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# **Anti-competition Agreements on Agricultural Fertilizers between Cause and Effect**

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## **Authors' contributions**

*This work was carried out in collaboration between both authors. Author LP designed the study, performed the statistical analysis, wrote the protocol, and wrote the first draft of the manuscript. Author ASS managed the analyses of the study and the literature searches Both authors read and approved the final manuscript.*

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## **ABSTRACT**

The total link between plant protection products and agricultural productivity is investigated empirically in this research. The study gives statistics on the economic impacts of expanding fertilizer sales, so we raise important concerns about the cause for the expansion, which creates this growth, need or excessive consumption, according to a range of research. Fertilizer management and monitoring in accordance with the Common Agricultural Policy (CAP), with the application of the correct quantity of nitrogen at the correct time as the foundation for successful fertilizer management. The paper also looks into some of the effects of climate change on agriculture; research shows that carbon absorbers are just as important as reducing emissions, and that the two are closely linked. The findings and information on the effectiveness of agricultural methods of high-performance farms ready to provide sustainable food supply systems provide people the confidence to consume organic goods in order to ensure that their bodies are healthy. This article addresses the topic of competition law violation in the context of imports of nitrogen-based fertilizers, in this case urea, as a product utilized in agriculture, using a subject and predicate method.

*Keywords: Anti-competition; fertilizers; agricultural.*

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## 1. INTRODUCTION

The link between the Common Agricultural Policy, which influences farmers' decisions, especially those benefiting from subsidies, and the analysis of agro-ecosystems, is increasingly relevant, given the emphasis on environmental standards by the new EU Green Deal strategy. In this sense, our paper constitutes a partial contribution considering these environmental objectives in agriculture, the anti-dumping practices being predominant in this area for urea fertilizers being the case evaluated in the paper.

Agricultural practices affect the climate system Sustainable land and forest management involves the use of land resources given an optimal balance between economic growth and environmental protection. Land use emissions are the second largest contribution to greenhouse gas emissions, after fossil fuel emissions. Their causes are many, but mainly due to deforestation, poor land management, cultivation of certain types of crops, use of fertilizers and pesticides. Reducing them is an objective of the European Union and, consequently, of Romania, which could be achieved by analyzing the evolution of land use emissions and their impact on humanity and natural capital. This paper presents some observations on the impact of unfair competition in the case of urea pesticides used in agriculture.

In order to provide a validation for the perspective of the effects of anti-dumping practices on fertilizer prices, we decided to apply a direct assessment of the information extracted from Eurostat databases. In particular, starting from the productions made, we suggested a direct link between fertilizer consumption and the evolutions of the Common Agricultural Policy, and we tried to highlight a link between anti-dumping practices and the implications on agriculture taking into account the evolution of the CAP for 2015-2020. The implications of CAP policies have had an impact on the way in which farmers have adapted environmental conditions to their own productions, some adopting ecological agri-environmental models. EU Regulation no. 1307/2013 [1]. As ecological models in agriculture are more difficult to implement in subsistence agriculture, the data may be useful, especially in the perspective of territorial analysis, an impact of anti-dumping measures is relevant for a perspective of the evolution of growing agricultural adaptation to

more environmentally friendly conditions the transition to reducing carbon emissions from agriculture.

The deepening of the context in which there is a need to be concerned about the high level of fertilizer use is also given by concrete data such as the European Commission's anti-dumping investigation on imports into the Union of urea mixtures under Article 5 of Regulation 2016/1036.

This investigation was the result of a complaint lodged with producers representing more than 50% of the total Union production of mixtures of urea and ammonium nitrate this is the basis of the anti-dumping investigation concerning imports into the Union of urea and ammonium nitrate originating in X and Y.

In general, current agricultural systems are increasingly focused on reducing fertilizers and promoting an environmentally friendly agriculture, biodiversity agricultural management aiming to ensure this harmony. Against the background of increasing fertilizer sales we analyzed the market of plant protection products according to Eurostat data from 2020 [2]. Whether or not artificial fertilizer consumption was intensified or fertilizer management on the market was distorted, these simulations were due to dumping investigation in the case of the product urea. Research shows that carbon absorbers are just as important as reducing emissions and being closely interdependent, so high levels of fertilizer imports are not an effect of market demand or the attractive price of plant protection products, as reported by to Popescu [3] In the substantive analysis, we had as a starting point the investigation of urea import and the Commission's arguments in the investigated case. Thus, in the opinion of the Commission of Inquiry, issues related to the dumping conditions found to be similar between the three countries analyzed were considered relevant. Therefore, in connection with the analyzed urea product, it was found that the imports were made under the same conditions, thus being competitive, having the same potential suppliers on the same competitive market, reason for which it was appreciated that the products competed with each other because they are sold mainly by positioning and more favorable display of one's own product offer to the detriment of the offers of partners who marketed the same product and with whom it was in direct competition.

De minimis help should be regarded provided when the legal right to receive the aid is bestowed on the undertaking by the applicable national legal framework, according to the standards governing aid falling under Article 107(1) of the Treaty. All information relating to the application of this Regulation must be recorded and compiled by Member States. Such records must include all information required to show that the requirements of this Regulation have been met. Individual de minimis aid records must be kept for a period of ten fiscal years from the day the help was awarded.. State assistance is defined as a benefit given to businesses on a selective basis by national public authorities in whatever form.

## 2. MATERIALS AND METHODS

The evolution of vegetable prices from the Tempo on-line database was studied using time series in this paper. The variation coefficient was used to investigate output, yields, and price variations in the vegetable sector. Calculating the standard deviation and average evolution of particular data series on vegetable production and prices is one method for determining this coefficient. We used the methodology to take into account the EU countries' perspectives for 2015-2017. The data in investigation 2019 / C 247/01, which comes from the Commission Communication on the Recovery of Illegal and Incompatible Status, was used to conduct the verification case [4]. The communication's goal was to explain the European Union's regulations and procedures for recovering State aid, as well as how the Commission works on a case-by-case basis to combat anti-competitive behavior. Germany, France, and Ukraine were the countries or states for which the online tempo database was used, with the Commission's investment statistics being partly confidential. The data for the sample technique came from the DG Competition database of Eurostat. The database year was set to 2015, which corresponds to 2017 and 2020. Due to its widespread use in agriculture, urea fertilizer is mostly employed in vegetable cultivation. According to published studies, the focus is mostly on the benefits of environmentally friendly agriculture, but we do not rule out investigating the anti-dumping phenomenon's effects on agricultural fertilizers. In the case of specific types of fertilizers, some information could not be collected from Eurostat databases since it was confidential. The lack of and disparity of data available at various scales did not preclude a

simulation from the standpoint of CAP conditions, as a result, they were unaffected by anti-dumping practices. However, we discovered some flaws and data gaps, including a lack of data for numerous categories of indicators, including urea. The standard deviation is calculated using the formula below. DEV. Standard The absolute deviation is used to define a number of statistical dispersion measures.

The term "average absolute deviation" does not uniquely identify a measure of statistical dispersion because there are various methods for measuring absolute deviations, as well as several methods for measuring central tendency.

$$\frac{1}{n} \sum_{i=1}^n |x_i - m(X)|. \quad (1)$$

Standard Dev.

mX= considered time series

The choice of central tendency measure, m (X), has a significant impact on the mean deviation value. As a measure of data dispersion versus the mean, the variation coefficient is calculated as a ratio of standard deviation to the mean. When the variation coefficient is larger, the volatility is higher. We will briefly provide certain methodological provisions of the National Institute of Statistics and Eurostat for the right interpretation of the data, analysis, and conclusions. As a result, on 1 June 2020, the statistical survey on current output was conducted in accordance with the terms of Regulation of the European Parliament and of the Council of 19 November 2008 on statistics relating to grain production where fertilizer use is unavoidable. The statistical survey is comprehensive, and it is directed at all agricultural producers throughout the country whose primary or secondary occupation is cereal production.

### 2.1 Strategic Option

De minimis help should be regarded granted when the legal right to receive the aid is bestowed on the undertaking by the applicable national legal regime, in conformity with the standards governing aid falling within Article 107(1) of the Treaty. All data relating to the implementation of this Regulation must be recorded and compiled by Member States. All information essential to demonstrate compliance with the provisions of this Regulation must be

kept in such records. Individual de minimis aid records must be kept for a period of ten years from the date of grant. Records regarding a de minimis aid scheme shall be maintained for 10 years from the date on which the last individual aid was granted under such a scheme. State aid is defined as an advantage in any form whatsoever conferred on a selective basis to undertakings by national public authorities. As a result, individual subsidies and broad-based measures available to all businesses are not covered by this ban and do not constitute state aid (examples include general taxation measures or employment legislation). A measure must have the following characteristics to qualify as State aid:

- the intervention gives the recipient a selective advantage, for example, to specific companies or industry sectors, or to companies located in specific regions;
- the intervention gives the recipient an advantage on a selective basis, for example, grants, interest and tax reliefs, guarantees, government holdings of all or part of a company, or providing goods and services on preferential terms, etc.
- competitiveness has been distorted or is likely to be distorted;
- the intervention is likely to affect trade between Member States.

Despite the prohibition on government assistance in general, government intervention is occasionally necessary for a healthy and equitable economy. As a result, the Treaty allows for a wide range of policy objectives with which State aid is compatible. The legislation expressly states these exceptions. The regulations are updated on a regular basis to improve their efficiency and to respond to European Council suggestions for less but better targeted State aid to strengthen the European economy. The Commission adopts new laws in close coordination with the Member States.

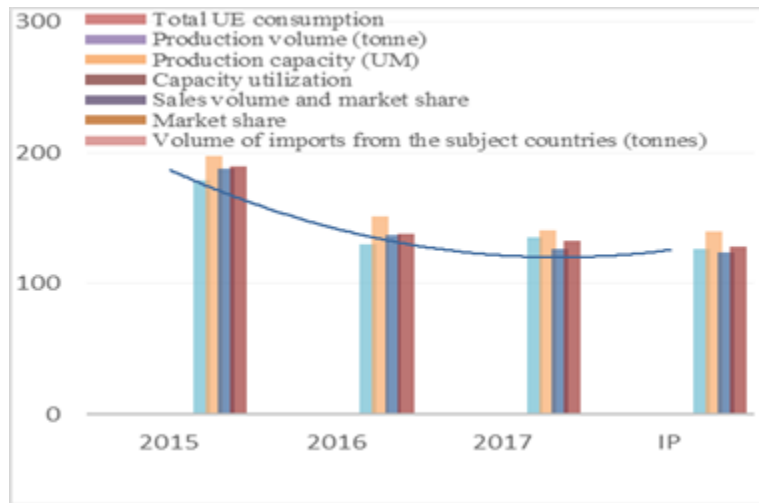
## 2.2 Agricultural Development

Many occupations are tied to farming in our region and its valuable natural resources. Farmers require 'upstream' sectors such as machinery, buildings, fuel, fertilizers, and animal health care. Others are working in 'downstream' operations, such as food preparation, processing, and packaging, as well as food storage, transportation, and retailing. In the EU, the agriculture and food sectors employ almost 40 million people. Farmers, upstream and

downstream industries all require immediate access to the most up-to-date information on agricultural challenges, farming methods, and market trends in order to function efficiently and remain modern and productive. The Common Agricultural Policy (CAP) is intended to give 18 million rural inhabitants – or 6.4 percent of the EU's rural population – with high-speed technology, upgraded internet services, and infrastructure between 2014 and 2020. Agriculture that is environmentally friendly Soils are important ecosystems that provide important services such as food, energy, and raw materials, as well as carbon sequestration, water purification and infiltration, nutrient regulation, insect control, and recreation. Soil is essential for combating climate change, defending human health, conserving biodiversity and ecosystems, and guaranteeing food security. Healthy soils are essential for achieving the European Green Deal's goals of climate neutrality, biodiversity restoration, pollution reduction, sustainable agricultural systems, and a resilient ecosystem. Farmers face a dual challenge: they must produce food while also maintaining the environment and biodiversity. For our food production and quality of life – today, tomorrow, and for future generations – it is critical to use natural resources wisely.

Article 2 of Council Regulation (EC) No 2015/1588 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (TFEU) to certain types of State aid allows the Commission to adopt a de minimis rule under which low-value aid is not considered State aid because it affects competition and/or trade between EU Member States, and thus should not be notified under Article 108 (3) TFEU.

The general de minimis regulation [Regulation (EU) no. 1407/2013] is completed by Regulation (EU) no. 360/2012, which applies to aid awarded to companies providing services of widespread economic importance. If the entire amount of de minimis aid awarded to an organization providing services of general economic interest as defined in Regulation (EU) no. 1407/2013 is less than 200,000 euros, no notification is required [5-7]. Before we can assess the importance and relevance of state aid regulation for forestry, which has unique implications for reducing agricultural greenhouse gas emissions, we must first grasp the concepts in order to analyze the de minimis aid procedure.



**Fig. 1. Support for EU farmers from overall EU budget in 2018**  
 Source owners rechrs from Eurostat data

The Commission evaluated each product type's weighted average normal value to the product's weighted average export price. Anti-dumping measures are very likely to cause some farmers to stop producing and/or continue to harm an agricultural sector that cannot transfer costs and must remain competitive in a globalized market. Fertilizer circumvention is not a successful method because the use of counterfeit or low-quality fertilizers can have irreversible effects on agricultural systems that affect the environment, causing a biosphere imbalance. For some, the parties' anti-dumping measures would be a compromise with the common agricultural policy, but the latter would be insufficient to ensure farm incomes and product competition between farmers.

Indeed, we believe that the impact of selling or not selling a commodity like urea varies depending on the type of farm or agricultural method employed in production, without impacting other sensitive components like tradition, good practices, trade ties, or, why not, the attractiveness of the goods.

Furthermore, the Commission discovered throughout its research that urea accounts for about 1% of the total expenditures of Union agriculture. It has therefore been demonstrated that a hypothetical increase in the price of the commodity as a result of the application of measures, if any, should not have a significant impact on the agricultural sector overall in the Union, but the Commission does not rule out this possibility.

In fact, the Commission notes that a single company that previously produced UAN in France is fully switching to other fertilizers and thus confines itself to offering UAN production in the Union in order to avoid justifying dumping as an alleged increase in UAN demand and implicitly the disappearance of traditional sources of supply with UAN in the Union. The statement of this hypothesis demonstrates that the orientation towards UAN is the result of a lack of supply and thus the absence of traditional sources of supply with UAN in the Union.

### 2.3 Provisional Dumping Margin

The Commission compared the weighted average normal value of each product type similar to the weighted average export price of the product.

There is a very high probability that anti-dumping measures will cause some farmers to stop producing and / or continue to harm an agricultural sector that cannot transfer costs and need to remain competitive in a globalized market, fertilizer circumvention is not a successful method of the use of counterfeit or low quality fertilizers can have irreversible effects on agricultural systems that affect the environment, creating an imbalance in the biosphere. For some, the parties' anti-dumping measures would be a compromise with the common agricultural policy, and the latter will make it insufficient to guarantee farm incomes and competition between farmers in selling products on the market.

In fact, our opinion is that in the sale or not of a product such as urea, the impact could vary depending on the type of farm or agricultural practice used in production without affecting other sensitive elements such as tradition, good practices, trade relations or why not the attractiveness of the goods.

In addition, the Commission found in the investigation that urea represents around 1% of the total costs of Union agriculture. It has thus been shown that a possible increase in the price of the product as a consequence of the imposition of measures, if any, understanding that there are no unequivocal reasons for such a measure, which does not justify evidence, should not have a significant impact on the agricultural sector overall in the Union, but the Commission does not rule out this possibility, the latter.

In fact, the Commission even notes that a single company that previously produced UAN in France is fully switching to other fertilizers and therefore confines itself to offering UAN production in the Union so as not to justify dumping as an alleged increase in UAN demand and implicitly the disappearance of traditional sources of supply with UAN in the Union, the statement of this hypothesis demonstrates that the orientation towards UAN is the effect of lack of supply and not of market distortion the justification of the distortion in this case being relative in the opinion.

**Table 1. Provisional dumping margin case 1**

<b>Society</b>	<b>Provisional dumping margin</b>
MH Limited	55,9 %
All other companies	34,0 %

*Source DG Competition*

**Table 2. Provisional dumping margin case 2**

<b>Society</b>	<b>Provisional dumping margin</b>
Grupul A	31,9 %
Grupul E	34,0 %
All other companies	34,0 %

*Source DG Competition*

In order to benefit from support according to the law, the associations of forest owners and the associative forms provided in art. 92 para. (1), must be registered in the National Register of forest owners associations, kept at the level of the central public authority responsible for

forestry. By the Decision of the High Court of Cassation and Justice no. 36/2015, the notification regarding the resolution of some legal issues was admitted and it was established that for the granting of the compensations provided by art. 97 para. (1) lit. b) of Law no. 46/2008, republished, and by art. 4 lit. s) point 4 of the Government Ordinance no. 14/2010, after January 1, 2010, there must be a favorable decision of the European Commission on state aid and the subsequent methodological norms must be adopted, under the conditions of art. 5 of the Government Ordinance no. 14/2010. Increasing the degree of accessibility of the national forest fund is a basic condition of sustainable forest management, in compliance with the provisions of management plans approved by law, in the case of protected natural areas [8].

The development of the national forest fund and the expansion of forest areas is an obligation of the central public authority responsible for forestry and a national priority, in order to ensure ecological balance at local, national and global level, and is achieved through the National Afforestation Program.

The national afforestation program is approved by a decision of the Government, at the proposal of the central public authority responsible for forestry.

The implementation of the National Afforestation Program is done through afforestation works of lands outside the national forest fund and agricultural lands, in order to improve environmental conditions and optimize the landscape, ensure and increase agricultural crops, prevent and combat soil erosion, the protection of roads, dams and banks, localities and economic, social and strategic objectives, aiming at afforestation of land with a destination other than forestry, in an area of 2 million ha, by 2035 [9].

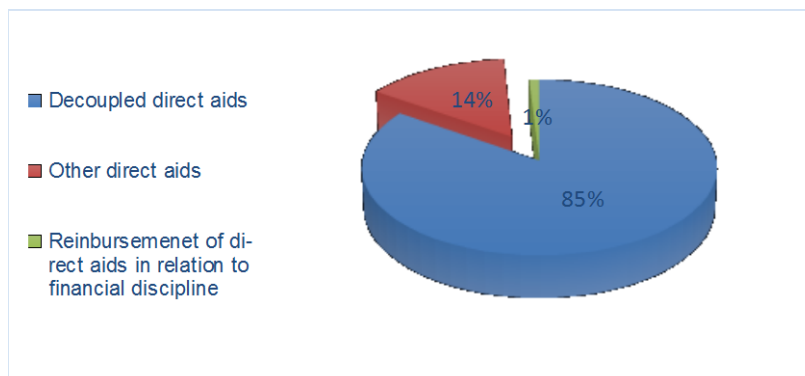
Thus, the National Directorate of Forests - Romsilva can acquire lands for afforestation, with priority degraded lands, so that the surface of the forest fund public property of the state to increase. The financing of the actions is ensured from: own funds of the National Forests Authority - Romsilva, the fund for the improvement of the forest land fund, the forest conservation and regeneration fund, as well as from the state budget.

In the acceptance of the present norm, the national forest fund represents, as the case may be, public or private property and constitutes an asset of national interest.

In order to sustainably manage the forest fund, private property of natural and legal persons and public and private property of administrative-territorial units, the state allocates annually from the budget, through the budget of the central public authority responsible for forestry, amounts for full insurance from the state budget of the costs of forestry services for the forest fund private property of natural and legal persons, if the surface of the forest property is less than or equal to 30 ha, regardless of whether or not it is included in an association; payment is made to the forest district that provides forest services, as appropriate; the forestry works are executed by

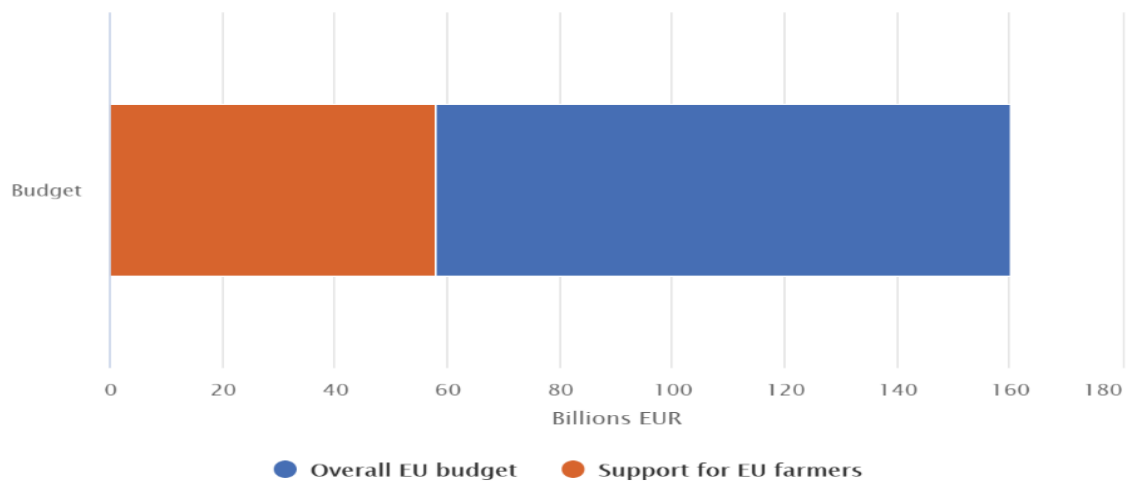
the forestry district nominated on a contract basis, for a fee, at the request of the owner / successor in rights. Thus, the notion of state aid designates any support measure that meets all the criteria provided in art. 107 para. (1) of the Treaty on the Functioning of the European Union; which does not distort competition and / or trade with Member States. \* Agricultural products are defined / listed in Annex I to the Treaty on the Functioning of the European Union(TFEU).

Farmers have a double challenge – to produce food whilst simultaneously protecting nature and safeguarding biodiversity [10,11]. Using natural resources prudently is essential for our food production and for our quality of life – today, tomorrow and for future generations.



**Fig. 2. The EU supports farmers with €58.82 billion in 2018.**

Source DG Competition



**Fig. 3. Support for EU farmers from overall EU budget in 2018;Source: DG Competition**

The scheme administrators assess whether the application comes into the category of eligible beneficiaries in order to meet the eligibility requirements. This system will be in effect from the date of this Decision's entry into force until December 31, 2020. In order to create the possibility of ex-ante verification of the eligibility of potential beneficiaries of aid measures, the provider / administrator of the state aid / de minimis measure has the obligation to upload in the General Register of state aid granted in Romania, hereinafter referred to as GAR, in accordance with the provisions of art. 29 of the Regulation on the State Aid Register, implemented by the Order of the President of the Competition Council no. 437/2016. The contracts, granting documents, payments, obligations to recover the aid and the effective reimbursement of the respective obligations related to this measure will be uploaded to RegAS within 7 working days from the date of signing the contract / act or publishing them in the Official Gazette of Romania. , respectively from the date of establishment of the payments, of the obligations to recover the aid or of the actual repayment of those obligations. Enterprises, legal and natural people engaged in economic activities who have forestry funds are eligible for de minimis aid under this scheme. De minimis aid will be supplied in the form of forestry services to legal and natural persons engaged in economic operations, as well as owners of forest funds with a total area of no more than 30 ha, whose payment.

### 3. RESULTS

According to the provisions of the Government Emergency Ordinance no. 77/2014, approved with amendments and completions by Law no. 20/2015, with subsequent amendments, and the Government Emergency Ordinance no. 66/2011 on the prevention, detection, and sanctioning of irregularities in obtaining and using European funds and/or national public funds related to them, the de minimis aid is recovered by the supplier / administrator at the supplier's disposal. If the Commission determines that existing aid is incompatible with the internal market and requires its recovery, the Member State in question must cancel the help and, where applicable, recover it within the time frame stipulated by the Commission. Recovery after the deadline is not regarded to meet the standards of European Union legislation, and it constitutes a failure to carry out the recovery decision.

In any instance, the Member State in question must secure the recovery of the illegal aid and put a stop to the violation of European Union law as soon as feasible once the recovery time has expired. The Commission should establish two deadlines for the Member State implicated in the recovery decision: (i) give detailed information on the steps it has planned and implemented to implement the decision (usually 2 months following transmission) and (ii) satisfy the duty to recover.

In the first instance, the Member State must disclose detailed information on the beneficiaries' identities, if they have not already been identified in the recovery decision, the sum to be recovered, and the appropriate national process for executing the recovery duty. The Member State concerned is free to select the national process for implementing a recovery decision, as long as it provides for the recovery decision's quick and effective implementation. The recipients from whom the aid is to be retrieved must be identified. Illegal aid that is deemed incompatible with the market must be repaid to those who have benefitted from it. Where the aid recipients are not mentioned in the recovery decision, the Member State in question must assess the unique circumstances of each activity. Private and public businesses are also subject to the same State assistance regulations under Article 345 TFEU, thus there is no distinction when it comes to recovering illicit aid.

### 4. DISCUSSION

Despite the various possibilities examined during the investigation, we feel that statements made by some Russian urea exporters claiming that some Union producers sell urea at below-market prices are untrue. Several exporting producers claimed that the probe was biased because of the irregularities in the raw material market in the natural gas market.

It's also worth noting the importance of using urea, especially in agriculture, because there are few alternatives for plant protection products that can't be replaced because they're biocompatible or because farmers use them by tradition despite a lack of nitrogen fertilizer production on the market. However, because these factors were not taken into consideration in the study, it cannot be concluded that there is a fertilizer shortage. Calcium ammonium nitrate, ammonium nitrate, and urea are some of the commodities and fertilizers available [12-14].



According to the study, in the case of EC manufactured, marketed on the local market, and exported to the Union only one product type during the IP, UAN with a nitrogen level of 32 percent, the like product was sold in representative numbers on the home market in the case of EC manufactured, marketed on the local market, and exported to the Union only one product type during the IP, UAN with a nitrogen level of 32 percent. However, in light of the common agricultural policy, it is vital to ensure that farm incomes and competitiveness are safeguarded, regardless of the impact of harsh anti-dumping measures.

A study of domestic sales found that just about 15% of total domestic sales were profitable, with the weighted average sales price falling below the cost of production. As a result, the normal value was calculated using just profitable sales as a weighted average. Manufacturing costs have been adjusted as part of the cost of production to ensure that normal company activities are being carried out (VOCN).

When calculating the net domestic sales price, Ec suggested adding an extra quota to the domestic connected trader's VAG costs, as well as a share of the VAG costs of the two producers in the same group. Ec claimed that these costs were attributable to a different level of marketing for domestic sales vs export sales, citing the fact that most domestic sales are sold directly to farmers through connected dealers. However, such a quota would not effectively reflect the net

domestic sales price if the VAG expenses spent by related domestic traders and producers are not eliminated to suitably reflect the price paid, or to be paid in full competition in the internal market. As a result of this, the claim was denied.

The primary raw material utilized in the UAN manufacturing process is natural gas, which accounts for more than half of the total production expenses. Given the different geographical region, different types of natural gas sources (such as shale gas), and Y's limited ability to export natural gas in gaseous form, the Commission concluded that the price Y (US Henry Hub Index), proposed by X stakeholders as an alternative benchmark, would not be appropriate, based on the applicant's request and the findings of previous investigations into fertilizers originating in X. (compressed natural gas or CNG).

Anti-dumping legislation would have an influence on production and the agricultural sector as a result of passing more costs to farmers, compelling them to stop producing in order to stay competitive in a globalized market. Some say that the parties' anti-dumping policies are a compromise with the common agricultural policy, which is insufficient to guarantee farm income and competitiveness. The Commission ruled against their arguments. After investigating these allegations, the Commission reached the following preliminary conclusions: - The urea manufacturer's ostensibly subsidized natural gas purchases do not cause raw material distortions.

**Table 3. Volume of imports (tonnes) and market share**

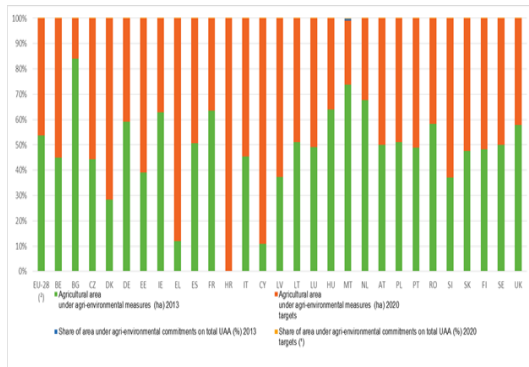
	2015	2016	3027	PA
Total Union consumption	4 803 732	4 658 736	4 783 671	4 571 721
Index	100	97	100	95

Source: Eurostat data

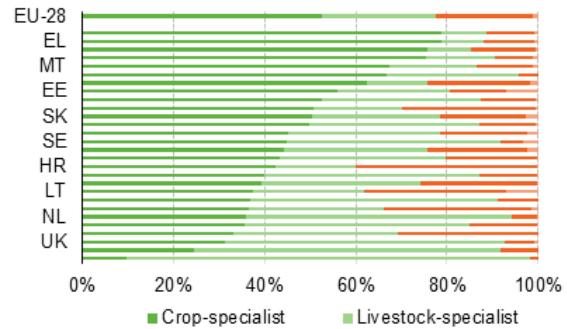
**Table 4. Import prices (EUR/tonnes)**

Column1	2015	2016	2017	IP
Import prices (EUR/tonnes)	179	130	135	126
Index	100	73	75	70
from TT (tonnes)	197	151	141	140
Index	100	77	72	71
Z	188	137	126	124
Index	100	73	67	66
Worried countries from Y (tonnes)	189	138	133	128
Index	100	73	70	68

Source: Verified questionnaire replies of the sample of Union producers



(a) Agricultural land enrolled in agri environmental measures;



(b) Specialisation of agricultural holdings, EU-28, 2016

**Fig. 4. Agricultural land enrolled in agri environmental measures; 2013 and targets for 2020**

Source: *Owner recherché* from data European Environment Agency and Eurostat data (2021)

In terms of dilution expenses, the Russian exporting producers only shipped UAN with a 32 percent nitrogen concentration during the IP. Independent clients, on the other hand, were sold UAN with a maximum nitrogen level of 32 percent by the connected importers. As a result, if the product in question was diluted with water to reduce its nitrogen level, the adjustment included the corresponding importer's extra dilution costs.

This section looks at some of the major developments in agricultural policy, focusing on two areas that are becoming increasingly important: policies aimed at enhancing the agricultural sector's environmental sustainability and changes in agricultural trade policy. Several countries have taken steps to limit the pollution caused by fertilizer use. The discrepancy between the arable area of Romania and the number of residents demonstrates that each inhabitant has around 0.41 ha of arable land, as indicated in Table 1, which is nearly double the EU average of 0.212 ha / capita.

According to the EU Green Deal Communication, "to ensure that the EU plays a critical role, the Commission will present a Biodiversity Strategy by March 2020, to be followed by real action in 2021." The strategy will include global biodiversity targets as well as promises to address the primary causes of biodiversity loss in the EU, all of which will be accompanied by quantifiable objectives that address the main causes of biodiversity loss. The biodiversity strategy will identify specific methods for achieving these objectives. Quantifiable goals, such as using the Natura 2000 network to

enhance the breadth of protected biodiversity-rich land and sea regions, could be included.

Member states should also improve cross-border cooperation to better preserve and restore the protected areas of the Natura 2000 network. The Commission will assess which policies, including legislation, would help Member States improve and restore damaged ecosystems, particularly carbon-rich ecosystems, to a healthy state." [15-18]

"It is thus necessary to scale up efforts to safeguard soil fertility, restrict soil erosion, and boost soil organic matter," the EU Biodiversity Strategy for 2030 stated in response to these pledges. Sustainable soil management measures, which should be included in the CAP, should be used to achieve this [19].

Identifying polluted soil places, recovering degraded soils, laying out the requirements for their outstanding ecological status, putting restoration targets in place, and improving soil quality monitoring all necessitate substantial progress. The EU Soil Thematic Strategy will be revised by the Commission in 2021 to address these challenges more extensively and to help the EU and international obligations on land degradation neutrality be reached. There's also the Farm to Fork initiative to consider. The strategy's purpose was to ensure that the food chain had a neutral or positive environmental impact, including the preservation, conservation, and restoration of land and soil.

Temporary removal from the agricultural circuit or, if the conditions of cross-compliance can be

respected for meadows used in hay or mixed regimes, the legislative aspects of meadows exploited by grazing could be overcome by the factual situation or the preparation of farmers and their education / ethics by measures that are not sanctions but incentives.

According to the investigation, Union traders who purchased urea from importers or directly from producers were following orders and market demand for urea, but the composition of the product necessitated special tank processing, so the transfer for processing would have resulted in the redemption of the final urea product previously sold at a lower price. The owner of the property right or his proxy submits a written request to the designated forest district that offers forest services in the vicinity of the region for which the request is made, and the de minimis aid offered by this plan is granted.

The budgetary allocations for forestry services for forest fund owners are calculated using the calculation methodology, with the caveat that when framing on relief forms, the maximum height is taken into account, even if it is variable. The monitoring, reporting, and recording of aid awarded under this scheme is done in accordance with European legislation and the regulations of the Regulation on procedures for monitoring state aid, which was put into effect by Order of the President of the Competition Council no. 175/2007. The Provider/Administrator must keep full records of the assistance awarded under this plan for a period of ten years from the date on which the final particular allocation was provided under this scheme. To prove conformity with the requirements required by European State aid legislation, this record must include the beneficiary's identifying data, the amount of assistance, the time and manner of granting the assistance, its origin, duration, and method of calculating the aid granted. The scheme's provider and administrator are obligated to monitor the de minimis aid that has been provided on a continual basis and to take appropriate action in the event of non-compliance with the scheme's or current national or European legislation.

The Ministry of Environment, Waters and Forests is required to submit to the Competition Council all data and information necessary for state aid monitoring at the national level, in the format and timeframe specified by the Regulation on state aid monitoring procedures, as implemented by the Order of the President of the Competition Council no. 175/2007, based on the data and

information received from the administrator. The Competition Council may perform on-the-spot checks if the provider's data and information show that the standards for awarding the de minimis support have not been met, or if the supplier fails to address the difficulties presented by the Competition Council.

According to article 17 of Government Emergency Ordinance no. 77/2014 on national procedures in the field of state aid, as well as for amending and supplementing Competition Law no. 21/1996, approved with modifications and completions by Law no. 20/2015, with subsequent amendments, the supplier must submit this scheme to the Competition Council for information within 15 days of its entry into force. Based on a written request issued by the European Commission, the Ministry of Environment, Waters and Forests will send all information that the European Commission deems necessary for assessing compliance with the conditions of this de minimis aid scheme, through the Competition Council, within 20 working days or within the deadline set in the request.

The Beneficiary is responsible for making relevant data and information available to the administrator/supplier in the manner and timeframe required by him in order for the administrator/supplier to complete the reporting and monitoring processes that are the administrator's and/or supplier's responsibility. All paperwork relating to the de minimis assistance provided under the plan must be retained for at least 10 years after the final particular allocation was made. This record must contain all of the information necessary to demonstrate compliance with all of the conditions imposed by the act of granting, including the beneficiary's identification data, duration, eligible costs, amount, time, and method of granting aid, as well as the origin, duration, and method of calculating aid granted.

If the surface of the forest property is less than or equal to 30 ha, a procedure for granting from the state budget the expenses of forestry services for the forest fund private property of legal and natural people who do not carry out economic activities. The granting of state aid under this procedure is based on a notarial deed submitted by the holder of the property right or his proxy to the designated forest district that provides forest services in the vicinity of a forest area that is public or private property of a unit administrative-

territorial or private property of natural and legal persons within an administrative-territorial unit.

The holder of the property right submits on the date of application, at the nominated forest district, a series of documents, application, documents regarding the property certified according to the original certificates regarding the proof of forest land registration at the administrative-territorial unit and that he is the holder of this registration, issued by the administrative unit. -territorial, copy of the identity document / registration certificate at the trade register office of the holder of the property right, certified according to the original by the holder of the original document; in order to verify the identity of the copy with the original, the owner of the property right or his proxy is obliged to present at the forest district and the original document, declaration on his own responsibility of the owner of the property right which shows that he does not own a forest fund with a larger total area. of 30 ha; declaration on the own responsibility of the holder of the property right from which to result that it does not carry out economic activity according to art. 5 lit. b) from the scheme.

## 5. CONCLUSION

Among the main constraints of current research, we can include: i) is an alternative view on the issue of impact assessment on anti-dumping practices in agriculture; iii) limited information on anti-dumping practices in agriculture by type of fertilizer or fertilizer suppliers not available due to the letter of trade secrecy. In conclusion, this paper is intended to be the first proposal for a new set of agricultural indicators related to how agriculture is affected by anti-dumping practices in fertilizers. in the period 2030-2050 [4]. According to current Eurostat statistics, pesticide usage is alarming. As a result, our recommendations must include alternate means for reducing pesticide consumption, such as converting to organic fertilizers, and we're talking about grasslands here, which should not be overlooked.

In an already creative rural environment where all the laws are obeyed, in a rural communion where if a single farmer did not align, it would produce disruptions and imbalances, coercive methods pay off. That is why there may be situations in which large areas of pastures in mountain areas, in particular, are neglected, despite receiving substantial agri-environmental subsidies, and things are not fully respected to

the environmental standard, the meadows being neglected, and a minimum of maintenance work is required to maintain and increase productivity and biodiversity, for which the European Union provides substantial agri-environmental subsidies. All of these problems point to the necessity for us to apply cumulative and quantifiable legislative actions in a community, rather than only traditional punitive measures, even if sanctions are used. The inclination of the Commission's arguments towards evasive indicators proves that atypical forms of circumvention can occur in practice, with clarifications or guidance given by the courts being an invaluable source of rules that regularize and expose situations that have arisen in practice [20]. For example, plant pests will be subject to further investigation at any time, so it is good to understand and clarify issues such as increasing the consumption of a particular protection product in a certain form, and it will be less relevant to simulate raw materials production of the product, they are indicative.

According to recent Eurostat statistics, the study reveals a number of practical implications that must be considered in order to assure greater agricultural activity without distorting the rising fertilizer market in 2020 [21]. When prevention, minimization, and source control of pollution have failed, and toxins have been able to reach the soil and pose threats to the environment and human health, soil remediation should be the final choice, according to the zero pollution hierarchy. Even urea fertilizers and related items are dismissed as secret if these rises are the result of a form of forced price increase in the Eurostat study. By 2022 the Sustainable Usage of Pesticides Directive will be amended to minimize pesticide use, risk, and reliance while also improving Integrated Pest Management [22-24]. The Commission will also examine waste regulations and amend the Mercury Regulation and Air Quality Directives in the coming years, all of which will help to minimize diffuse soil contamination and atmospheric deposition. The assessment of competition is analyzed by the causal relationship between the uncoordinated horizontal effects, such as the Commission's assessment of the uncoordinated horizontal effects, and whether the transaction will not create a significant obstacle to effective competition.

## CONSENT

Forest roads are technological transport routes, of private utility, used for: forest management,

hunting and sport fishing activities, interventions in case of damages, calamities or disasters, being closed to public traffic, except for sports, recreation and tourism activities which can be practiced only with the consent of the owner, and in the case of forests public property of the state, with the consent of their administrator.

## COMPETING INTERESTS

Authors have declared that no competing interests exist.

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