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Contribution to the consultation on "Competition policy and the Green Deal"

Introduction

The communication on the European Green Deal (EGD) recognises the need for the Union to revise and reshape its policies and actions, with a view to tackling climate and environmental-related challenges. The Commission rightly refers to its commitment to address those challenges as *"this generation's defining task*."

Whether the Union will successfully overcome them will depend on its ability to ensure that all of its actions advance coherently towards the objectives laid out in the EGD: the achievement of carbon neutrality for the whole economy by 2050,[1] via a supply of clean, affordable and secure energy and energy efficiency, the transition into a clean circular economy, the shift towards sustainable mobility, the transformation of the food system, the preservation and restoration of ecosystems and biodiversity, and the fulfilment of a zero pollution ambition.

Competition policy can play a pivotal role in ensuring the success of the EGD, by ensuring that both interventions of public authorities, via State aid, and the behaviour of undertakings, cooperating or merging in the internal market, remain coherent with its objectives.

For this purpose, it is important to fully acknowledge the relevance of environmental protection within EU primary law and, on that basis, to recognise the need for a new and better definition of the notion of "*good functioning of the internal market*", which competition policy aims at ensuring.

[1] It should be noted, in this respect, that Greenpeace and other NGOs' position is that, in order to avoid a full-blown climate crisis, the EU should achieve net-zero emissions by 2040. See: https://www.greenpeace.org/eu-unit/issues/climate-energy/2475/our-house-is-on-fire-time-for-the-eu-to-step-up/ and http://www.caneurope.org/publications/blogs/1740-can-europe-calls-for-an-increase-of-the-eu-s-2030-climate-target-to-at-least-65.

Whereas, under the old Article 3(c) and (f) of the EC Treaty, the internal market was mainly understood as a space "*characterised by the abolition, as between Member States, of obstacles to the free movement of goods, persons, services and capital*" in which the Treaty rules established "*a system ensuring that competition (...) is not distorted*", Article 3 of the EU Treaty brings the internal market into a broader dimension, stating that it "*shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment*".

Only via the structural integration of the Treaties' environmental objectives in State aid and antitrust enforcement can EU competition policy be deemed fit to fulfil its role in the broader context of the Union's constitutional system.

The existence of a mean-to-an-end relation between competition policy and the good functioning of the internal market, on the one hand, and environmental protection, on the other, is further compounded by Article 11 TFEU, which stipulates that "*Environmental protection requirements must be integrated into the definition and implementation of the Union's policies and activities, in particular with a view to promoting sustainable development*".

Whereas the potential of this treaty provision is yet to be developed in full, the recent judgement of the European Court of Justice on the State aid to the Hinkley Point C nuclear power plant offers indication on the appropriate direction of travel. In this judgement, the Court clarified that "*State aid for an economic activity (...) that is shown upon examination to contravene rules of EU law on the environment cannot be declared compatible with the internal market pursuant to that provision*",[2] showing that EU primary law offers significant space for strengthening the relationship between environmental and competition law.

On the basis of this premise, Greenpeace will address some of the questions posed by DG Comp in its call for contributions. This submission will focus, in particular, on the questions related to State aid.

[2] Case 594/18, para. 47.

Section 2: STATE AID

1. What are the main changes you would like to see in the current State aid rulebook to make sure it fully supports the Green Deal? Where possible, please provide examples where you consider that current State aid rules do not sufficiently support the greening of the economy and/or where current State aid rules enable support that runs counter to environmental objectives.

Horizontal issues

1.1 End fossil fuels subsidies

Greenpeace calls for an immediate end to all State aid supporting the extraction or use of fossil fuels, including for energy generation and transport purposes. The nefarious impact of these subsidies on the achievement of the Paris Agreement targets is out of question.

In addition to such detrimental impact, fossil fuels subsidies distort markets and disincentive investments in renewable energy and energy efficiency. They impose large fiscal costs on governments and drain scarce financial resources away from necessary investments into the decarbonisation of all sectors of the economy. In the energy sector, such resources should exclusively be used for the development and deployment of renewable energy sources, for energy efficiency and demand-side response and for the integration of the EU electricity sectors.

In addition, to their adverse effect on climate, fossil fuel subsidies negatively impact local environments, water sources and cause illness and premature deaths due to local air pollution and heightened congestion.

Undertakings placing fossil fuels on the EU market or using them as an input for their activities must be required to bear the costs for the negative externalities that fossil fuels produce, consistently with the polluter pays principle.

Continuing to allow fossil fuels subsidies means, on the one hand, that the external costs generated by those fuels are passed on, entirely or in part, to society and, on the other hand, that important incentives are removed for market players, investors and consumers to opt for no-regret alternatives.

Certainly, the correct allocation of the costs for negative externalities relies not only on a rigorous application of State aid rules: the adoption and enforcement of appropriate regulatory instruments and of sound fiscal policies is necessary to achieve a level playing field between fossil fuels (but the same could be said about nuclear), on the one hand, and renewable energy sources and energy efficiency on the other hand.

State aid rules, however, can ensure that taxpayers are not providing undue support to activities that are damaging their health and the environment.

Against this background, it is troubling to see that, over ten years after committing to phase-out fossil fuel subsidies by 2025, EU governments still lack concrete plans to put an end to taxpayers' money being spent in a way that accelerates the climate crisis. While EU Member States are supposed to report on their fossil fuel subsidies and plans to end them as part of their National Energy and Climate Plans (NECPs), new analysis shows that none of the draft plans present a comprehensive overview of subsidies nor a clear plan to end them. If the EGD is to be a success, State aid rules must be reviewed to end fossil fuel subsidies immediately.

1.2. Tighten the enforcement of rules on capacity mechanisms

According to Greenpeace's analysis, between 1998 to 2018, EU governments have directed €32.6 billion of public funds to support capacity mechanisms, largely to the benefit of coal, gas and nuclear operators.

Capacity payments are now subject to a new regulatory framework, provided by Articles 20 to 23 of Regulation 2019/943 (the electricity market regulation, or EMR). The EMR fails to exclude the possibility that subsidies be granted to fossil fuel and nuclear generation, and should therefore undergo a timely review to be brought in line with the future Climate Law and the EGD. Nevertheless, it is important to ensure that all the safeguards it foresees in order to avoid unjustified fossil fuels subsidies are strictly applied.

In particular, Member States' compliance with their implementation plans under Article 20(3) EMR, in accordance with Commissions' opinions pursuant (5) and (7) of the same Article, should be made a mandatory requirement for the authorisation of capacity mechanisms involving State aid. Likewise, DG Comp should ensure that the general and design principles set out in Articles 21 and 22 EMR are duly applied in the assessment under Article 107 TFEU and that existing capacity mechanisms are periodically reviewed on the basis of Article 108(1) TFEU.

It must be pointed out, in this regard, that whereas current EEAGs acknowledge that capacity mechanisms (or aid to generation adequacy) "*may contradict the objective of phasing out environmentally harmful subsidies including for fossil fuels*", they do not provide for clear and effective conditions to restrict the implementation of this typology of aid by Member States. Indeed, the guidelines merely recommend that "*Member States should therefore primarily consider alternative ways of achieving generation adequacy which do not have a negative impact on the objective of phasing out environmentally or economically harmful subsidies, such as facilitating demand side management and increasing interconnection capacity*".

As found by the General Court in the *Tempus Energy* case, DG Comp's implementation of the guidelines has failed to consistently ensure that Member States took demand side management measures into account in the design of capacity mechanisms.

In future cases, DG Comp should ensure that Member States are not authorised to enact such mechanisms without previously carrying out a comprehensive assessment of alternatives to subsidies to electricity generation and their integration in their systems. For this purpose, DG Comp should only approve mechanisms on the basis of transparent in-depth investigations, as provided for by Article 108(2), allowing contributions from interested parties and taking them fully into account.

1.3 Ensure compliance with regulatory requirements and the do no harm principle.

Furthermore, when assessing state aid measures, the Commission should see that no authorisation is granted to environmentally harmful activities and undertakings and that, at the minimum, Member States and the aid beneficiaries prove compliance with all relevant and applicable environmental rules.

These include horizontal measures (e.g. the EIA Directives), as well as specific regimes that apply on a case-by-case basis, such as the Industrial Emissions and the Water Framework directives.

The case of the authorisation of the aid for the life extension of the Belgian nuclear power plants of Doel and Tihange stands out as a clear example of how the failure to align competition and environmental policies may undermine EU citizens' confidence in the Institutions' ability to translate the EGD into facts. EU citizens, it should be reminded, are part of the EGD.

On 17 March 2017, the Commission announced its decision not to raise objections to the State aid that the Belgian government planned to give, in the form of an investment guarantee, to Engie-Electrabel and EDF Belgium for the life extension of the Tihange 1, Doel 1 and Doel 2 nuclear reactors.

On 29 June 2019, the Court of Justice found that the Belgian law extending the operating life of nuclear power stations Doel 1 and Doel 2 was adopted without the required environmental assessments being previously carried out. This meant that, as a matter of fact, the Commission authorised State aid for a project that violates the rights of effective participation conferred to EU citizens by Union and international law. In other words, it asked them to foot the bill for private expenditure on which they had no say and that could, in case of accidents, irremediably disrupt their lives.

The implementation of EU law proceeded on two separate tracks: on one side, the Belgian State and DG Comp rapidly agreed on the authorisation of the aid for the PLEX of three ageing nuclear reactors. The case was closed without the Commission raising objections, that is, without an open consultation and without taking into account any other interest than those put forward by the Belgian government, even if that meant endorsing a violation of fundamental EU law provisions.

On the other side, the enforcement of EU EIA rules was left to the initiative (and the resources) of Belgian environmental NGOs. Needless to say, due to the lengths of judicial proceedings, the result of this private enforcement action came over two years after the State aid authorisation: this means that the Court's findings that an environmental impact assessment was required, and that the Belgian State did not carry out, had no impact on DG Comp's decision whereas, in a context of sound administrative practices, they should have lead to a prohibition of the aid.

For future cases, the Commission should refer to a comprehensive notion of EU common interest and find distortions of competition induced by State aid as incompatible with the internal market when they involve, or lead to, a violation of Union's environmental law principles and secondary legislation.

1.4 Promote and protect third parties' procedural rights

A thorough review of substantive State aid rules is necessary to ensure that Member States are not allowed to grant environmentally harmful support to undertakings.

However, Greenpeace believes that change in the way the Commission interprets procedural rules is also necessary: we refer, in particular, to the practice whereby DG Comp does not recognise civil society organisations as "interested parties" in State aid investigations, on the basis of a restrictive and unjustified interpretation of the provisions of Regulation 2015/1589, but treats their submissions as "market information".

We point out, in this respect, that no provision of the procedural regulation prevents parties different from Member States to become a party in a State aid investigation. Indeed, in accordance with the definition in Article 1(h) of the Regulation, "*interested party*" means "*any Member State and any <u>person</u>, undertaking or association of undertakings <u>whose interests</u> might be affected by the granting of aid, <u>in particular</u> the beneficiary of the aid, competing undertakings and trade associations*."[3]

[3] Emphasis added.

This provision is clear, firstly, in extending the protection of the Regulation to persons (natural or legal) different from undertakings.[4] Secondly, the Regulation does not restrict the notion of "interests" to competitive or other economic interests, from which it can be safely concluded that environmental interests (or social interests in general) are also relevant to identify interested parties. Thirdly, it follows from the structure of the definition and from the use of the words "in particular" that the list of interested parties in Article 1(h) is an open one, which does not exclude that other entities may qualify and fall within the scope of that definition.

The proposed interpretation of Article 1(h) is confirmed by recital 33 of the Regulation, which clarifies that the purpose of the definition is to facilitate, not to restrict, the filing of complaints: "*Complainants should be required to demonstrate that they are interested parties within the meaning of Article 108(2) TFEU and of Article 1(h) of this Regulation. They should also be required to provide a certain amount of information in a form that the Commission should be empowered to set out in an implementing provision. In order not to discourage prospective complainants, that implementing provision should take into account that the demands on interested parties for lodging a complaint should not be burdensome*."[5]

Indeed, as also confirmed by Recital 32, "*Complaints are an essential source of information for detecting infringements of the Union rules on State aid*." The same recital confirms that the decision to treat a submission as complaint or as "general market information" should have regard to the nature and objective qualities of the information itself, and not to the identity or to the activity of the person submitting it.

The Commission should align its reading of the definition of "interested party" in Article 1(h) to the criteria used by the General Court for admitting interveners in annulment actions pursuant to Article 263 TFEU. In its order of 6 November 2012 (available in French only) in the Castelnou case, the Court considered that Greenpeace Spain's intervention in the proceedings to be admissible, clarifying that: "*S'agissant en particulier des demandes en intervention présentées par des organisations de défense de l'environnement, l'exigence d'un intérêt direct et actuel à la solution du litige implique soit que leur champ d'action coïncide avec la région et le secteur concernés par la procédure devant le Tribunal, soit, lorsqu'elles ont des champs d'action plus larges, qu'elles soient activement impliquées dans des programmes de protection ou d'études concernant la région et le secteur concernés dont la viabilité pourrait être compromise par l'adoption de l'acte attaqué".*

There is no valid reason, for DG Comp, to adopt a more restrictive test for the admissibility of NGOs' complaints than the one that the Court of Justice uses to decide on NGOs'

[4] The notion of "undertaking" under EU competition law already includes physical persons, therefore the mention of "persons" in Article 1(h) of the regulation must be made to include individual or entities not carrying out an economic activity.
[5] Emphasis added.

intervention in annulment actions against State aid decision, all the more when considering that it is the interest of the administration to receive information that can support the enforcement of primary law provisions.

State aid to air transport

1.5 Tackle the detrimental effects of air transport on climate

As all forecasts (ACI EUROPE, EUROCONTROL, IATA) point out that a return to 2019 levels of air traffic is not expected before 2024 or even 2025, the aviation sector is requiring additional support, including in the form of State aid. Yet, for the EU to achieve the goals of the Paris Agreement, air travel must drastically be reduced compared to 2019 levels. Therefore, the priority for the EU must be to direct State aid to support the workers of the aviation sector, while taking measures to ensure air traffic does not bounce back to pre COVID levels.

It should be kept in mind, in this regard, that the current level of air traffic is not simply the result of the market liberalisation that followed the EU aviation packages, but was made possible by several State aid measures benefiting airlines and airports as well as by an unfair regime of fuel taxation, which does not account for the negative externalities of this transport mode.

Ending State aid for investments and operational aid for airports and airlines will be essential to rebalance the weight of aviation in the EU transport system, allowing more sustainable modes to compete for passengers, while ensuring connections between European regions and mobility for EU citizens.

a) End investment and operational aid to airports and airlines

The Aviation State Aid Guidelines (2014) have provided Member States with a ten-year time frame to wind down operational state aid. During this period, several state aid measures and schemes have been authorised. The goal of the 2014 Guidelines was to provide airports with a period to become profitable.

An analysis by Transport and Environment (T&E) of all EU airports served by Ryanair has found that almost one-quarter of these airports are likely to be receiving state aid. The boosting effect that this form of public support had on emission was not taken into account when the policy was designed and enacted.

As a result, Ryanair has become a Top Ten carbon emitter in Europe's Emission Trading System in 2018. Emissions from air travel in the EU have grown up by 26% in the period between 2013 and 2018.

This begs the question of the compatibility of the 2014 Guidelines with the notion of sustainable development enshrined in Article 3(3) TEU: where, on the one hand, the overly generous subsidy policy resulted in public money being used to fund a growth in the sectors' environmental impact, on the other hand it failed to ensure the resilience of the system and its ability to function without additional injection of subsidies.

It is highly questionable whether additional support would be justified in view of the general interest. Certainly, extending the possibility of granting operation aid would be incompatible with the EGD as this would lead once again to unsustainable air traffic levels, making the necessary degrowth of the aviation sector more costly.

Likewise, State aid to support airport investments, to decrease airports charges or to create new routes should be phased out, unless absolutely necessary for safety reasons or to ensure the provision of tightly defined services of general economic interest.

Future State aid guidelines in the aviation sector should prepare the ground for a just transition process with and for the workers, with appropriate funds and a right to reskill and retrain to other areas of the economy, to enable the downscaling of the aviation sector to a size compatible with medium and long term decarbonisation goals, and to allow for the closure of some of the airports in a way that allows the transition to sustainable mobility and economic models for the affected communities.

b) Align the COVID Temporary Framework with the EGD

The European Commission created a State Aid Temporary Framework to support the economy in the context of the coronavirus outbreak. The aviation sector is one of the main beneficiaries of this framework. Since the outset of the COVID crisis, European governments have already agreed to almost €30 billion in financial aid for airlines with a further €7.9 billion currently under discussion, according to a European airline bailout tracker. At least €25.7 billion are coming from EU governments.

None of these funding schemes are linked to legally-binding environmental conditions in line with the Paris climate agreement and its objective of containing temperature increases within the 1.5°C limit:

- The climate conditions attached to the deal with Air France have not been translated into law yet. Furthermore, they are either insufficient (-50% emissions from domestic flights by 2024) or even problematic (increased use of biofuels). The decision to limit short haul flights where there is a train under 2.5 hours is equivalent to a 0.5% reduction in emissions of French air traffic.
- Austrian Airlines will be required to reduce total emissions by 30% by 2030 from 2005 levels, though enforceability measures are unclear. Flights on destinations where trains under 3 hours exist will be banned, a minimum price (€40) for tickets

will be introduced and a 2% blending mandate for alternative fuel, but the timeline for the ban and the requirements for the type of fuel to be used in the blend is vague.

With the COVID crisis, many airports have received help and 200 airports in Europe are facing insolvency according to ACI Europe, and prospects of recovery or profitability by 2024 are generally low.

Encouraging governments to align State aid with the EGD is not enough. The Commision must ensure that the temporary framework, which specifically helps solving emergency liquidity issues due to COVID, must be made compliant with the Green Deal objectives without any delay. In practice, the Commission must require governments to align with the goal to limit global warming to 1,5 degree and with the just transition principles under the form of binding measures for airlines and airports which receive State aid. Aid to the aviation sector must be consistent with the polluter pay principle and, for that purpose, take into account the full climate and pollution impact of aviation (including induced air travel).

In the same vein, setting up a complementary financial facility to help the aviation sector specifically would be incompatible with the European Deal objectives. Such a facility might even prove to be funding stranded assets. For the EU to deliver its fair share of climate action, air travel must drastically be reduced, according to research commissioned by Greenpeace. Therefore, the European Commission must ensure that no share of the recovery fund is spent in the aviation sector.

Instead, the Commission must require governments, airports and airlines, and the relevant local authorities, to organise a just transition process, putting the workers in the centre. State aid schemes should foresee air carriers' plan to diversify activities or even closure plans for airports and airlines in order to ensure a well-managed process towards the necessary downsizing of the sector and an increased offer of alternatives, like rail. Research shows that many workers of the aviation industry will have to reskill and retrain in other areas of the economy. State aid should be used to support this process, not as a lifeline to air companies.

State aid for rolling stock purchase and renewal for public transport, day and night trains, as well as investments in the refurbishment of existing rail networks and cross border bottlenecks must be encouraged in priority.

2. If you consider that lower levels of State aid, or fewer State aid measures, should be approved for activities with a negative environmental impact, what are your ideas for how that should be done?

In principle, no State aid should be granted for activities with a negative environmental impact. When this is the case, the following principles must apply:

- The measure should be justified by a clear and tightly defined public interest objective and by a market failure that makes the aid indispensable. The public interest should be identified on the basis of EU policies and legislation. Likewise, the existence of a market failure should be supported by adequate factual evidence, showing in particular that the adoption of regulatory instruments, or support to less polluting alternatives, would not achieve the intended result of the State aid measure.
- A climate and environmental impact assessment should be carried out to ensure that, when different measures are available, the least polluting one is selected.
- The measure should not be authorised when the Member State or the recipient are failing to comply with applicable environmental rules.
- The measure should be time bound and conditional to an action plan to allow the structural addressing of market failures and the phase out of State aid within the shortest possible delay. The "one time - last time" principle should apply.
- Accompanying measures and conditionalities should ensure that the costs of all negative externalities are identified, quantified and paid for by the recipient. In particular, the Commission should ensure that no profits are derived from the activities supported by the measures. When existing, such profits must be returned to the State to fund less polluting alternatives or invested in remediation.
- Finally, when the Commission considers that a State aid measure is likely to benefit a polluting activity, it should not approve it before carrying out an open and transparent in-depth investigation.

3. If you consider that more State aid to support environmental objectives should be allowed, what are your ideas on how that should be done?

a. Should this take the form of allowing more aid (or aid on easier terms) for environmentally beneficial projects than for comparable projects which do not bring the same benefits ("green bonus")? If so, how should this green bonus be defined?

The idea of a "*green bonus*" presupposes that regulatory frameworks and State aid rules do not provide sufficient incentives for undertakings to address and stop their negative impact on the environment and that, therefore, projects that do not bring environmental benefits (or, worse, that are harmful) could still benefit from aid, although to a lesser extent.

This approach is problematic because it does not address regulatory failures and may translate into an inefficient use of public resources.

National and EU rules should provide for adequate regulatory standards to meet the EGD objectives. No aid should be granted to activities and companies that do not comply with those standards. Aid that supports certain categories of undertakings in their transition towards cleaner operation should be subject to rigorous conditions, as described under question (2), aimed in particular at ensuring the full internalisation of negative impacts.

4. How should we define positive environmental benefits?

a. Should it be by reference to the EU taxonomy and, if yes, should it be by reference to all sustainability criteria of the EU taxonomy? Or would any kind of environmental benefit be sufficient?

This approach is too vague and potentially faulty. Environmental benefits should be assessed on a case-by-case basis and demonstrated concretely: for instance, the construction of a railway has environmental benefits over a motorway in abstract, but if it is not intended or designed to produce modal shift, it is not beneficial.

There should be coordination between policies and a clear definition ex ante of sought environmental benefits and objectives. Also, there should be methodologies to allow/exclude aid on the basis of environmental impacts. The polluter pays principle should be applied and negative externalities should be adequately factored in before aid is granted.

Section 2: ANTITRUST

1. Please provide actual or theoretical examples of desirable cooperation between firms to support Green Deal objectives that could not be implemented due to EU antitrust risks. In particular, please explain the circumstances in which cooperation rather than competition between firms leads to greener outcomes (e.g. greener products or production processes).

The EU is set to approve a number of legislative measures that are going to establish the principle of undertaking's responsibility for negative externalities in their supply chains. We refer, in particular, to the process towards an EU framework on Forest and Ecosystem Risk Commodities, recently endorsed by the European Parliament, and the Commission's planned Sustainable Corporate Governance Initiative.

From a broad perspective, these new laws are expected to significantly reshape the way business is organised and conducted in the EU, by requiring companies to comply with transparency, traceability and sustainability requirements and ensure that both their supply chains and the products they market in the EU do not have detrimental impacts on human rights and on the environment.

For these measures to work effectively, it is necessary that they are uniformly applied and that not only they cover large business organisations, but also micro, small and medium enterprises. Antitrust law should, both at EU and national level, offer instruments for these categories of enterprises to achieve compliance with regulatory requirements (e.g. the establishment of due diligence systems and traceability methods) via horizontal cooperation.

It would be important, in that perspective, for the Commission to provide the necessary instruments, in particular by updating the horizontal cooperation guidelines: these should include a specific chapter, clarifying the conditions for the compatibility with Article 101(3) TFEU of agreements between micro, small and medium enterprises, aimed at achieving compliance with EU environmental law requirements.

Section 3: MERGER CONTROL

The Commission must review its methodology and criteria for the assessment of mergers to ensure that their effects on the environment (and on the development and implementation on environmental policy) are adequately addressed.

In particular, the analysis of consolidation processes in markets for goods and services that are harmful to the environment (e.g. fossil fuels, chemicals or pesticides) should be extended to consider the effects of such consolidations in new and emerging markets for sustainable technologies, products and services.

The Bayer/Monsanto case stands out as an example in which the Commission failed to carry out this assessment.

In her statement on the conditional approval of the Merger, Commissioner Vestager said, with regard to the effects of the merger in the market for seeds and pesticides, that "*we need competition to make sure farmers have a choice of different products at affordable prices. And we need competition to push companies to continue develop new products that meet the high regulatory standards in Europe, to the benefit of all Europeans, consumers and farmers alike, and the environment.*"

In line with this approach, when deciding on the authorisation of the merger, DG Comp considered the effects on the market for pesticides, but did not assess the impact of the consolidation process in the agrochemical sector on the development and competitive position of agricultural practices that are not based on the use of industrial inputs.

However, the EGD and the Farm to Fork Strategy state that the medium term objective of the Union is to "*reduce the overall use and risk of chemical pesticides by 50% and the use of more hazardous pesticides by 50% by 2030*".[6] It is therefore clear that, were to happen today, the assessment of the Bayer-Monsanto merger should ensure that no additional market barriers are created to the transition towards ecological farming.

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[6] Farm to Fork Strategy, page 6.