also consider to what extent organic agricultural production (PAE) has met its own expectations, taking into account that it has a very similar penetration rate of 11.17%. (Source: DARPA, 2024))

This shows that there is still a long way to go to facilitate a true agroecological transition for the entire Catalan agricultural sector.

In conclusion:

Claiming that Integrated Production (IP) has not met expectations in Catalonia involves a partial and decontextualised reading of its trajectory. The data shows a growing interest from the sector in this production system, as demonstrated by the record area covered by the IP reached in 2025.

Far from being left behind, Integrated Production continues to advance and adapt. Recognising the challenges of the path travelled and with a self-critical spirit, the IP reaffirms its willingness to become a useful tool in the agroecological transition. In this regard, it expresses its willingness to join the sustainable agricultural production (PAS) proposal, even renouncing its historical name, in a firm and determined commitment to the transformation of the agricultural model of our territory.

In September 2021, the Government of Catalonia (Generalitat de Catalunya) approved the preliminary report of the draft law on sustainable agricultural production. A one-month public consultation was held between September and October 2021. There were no major announcements or calls for participation.

From the outset, the organic farming sector criticised the chosen name ("sustainable") in order to distinguish the type of agricultural management and the lack of consideration of organic farming as the most sustainable agricultural system, based on European Regulation 2018/848, with clearly defined standards and certification systems. In various forums and meetings with those responsible for the Department of Agriculture, Livestock, Fisheries and Food (DARPA) of Catalonia, representatives of the organic sector asked the authorities to at least change the name, with the aim of avoiding further confusion for the consumer when "sustainable agriculture" competes with "organic agriculture".

Counterclaim

The claim about the lack of visibility of the public consultation is not true, given that the usual procedure established for this purpose was followed.

It is true that the ecological sector has expressed concerns about the name "sustainable" and the possible confusion with organic farming. These criticisms have been heard and taken into consideration by the Government of Catalonia. It should be noted that this project pursues precisely the opposite of what is stated in the submitted document. The objective is to provide transparency and guarantees to the consumer by linking the term to a clear label that is regulated and subject to accredited certification. In this sense, the initiative contributes to reducing the confusion currently generated by the indiscriminate and unregulated use of the term "sustainable" in the market, where it is often used without any technical basis or control system behind it.

The Department of Agriculture, Livestock, Fisheries and Food has always been willing to engage in dialogue and to incorporate the perspectives of the organic sector in the development of the proposed law.

1. The goal of the PAS is not to compete, but to complement: establishing a framework for the continuous improvement of sustainability across a broader spectrum of agricultural production. The aim is to increase the number of agricultural operations that apply sustainable farming practices.
2. The PAS as a catalyst for the agroecological transition: Instead of creating confusion, the PAS can act as a catalyst for the agroecological transition. By encouraging more farmers to adopt more sustainable practices, greater awareness and demand for sustainably produced products is created.
3. The importance of an inclusive approach: Sustainability in agriculture is a complex challenge that requires an inclusive approach, involving the majority of producers. Limiting sustainability initiatives to certified organic farming, despite its importance, could leave out a large number of agricultural operations with potential for improvement. The PAS seeks to activate this majority, offering an accessible framework to advance sustainability.

In conclusion, while the initial criticisms from the organic sector are understandable and were taken into consideration, the PAS represents an attempt to address agricultural sustainability on a broader scale, with the potential to complement and boost the growth of the organic sector in the long term. The key lies in continuous dialogue and the clear definition of standards in order to avoid confusion and maximise the contribution of all models to a more sustainable Catalan agriculture. With the help of the Profile Calculation, it has become clear that there is a part of the ecological sector that is interested in quantifying sustainability.

From 2024 onwards, DARPA offers financial support for calculating the environmental sustainability of agricultural holdings in Catalonia, which includes calculating the environmental footprint as one of the measures within the Catalan Food Strategy 2024-2028. The subsidies are available under the second pillar of the CAP 2023-2027 measures for "sustainable agricultural production", which are incompatible with organic production.
https://agricultura.gencat.cat/ca/ambits/desenvolupament-rural/contracte-global-explotacio/ajuts-sostenibilitat/practiques-agroambientals/conreus-sostenibles/

Counterclaim

The assistance provided by the profile calculation is not incompatible with organic agricultural production; on the contrary, organic agricultural operations can also receive it.

This assistance has sparked interest from all production systems, including organic farming. In both years (2023/2024 and 2024/2025), some organic agricultural operations have already obtained their sustainability report and therefore there are organic agricultural operations benefiting from this assistance, representing around 15% in the year 2023/2024 and 13% in 2024/2025.

Although the assistance limited who could be a beneficiary and restricted the eligible sectors, if the data is analysed, it can be seen that the total number of applicants represents, on average, 29% of the area of eligible crops, which demonstrates their interest in the sustainability assessment.

If we break it down by sector, we can observe the following:

• Applicants for assistance linked to the rice sector account for 44% of the rice area in Catalonia, and in the case of sweet fruit, they account for 42% of the total sweet fruit area.

• Applicants for assistance linked to the citrus and olive sectors contribute, respectively, 25% and 22% of the total area of citrus and olive groves in Catalonia.

• Applicants for assistance linked to the horticulture sector represent 15% of the horticultural area of Catalonia.

In conclusion:

The data show that the assistance for calculating the sustainability profile generates real interest among the different

production systems, including organic agricultural production. This confirms that this instrument is not only fully compatible with organic farming, but also acts as a useful and cross-cutting tool to promote the overall sustainability of the agricultural sector.

On 13/12/2024, the European Commission / Technical Regulatory Information System (TRIS) received a notification from the Spanish and Catalan public institutions (notification number 2024/0682/ES) on the "Draft Regulation governing the use of the certification mark for sustainable agricultural production, which includes the technical standards to be promoted in sustainable agricultural production."
The project includes expanded technical standards grouped by environmental, economic and social aspects, topics related to details of practices and indicators and their assessment criteria.

Main problems identified with the PAS:

Some of the main debatable issues we have identified in the draft regulation, which could be technical barriers to trade or to other production methods, are:
• The use of the term "sustainable" in the context of the proposed regulation leads to misunderstandings and represents unfair competition for organic farming, which is the only legally defined and regulated sustainable food production system at EU level and is subject to strict controls that guarantee its suitability to the qualities it claims to have.

Counterclaim

• Regarding the concern expressed about the use of the term sustainable, it should be noted that this project pursues precisely the opposite of what is stated in the submitted document. The objective is to provide transparency and guarantees to the consumer by linking the term to a clear label that is regulated and subject to accredited certification. In this sense, the initiative contributes to reducing the confusion currently generated by the indiscriminate and unregulated use of the term "sustainable" in the market, where it is often used without any technical basis or control system behind it.

• It is important to note that the use of any label —including that of organic production— can generate misunderstandings if the consumer does not know exactly its meaning or scope. However, this does not invalidate its usefulness; rather, it highlights the need to strengthen information and communication with the public. In this case, the proposed regulation defines a set of concrete and verifiable practices to give solidity and credibility to the concept of agricultural sustainability.

• Regarding the alleged unfair competition with organic farming, we want to emphasise that sustainability is not an exclusive attribute of organic production. Although organic production is certainly a recognised sustainable system, it is not the only one. In the communication from the European Commission to the Parliament, the Council, the European Economic and Social Committees, and the Committee of the Regions (19.02.2025 COM(2025) 75 FINAL) “A Vision for Agriculture and Food. Shaping together an attractive farming and agri-food sector for future generations" refers to sustainable production systems, in the plural, recognising their diversity and promoting their development, without establishing a monopoly on the concept of sustainability by organic farming.

• The PAS certification will be based on a system accredited by ENAC according to ISO/IEC 17065:2012. This will ensure that any product labelled with the PAS label has been produced according to well-defined and verified sustainable practices. As with the PAE, this system certifies quality standards established by the corresponding technical standards; therefore, it is not a comparative grievance, but rather a parallel approach.

• Ultimately, this initiative does not aim to supplant or delegitimise organic production, but rather to offer another transparent and controlled certification path for producers who implement sustainable practices, thus contributing to the common goal of improving the sustainability of the European agri-food system and including organic production that meets the PAS standards.

The use of the product environmental footprint, based on life cycle assessment methodologies: it is widely accepted (and recognised by the European Commission in the proposal on the Substantiation of Environmental Claims) that the Product Environmental Footprint (PEF) methodology is not designed to reflect the reality of complex agri-food systems in a multidimensional way. Furthermore, the PEF does not adequately take into account the use of inputs such as pesticides, the negative and positive externalities of different agricultural production methods on biodiversity, soil quality, deforestation, and planetary boundaries. In this regard, the approach should be reviewed.

Counterclaim

Regarding the objection raised regarding the use of the Product Environmental Footprint (PEF) methodology, according to which this approach would violate the European Commission's statement in the proposal on the Substantiation of Green Claims, we put forward the following claim:

• The PEF is not used as the only assessment tool within the PAS system. It is a methodological support tool, useful for quantifying environmental impacts in a standardised and comparable manner, but it is by no means the sole basis for certification. The PAS project establishes a broader set of indicators and criteria, developed to capture the multiple aspects of agricultural and livestock sustainability, including dimensions that the PEF alone does not address.

• It is true that the European Commission, within the framework of the proposal for a Green Claims Directive (COM (2023) 166 final), has warned about the limits of the PEF in capturing the complexity of agri-food systems, but in no case has its use been prohibited or totally discouraged. The Commission itself recognises the value of the PEF as a robust scientific basis, especially when used in combination with other complementary approaches, as is the case with the PAS system.

• The PAS project incorporates environmental indicators that go beyond the limitations of the PEF, such as:

-Use of phytosanitary products and fertilisers.
-Conservation of biodiversity.
-Soil health.
-The water footprint.
-Energy and emissions management.
-Animal welfare.

• Therefore, the use of the PEF within the PAS is rigorous, proportionate and technically justified, and is part of a multidimensional approach to sustainability, as required by the European context and the policies of the European Green Deal and the Farm to Fork strategy.

• In conclusion, there is no violation of the European Commission's provisions, but rather an informed and contextualised application of the recognised PEF methodology, integrated into a much broader and balanced system. This combination ensures the reliability of the PAS label and avoids the confusing or unverifiable use of the term "sustainable" in the agri-food sector.

Regarding environmental aspects: the proposed PAS regulation does not address essential issues such as the environmental and health impacts of synthetic pesticides that continue to be authorised under its umbrella, nor the impact on biodiversity of the use of GMOs.

Counterclaim

It is inaccurate to assert that the PAS regulation does not address the environmental and health impacts of pesticides. In fact, the proposal includes measures aimed at progressively reducing the use of plant protection products, especially the most harmful ones, as well as strengthening the monitoring and control of their use. Furthermore, agricultural practices that reduce dependence on chemicals, such as crop rotation, integrated pest management, and precision agriculture, are being promoted.

It should also be noted that the regulation is part of a broader European strategy, such as the Green Deal and the Farm to Fork initiative, which set clear goals for reducing pesticide use and transitioning to a more sustainable and safer model both for the environment and for public health.

Therefore, it is not true that the regulation ignores these aspects; rather, it lays the groundwork for a realistic and gradual transformation of the agricultural sector, balancing production needs with environmental and health protection.

Regarding the economic aspects, one of the indicators takes into account revenue (E.1.4.1 CALCULATE THE NET REVENUE OF THE AGRICULTURAL OPERATION, which refers to net revenue as the difference between total revenue and total expenses. An absolute value can provide information on the total amount of profits or losses. However, to measure true economic sustainability, it should be calculated based on a benchmark, e.g., net revenue/assets, net revenue/AWU, etc. Furthermore, it remains unclear how the remuneration of family labour should be accounted for in this calculation, a common problem in the accounts of the agricultural operation.

Counterclaim

-The indicator that measures the net revenue of the agricultural operation (E.1.4.1) is a valid and relevant tool for evaluating the economic sustainability of an agricultural operation. Although it is true that an absolute value does not capture all the economic complexity, it does represent a clear, understandable, and easily applicable starting point for the diverse reality of agricultural operations. Furthermore, this type of calculation allows for a direct analysis of economic performance, showing whether the activity is viable in overall terms, before delving into more technical details.

-Regarding the remuneration of family labour, the regulations allow for methodological flexibility and adaptation to local realities, as this aspect is indeed complex and varies depending on the type of agricultural operation. This pragmatic approach avoids imposing a rigid formula that could be inapplicable or unfair in some contexts.

-Finally, this indicator must be understood within a broader context. Economic sustainability, like environmental and social sustainability, is not measured with a single data point, but rather with a series of complementary elements. This indicator, despite its limitations, serves a useful function within this overall framework.

The indicator DIVERSIFICATION OF REVENUE SOURCES (E.2.1.1) should reduce risks and/or increase potential revenue sources through non-agricultural activities, but it does not measure any social or environmental impact.

Counterclaim

The claim that the "Diversification of Revenue Sources" indicator (E.2.1.1) does not measure any social or environmental impact is an incomplete interpretation of its function and the indirect effects it promotes. While the indicator assesses the existence of economic activities complementary to agricultural production, the practice it encourages generates significant positive social and environmental impacts that cannot be ignored.

• Promotion of activities with intrinsic social and environmental value: The practice explicitly values activities such as offering rural tourist accommodation and organising classroom activities in the rural environment. These activities have a direct social impact on:

-Job creation in rural areas, which often have limited opportunities.
-Revitalisation of the local economy, benefiting other sectors such as commerce and services.
-Maintenance and promotion of the cultural and natural heritage of the rural environment, since this becomes an asset for new activities.
-Education and awareness about the rural environment and agriculture, especially through educational sessions.
-Improving the quality of life of the rural community by offering services and opportunities.

• Promoting the transformation of agricultural products with sustainable potential: The transformation of agricultural

products into non-agricultural goods can have positive environmental impacts in:
-Reducing food waste by adding value to products that might not be sold directly.

-Promoting short supply chains, thus reducing the carbon footprint associated with transportation.

-Creation of value-added products from local resources, thus promoting a circular economy.

-Potential for the use of agricultural by-products, thus reducing waste.

• Reducing dependence on exclusive agricultural production: Diversifying revenue sources increases the resilience of agricultural operations to external factors such as market fluctuations or the effects of climate change (which have a clear environmental and social impact). A less vulnerable business is more capable of adopting long-term sustainable practices.

• Indirect measurement of positive impacts: Although the indicator does not directly quantify the social and environmental impacts, the practice incentivises activities that by their nature have a high potential to generate them. The existence of these complementary activities is an indirect indicator of greater positive integration of the agricultural operation with its social and natural environment.

In conclusion:

The indicator E.2.1.1, although located in the economic bloc, is more than just a financial measure. The practice it promotes encourages activities with intrinsic social and environmental value, indirectly contributing to rural revitalisation, heritage conservation, and the promotion of sustainability and resilience in the agricultural sector. Therefore, arguing that it does not measure any social or environmental impact is a reductionist view of its importance and scope.

Within the themes of quality production, PRODUCTION UNDER CERTIFIED QUALITY SCHEMES in plant production (E.3.2.1) does not consider organic farming as quality production, since it only specifies PDO or PGI certification schemes.

Response

• The next revision of the standard will assess the inclusion of Organic Agriculture in practice E.3.2.1.

• In terms of social aspects, the social sustainability assessment includes several indicators, but all are based on basic labour rights and horizontal legal requirements in force and subject to labour inspection:
S.1.1.2 REMUNERATE PERSONNEL IN A RESPECTABLE WAY, to ensure that personnel salaries are at least those established in the collective bargaining agreement.
S.3.1.1 COMPLY WITH THE OBLIGATIONS DERIVED FROM THE JOB POSITION, to ensure that all workers have an employment contract that complies with the collective bargaining agreement of the sector.
S.3.3.1 GUARANTEE THAT THERE ARE NO UNDER-AGE WORKERS.
S.5.1.3 GUARANTEE HEALTH COVERAGE AND ACCESS TO MEDICAL CARE

• The same applies to the indicators controlled by national regulations related to occupational risk prevention, such as S.5.1.2 ENSURE SAFETY IN THE WORKPLACE, OPERATIONS AND FACILITIES.

• Some other indicators include assessments that are difficult to demonstrate and therefore lack content, such as the GUARANTEE OF FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING (S.3.4.1), using as an assessment criterion the guarantee of freedom of association among company personnel.

• The assessment of social sustainability based on these types of indicators rewards compliance with basic legal requirements and grants a competitive advantage in the European context to Catalan agricultural operations included in the PAS certification scheme.

• Finally, regarding the impact assessment, the analysis is very weak in quantifying the impacts and ignores the impact of this new PAS standard on organic production.

Counterclaim

While the assessment of social sustainability in PAS certification includes indicators based on basic labour rights and horizontal legal requirements, presenting them as a simple validation of legal compliance and a defence of a competitive advantage in the European context is an oversimplification and ignores the intentionality and added value of the PAS system.

• The inclusion of these aspects responds to the explicit intent to align with European Union guidelines and establish a reference framework that can be extrapolated globally. This is not merely an exercise in legal validation, but a conscious and necessary first step toward building a robust and internationally recognised social sustainability assessment. The current proposal envisages an evolutionary vision, where these initial indicators represent a starting point that can be enriched and improved over time, incorporating more complex and qualitative aspects as the system develops and more robust verification methodologies become available.

• The PAS is a recognition and assessment of real effort: It is true that the PAS values actions that in many cases Catalan farmers and livestock farmers are already carrying out, such as having employment contracts that comply with the regulations and ensuring the health coverage of workers. However, this compliance is neither automatic nor universal. Recognising and verifying these practices through certification highlights a significant effort on the part of Catalan producers, who often operate in a context of economic and competitive pressure. This assessment is not simply a "reward for legal compliance," but rather a recognition of a level of social commitment that is not always found in other production models, especially with imported products.

• It is a differentiation and recognition of added value: To claim that it only defends a competitive advantage in the European context is to ignore the qualitative differentiation that the PAS seeks to establish. In a globalised market, where labour and social standards can vary significantly, the PAS offers a verified guarantee of a certain level of social commitment. This recognition of compliance with labour regulations implies an added value for PAS products compared to imported products where these standards may be lower or unverified. It is not just about competition, but also about transparency and providing consumers with tools to make informed decisions based on social sustainability criteria.

• Verification is a key element: The fundamental value of the PAS lies precisely in the verification by an external entity of compliance with these social aspects. This is not a mere declaration of intent, but an auditable process that ensures a basic level of social sustainability.

• Regarding indicators such as freedom of association and the right to collective bargaining, the fact that they are difficult to demonstrate does not imply their lack of content or their irrelevance. Their inclusion from the outset demonstrates a willingness to consider them and to move towards a more in-depth assessment in the future, as more effective verification methodologies are developed and clearer standards are established.

In conclusion:

The social sustainability assessment in the PAS represents an initial and verifiable commitment to basic labour standards. This commitment not only highlights the efforts of Catalan producers, but also seeks to establish a qualitative differentiation in the market and build a solid foundation for a more comprehensive and ambitious assessment of social sustainability in the future. Associating these social indicators with a simple competitive advantage does not correspond to the long-term vision, intentionality and added value that PAS certification brings to the Catalan agri-food sector.

This new regulation could lead to barriers to trade, since it could create competition between PAS certified products from Catalonia that include indicators in their assessment that do not correspond to the logic of European legal standards,

such as the use of environmental footprints. Other indicators are not clearly defined or are difficult to demonstrate, such as some of the proposed social standards.

Counterclaim:

Under no circumstances does the PAS involve a barrier to trade, but:

• The PAS serves as a tool for improvement and added value: The PAS does not seek to create artificial barriers to trade, but rather to provide a sustainability assessment tool that allows the Catalan agricultural sector to assess its current situation and identify areas for improvement. The main objective is not to restrict trade, but to promote an agroecological transition by encouraging more sustainable agricultural practices. Furthermore, the PAS offers added value for products that obtain certification, based on the verification of practices that go beyond European legal minimums, responding to a growing demand for products produced in a more responsible and sustainable manner. PAS allows Catalan products to stand out in a market that is increasingly concerned about sustainability.

• Complementarity with European legal standards: The PAS does not seek to contradict or replace European legal standards, but rather to complement them and delve deeper into specific aspects that are considered relevant to the Catalan context and to sustainable agricultural production. The use of environmental footprints and the inclusion of other indicators, even those that may initially seem more difficult to demonstrate, respond to the need to move towards a more comprehensive assessment of sustainability that goes beyond simple regulatory compliance, thus providing guidance for continuous improvement.

• The environmental footprint as relevant information for improvement: The use of environmental footprints is not an arbitrary imposition for restrictive commercial purposes, but rather an increasingly recognised and sought-after tool for assessing the real environmental impact of products and identifying critical points for reduction. Providing this information to producers within the PAS system allows them to make more informed decisions to improve the environmental sustainability of their agricultural operations. The PAS seeks to report on the environmental footprint of products from sustainable agricultural operations, with a focus on improvement.

• Definition and progressive demonstration of indicators as a learning process: The mention of indicators that are not clearly defined or difficult to demonstrate, such as some social standards, reflects a process of continuous development and improvement of the PAS. The PAS will evolve over time, fine-tuning the definitions and verification methods for all its indicators. The fact that some indicators are initially more complex does not justify their exclusion, but rather encourages the search for solutions for their effective assessment and their integration as levers for improvement.

• The PAS can open new markets and increase the competitiveness of Catalan producers, including organic producers. PAS has the potential to follow a similar path, differentiating products based on their overall sustainability, offering a route for continuous improvement, and opening up new commercial opportunities based on transparency and accountability.

In conclusion:

The PAS does not aim to create trade barriers, but rather provide a tool for calculating and improving sustainability for the Catalan agricultural sector. The PAS seeks to offer added value based on criteria that go beyond the legal minimums. The use of environmental footprints and the inclusion of social and economic indicators respond to the need to make progress on the path toward sustainability, with the primary objective of improving and enhancing the value of Catalan products on the global market.

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EUROPEAN COMMISSION
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

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