

Proposal to part III of the Convention

- On environmental and consumer protection

Contribution from Jens-Peter Bonde, proposed in collaboration with, Ulla Sandbæk and Bent Hindrup Andersen.

Introduction

The proposal has the following aims:

- ensure the highest standard of environment and consumers protection,
- Member States shall be allowed to pioneer in protection of the environment and consumers through higher standards,
- organic agriculture shall be recognized by the Union as an important part of environmental protection.

Article III-124,1 (ex Article 174)

Add: **e) promoting development and extension of organic agriculture**

Article III-124,2 (ex Article 174)	Proposed new article III-124,2 (ex Article 174)
<p>2. Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.</p> <p>In this context, harmonisation measures answering environmental protection requirements shall include, where appropriate, a safeguard clause allowing Member States to take provisional steps, for non-economic environmental reasons, subject to a procedure of inspection by the Union.</p>	<p>2. Union policy on the environment shall aim at the highest level of protection and take into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.</p> <p>In this context, harmonisation measures answering environmental protection requirements shall include a safeguard clause allowing Member States to take additional provisional steps, for environmental reasons.</p>

Article III-126 (ex Article 176)	Proposed new article III-126 (ex Article 176)
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The protective provisions adopted pursuant to [Article III-125 (ex 175)] shall not prevent any Member State from maintaining or introducing more stringent protective provisions. Such provisions must be compatible with the Constitution. They shall be notified to the Commission.	The protective provisions adopted pursuant to [Article III-125 (ex 175)] shall not prevent any Member State from maintaining or introducing more stringent protective provisions. Such provisions are compatible with the Constitution. They shall be notified to the Commission.
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Article III-127,1 (ex Article 153)	Proposed new article III-127,1 (ex Article 153)
1. In order to promote the interests of consumers and to ensure a high level of consumer protection, the Union shall contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to safeguard their interests.	1. In order to promote the interests of consumers and to ensure the highest level of consumer protection, the Union shall contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to safeguard their interests.

Article III-127,4 (ex Article 153)	Proposed new article III-127,4 (ex Article 153)
4. Acts adopted pursuant to paragraph 3 shall not prevent any Member State from maintaining or introducing more stringent protective provisions. Such provisions must be compatible with the Constitution. They shall be notified to the Commission.	4. Acts adopted pursuant to paragraph 3 shall not prevent any Member State from maintaining or introducing more stringent protective provisions. Such provisions are compatible with the Constitution. They shall be notified to the Commission.

Justification

When the EU legislates, minimum rules shall always be preferred.

Harmonisation in the field of consumer and environmental protection shall always be based on the highest level of protection and not the more arbitrary “high level”.

EU legislation may never prevent any Member State from maintaining or introducing more stringent protective provisions.

EU shall recognise organic agriculture as a measure for a sustainable environmental policy.