Spain: the Government appeals before the Court of Justice of the EU the fine for pastures to Andalusia

As recently reported, in the Congress of Deputies, the Secretary General of Agriculture and Food, Carlos Cabanas, the Government of Spain has filed a complaint with the Court of Justice of the European Union, to try to reduce or cancel the fine imposed by the European Commission to Andalusia, for the financial correction derived from the problems in the admissibility of pasture lands in European agricultural aid between 2009 and 2013. A claim based on the disproportionality of the sanction.

> Cabanas has clarified that the decision of the Supreme Court to paralyze the decision of the Government that the CCAA is responsible for paying the penalty for grazing, it is a precautionary measure and does not mean that the reason is given to the Andalusian Government

One of the reasons why the Supreme Court has accepted the request for precautionary measures, Cabanas said, is pending the resolution of the claim before the European Court of Justice.

The Government's decision that the fine had to be paid 100% by the competent authorities in the control of grazing areas, was adopted by agreement of the Council of Ministers of February 17th, 2017, and appealed by the CCAA of Andalusia by contentious-administrative way.

Therefore, Cabanas has clarified the precautionary measures approved by the Supreme Court, whose practical effect is that has been suspended the payment, by the Autonomous Community to

the General State Administration, of the amounts established for this purpose in the agreement reached by Council of Ministers, will be in force until a final decision is reached that puts an end to the procedure. "Once the ruling of the Court of Justice of the European Union is published, he added, we will see how it influences the procedure before the Supreme Court."

The Secretary General has also stressed that if the Autonomous Communities affected by this fine, including Andalusia, had acted like the 5 Communities that did establish, since 2008, a coefficient of admissibility on the surfaces of permanent pastures, following the recommendations of the Ministry*, there would have been no sanction.*

Finally, he pointed out that *if the fine is not finally reduced in the Court of Justice of Luxembourg, the Government has no new elements to change its position and the consideration that the CCAA should assume its responsibility and proceed to the payment of the penalty fee.*

Source: MAPAMA