

SOME LEGAL ASPECTS OF AGRI-ENVIRONMENTAL EFFORTS IN THE COMMON AGRICULTURAL POLICY

GERGELY HORVÁTH

Deák Ferenc Faculty of Law and Political Sciences, Széchenyi István University

Abstract

The legal aspect of agri-environmental protection, the agri-environmental law is based on the principles of sustainable development and integration of environmental priorities into agricultural legislation and practice. The important steps of agri-environmentally relevant legislation – actuating the agri-environmental programs in the European Union – are aiming at the protection of natural values, the environmental media and strengthening food safety, the quality of agricultural products intended for human consumption.

Key words:

agri-environmental law, agri-environmental protection, sustainable development, principle of integration, CAP-reform, the human right for healthy environment

The agri-environmental law and the collection of programs that encourage improved conservation and environmental performance in agriculture, the so called agri-environmental policy of the EC (EU), which took shape in a narrow, one and a half decade before the turn of the millennium is the experiment of the achievement of sustainability in the agricultural sector. The challenge of sustainable development requests building the environmental interests into all politics of the Union, and their efficient enforcement inside them. The „integration-principle” of environmental law is the connecting link between sustainability and agri-environmental efforts.

The paradigm of sustainable development is based on environmental-, economic- and social pillars and it is necessary to consider all these three aspects in the actual measures, but their diverse heaviness has to be taken into consideration, especially in case of an interest-collision arising between them. Environmental sustainability has the primacy between the pillars according to the narrower meaning of sustainable development. The main problem is that „while the economy is growing exponentially, the earth’s natural capacities have not

increased. A team of scientists led by Mathis Wackernagel concluded in a 2002 study published by the U.S. National Academy of Sciences¹ that humanity's collective demands first surpassed the earth's regenerative capacity around 1980. Today, global demands on natural systems exceed their sustainable yield capacity by an estimated 25 percent. This means we are meeting current demands by consuming the earth's natural assets, setting the stage for decline and collapse"². There cannot be reached economic- and social sustainability for the lack of basic conditions of life, so the conservation of them has to be the prior issue.

The goal of sustainability, the „give-and-take” proposal between the extremities of the unlimited- and the zero-increase versions, was aimed in the Report of the World Commission on Environment and Development of the United Nations („Brundtland Commission”), a commission hallmarked with chairing the Norwegian Gro Harlem Brundtland. The report titled ”Our Common Future” defines tersely the concept of *sustainable development*, „which implies meeting the needs of the present without compromising the ability of future generations to meet their own needs, should become a central guiding principle of the United Nations, Governments and private institutions, organizations and enterprises”³

The primary- and secondary law of the European Union uses the term of sustainable development according to the Brundtland Commission's definition, melding the ecological-, economic- and social viewpoints, too. The Union sets itself the objective of achieving „balanced and sustainable development”⁴ from 1992. The secondary law determining the Common Agricultural Policy (CAP) of the Community is also in harmony with the Rio de Janeiro Protocol on the environment and development (1992), which called for sustainable development, the form of development achieved when agricultural exploitation technologies are compatible with the rational use of the earth, so as to ensure its productive capacity for future generations⁵.

¹ MATHIS WACKERNAGEL et al., “Tracking the Ecological Overshoot of the Human Economy,” Proceedings of the National Academy of Sciences, vol. 99, no. 14 (9 July 2002), pp. 9, 266–71; Global Footprint Network, WWF, and Zoological Society of London, Living Planet Report 2006 (Oakland, CA: Global Footprint Network, 2006), p. 14

² LESTER R. BROWN: PLAN B 3.0, Mobilizing to Save Civilization, W. W. Norton & Company, Earth Policy Institute, New York, London, 2008, p. 11

³ General Assembly Resolution 42/187, 11 December 1987., Our Common Future: Report of the World Commission on Environment and Development (Brundtland Commission). Oxford University Press, Oxford, 1987. p. 43

⁴ CONSOLIDATED VERSION OF THE TREATY ON EUROPEAN UNION, Article 2, Official Journal (OJ) C 325, 24 December 2002

⁵ See the conclusions of the “Earth Summit” on sustainable development in Johannesburg, August 26th – September 4th, 2002

The utmost theoretical basis of agri-environmental protection – besides sustainable development – must be the other one of environmental protection: the human right for healthy environment⁶, which appeared in the Principle 1 of the Stockholm Declaration of the United Nations Conference on the Human Environment⁷. The Expert Group on Identification of Principles of International Law for Sustainable Development stated that „the right to a healthy environment provides a focus to guide the integration of environment and development. Development is sustainable where it advances or realizes the right to a healthy environment.”⁸

The Aarhus Convention⁹ is the clearest statement in international law to date of a fundamental right to a healthy environment. The Convention’s objective is stated in Article 1, where it refers to the right to a healthy environment as a concrete and accepted fact (“the right of every person of present and future generations to live in an environment adequate to his or her health and well-being”)¹⁰.

Agri-environmental protection is practically doing the best endeavours to soften the growing environmental damages of agricultural land and all of the environmental elements in connection with it, pursuing agricultural activities in the highest sense of the principles of precaution, prevention and restitution. This special field of environmental protection is incarnated in the harmonisation of the agricultural policy and the environmental policy.

The legal aspect of agri-environmental protection, the agri-environmental law forms a point of contact between agrarian law and environmental law. It’s naming (agri-environmental law, Agrarumweltrecht, agroenvironnement) gives expression to it’s borderland nature.

Trying the briefest definition of agri-environmental law we can ascertain that it is the entirety of the norms of environmental law being against the environmental pollution of the agriculture. In a wide sense it contains the rules of the general part of environmental law (horizontal division, weaving in all special fields of it) and the ones of the special part (with a vertical division) which can be applied in the agricultural sector. In a narrow sense only those norms belong to it that choose as addressees exclusively environment-users of this sector.

⁶ The Constitution of the Hungarian Republic declares our right for a healthy environment as a human right (Article 18., Article 70/D)

⁷ Stockholm Declaration, part II (Principles), Principle 1

⁸ Report of the Expert Group Meeting on Identification of Principles of International Law for Sustainable Development, Geneva, Switzerland, 26–28 September 1995, paragraph 31.

⁹ Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, adopted in Aarhus, Denmark on 25 June 1998.

¹⁰ SUELI GIORGETTA: The Right to a Healthy Environment, Human Rights and Sustainable Development, In.: International Environmental Agreements: Politics, Law and Economics, Vol. 2, No. 2, 2002., Kluwer Academic Publishers, Springer Netherlands, p. 187

The more sensitive, positivist definition of agri-environmental law can be derived from the normative concept¹¹ of the environmental protection with a teleological¹² approach. Those rules of law, legislative measures and other legal devices of measure of state management, and those regulations of latter ones, that are aiming at

- the prevention or reduction of environmental risking, degradation and pollution which can be ascribed to activities bound to the agriculture directly or indirectly,
- the reduction or ceasing of damage (damaging) of the environmental media and processes in them
- the restoration of an antecedent state of them just like before the activity entailing the mentioned effects (environmental in integrum restitutio)

belong to the concept of agri-environmental law, filling it entirely.

The wider concept of agri-environmental protection annexes agri-environmental law, since the previous one includes every human activity and measure (in this manner for example legislation in this subject and all human behaviours that are prescribed by those rules of law), that is aimed at the mentioned goals.

„Environmental law and environmental protection are means and aim. They are complementary to each other, and often leave white spots on the canvas of our environment.”¹³ The relation is just the same between agri-environmental protection and agri-environmental law.

The landscape as „cultivated nature”¹⁴ is the carrier of the traces of a million-years-long human work. It is an ambivalent connection, that in this relation agriculture is a damage causing factor and and a bearer stakeholder in one, „agricultural production is the suffering subject of the pollution of the environment, but – particularly it’s intensive manner – the agent of the degradation of the environment”¹⁵.

The intensification of agriculture in Europe can be attributed mainly to the measures of CAP. The CAP, as common politics, possibly the area regulated to the highest degree, it is indicative fact of this that CAP regulations amounts to almost 50 per cent of the whole legal

¹¹ See the Hungarian act on the general rules of environmental protection, No 53. of 1995, 4. §, point 32.

¹² As per the sentence of Aristotle things must be defined from the points of their purposes, goals (teleology). See on the subject EDWARD GOLDSMITH,: Scientific Superstitions: The Cult of Randomness and the Taboo of Teleology; The Ecologist, 27/5/1996, 1997 IX.

¹³ MÁTÉ JULESZ: Interdisciplinary fields of environmental law and new branches of civil law, Journal of Legal Theory, 2003/3., <http://jesz.ajk.elte.hu/julesz15.html> (08. 04. 2008.)

¹⁴ Op. Cit., p. 104

¹⁵ LÁSZLÓ DORGAI: Az agrártermelés és a környezetvédelem EU követelmények szerinti összehangolása, Magyar Tudomány, 2002/9, p. 1181

material of the Union¹⁶, so the „intensification” of the agrarian law of the Union moved in parallel with the increase of the production volume.

The question of the environment protection appeared for the first time in the Single European Act (1987) at the level of the community's primer legal sources. It has added section 130R to the text of the Treaty of Rome, thus the member States agreed that the Community is intended to guarantee a high degree of protection for the environment and human health.

It is obvious, that environmental law is spreading in the legal system as a virus, because it orders to follow the imperative basic principle of the integration, according to which it is necessary to build the environmental priorities into the process of planning and shaping of the socio-economic conditions and into executing of all activities since they – at least potentially – may cause changes in the state of the environment. Every single planning and executive, economic and social activity in all branches of the national economy are causing environmental effects, even the preparation and creation of a legal norm and in the course of it's execution the protection of all environmental media, the interactions going on between them and the whole environment must be ensured.

For the legal aspect of the environment protection, as a „cross-lying” area of law and for the horizontal natured environment politics have to prevail spectacularly inside other law branches and in politics, too. This is a „sine qua non” of it's efficiency. Also according to European Union's primary law „environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities¹⁷ [...], in particular with a view to promoting sustainable development”¹⁸. Emphasis must be placed on putting across the principle of integration especially in the agriculture, because it is an economic sector showing one of the most considerable environmental influence.

The European story of bursting into bloom of agri-environmental measures dates back to the middle of the 1980's when the 19. paragraph of a regulation 797/85 EGK allowed for the member states to give supports from their national budget to smallholders who apply certain farming methods on environmentally sensitive areas (ESA). The concept that smallholders' switching should be favoured to more extensive production appeared at the

¹⁶ NAGY GÁBOR: Jogharmonizáció és jogalkalmazás a csatlakozást követően, AZ EURÓPAI UNIÓ AGRÁRGAZDASÁGA, 2004. 9. évf. 7. szám, p. 33

¹⁷ referred to in Article 3 of the TREATY ESTABLISHING THE EUROPEAN COMMUNITY, listing the goals of it

¹⁸ EUROPEAN UNION – CONSOLIDATED VERSIONS OF THE TREATY ON EUROPEAN UNION AND OF THE TREATY ESTABLISHING THE EUROPEAN COMMUNITY, Article 6, Volume 49, 29 December 2006, OJ, C 321 E/47

level of the community politics at the end of the 80's. This manifested soon legally in a regulation spanning a wider circle, in the wave of the CAP-reform.

The CAP-reform starting in 1992 developed the multi-purpose model's construction of the agriculture. Since then the guiding principle of the sustainable agricultural development is providing the long-term protection of natural resources. The „accompanying measures” of the CAP-reform were serving also the dampening of the agricultural overproduction¹⁹. One of them was Council Regulation (EEC) No 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside²⁰ which stated that the requirements of environmental protection are an integral part of the CAP²¹. So the statement of professor Götz made in 1990, that the Community in the future undoubtedly increasingly pledges itself strongly for agri-environmental protection²², proved true inside two years, indeed today appears true similarly and with regard to the future, in spite of all troubles.

According to this agri-environmental regulation Member States have to start multiannual zonal programmes which shall be drawn up for a minimum period of five years. These multilevel special programs, „the agri-environmental programs” are earmarking the dissemination of environmentally friendly farming techniques. The programs seek to increase environmental benefits and decrease environmental damages and can provide substantial benefits to society. The number of the programs are significantly different in the Member States, they must not cover each other, and it is important to form a coherent system, which can be easily treated from an administrative viewpoint and understandable for the smallholders, whose participating is voluntary. Though the single support programs have to be adjusted to the local conditions and priorities, the coordination with the national level is very important, because this assures efficiency and coherency.

The most important target areas of agri-environmental protection are the protection of natural values, natural resources and a related anthropocentric aim, the quality of food, the residue- and pollutant exemption (food safety) of agricultural products intended for human consumption.

¹⁹ It was realized that all measures to reduce agricultural production in the Community have a beneficial impact on the environment

²⁰ That was the so called “agri-environmental regulation”, OJ L 215, 30/07/1992 P. 85-90

²¹ Council Regulation (EEC) No 2078/92 of 30 June 1992, preamble

²² GÖTZ VOLKMAR - HUDAULT JOSEPH: Harmonisierung Des Agrarrechts in Europa, V. Agrarrechtssymposium des C.E.D.R., Göttingen 20./21. September 1990, Carl Heymanns Verlag KG, Köln, 1991, Band 37, p. 25

The reform package took action for the introduction of the so called „sustainable agriculture” by supporting low-input farming systems producing healthy food. As described in chapter 14 of Agenda 21, the major objective of sustainable agriculture and rural development is to increase food production in a sustainable way and enhance food security. Degradation of agricultural land and decline in soil fertility continue to be major threats to food security and sustainable development²³.

The CAP-reform was drawn up based on Ray MacSharry’s proposal, the essence of which was the transformation of the logic of function: guaranteeing the agricultural incomes being based on the check of the production processes, not on the high level of the prices. It was necessary to near the institution prices to the world market prices, the producers income falling out wished to be compensated with direct payments of an aid scheme. The purpose of the aid scheme is to contribute to the achievement of the Community's policy objectives regarding both agriculture and the environment²⁴.

This Community aid scheme²⁵ is intended to promote:

- the use of farming practices which reduce the polluting effects of agriculture, a fact which also contributes, by reducing production, to an improved market balance;
- an environmentally favourable extensification of crop farming, and sheep and cattle farming, including the conversion of arable land into extensive grassland;
- ways of using agricultural land which are compatible with protection and improvement of the environment, the countryside, the landscape, natural resources, the soil and genetic diversity;
- the upkeep of abandoned farmland and woodlands where this is necessary for environmental reasons or because of natural hazards and fire risks, and thereby avert the dangers associated with the depopulation of agricultural areas;
- long-term set-aside of agricultural land for reasons connected with the environment;
- land management for public access and leisure activities;
- education and training for farmers in types of farming compatible with the requirements of environmental protection and upkeep of the countryside.²⁶

²³ Sustainable agriculture and rural development, Report of the Secretary-General Economic and Social Council, Commission on Sustainable Development, Eighth session, E/CN.17/2000/7, point 35. and 57.

²⁴ Council Regulation (EEC) No 2078/92 of 30 June 1992, Article 1

²⁵ Regulation (EEC) No 2328/91 of 15 July 1991 on improving the efficiency of agricultural structures is incorporated in the scheme introduced under the Agri-environmental Regulation

²⁶ Council Regulation (EEC) No 2078/92 of 30 June 1992, Article 1

Although the rate of the co-financing²⁷ is very preferential, in the first two years of the introduction of the CAP it could not be managed to trigger the considerable part of the programs, they did not make use of the bases standing for the provision entirely. The Commission accepted 127 agri-environmental program-pockets, and shared out approximately five billion ECU-s as support-payment and agri-environmental programs were in operation in all member states already by 1996.

The agri-environmental program of the Union in its present form – despite the number correction achieved since then – seems not being able to counterbalance financial interests „in the backyard” of intensive farming. Quite considerable financial expenditure seems to be needed, which cannot be piled up that would let the Union achieve the goal of really sustainable agriculture. Nevertheless connected with the expensiveness the agricultural production methods which can prove maintaining the level of quality of the environment require a vast amount of living labour, so they can create jobs for agricultural experts and other workers.

An expert substance was made in the end of the nineties (Towards Common Agricultural and Rural Policy for Europe)²⁸, that valued the results and deficiencies of the CAP in details. The conclusion of the paper is that it is inevitable to tighten the contact between the common agricultural policy and the rural development politics to reach healthier development. In the springtime of 1999 the agreement about this came into existence on the Berlin-peak²⁹.

By creating integrated rural development the CAP was transformed into CARPE (Common Agricultural and Rural Policy for Europe). The first “rural development regulation”, Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations³⁰ repealed the Regulation (EC) No 2078/92 and quasi annexed it while simplifying the rules of it. According to this regulation the agri-environmental aid scheme should continue to encourage farmers to serve society as a whole by introducing or continuing the use of farming practices compatible with the increasing need

²⁷ The rate of Community part-financing shall be 75 % in regions covered by the objective defined in point 1 of Article 1 of Regulation (EEC) No 2052/88 and 50 % in the other regions. (Council Regulation (EEC) No 2078/92 of 30 June 1992, Article 8)

²⁸ Ld.: Towards a Common Agricultural Policy for EU: Report of an Expert Group Commission of EU Communities DGVI/AI. 1997 Figura 1.

²⁹ See: Agricultural Council: Political Agreement on CAP Reform, Newsletter 11 March 1999. European Commission Directorate general of Agricultural p. 7

³⁰ OJ L 160., 1999.6.26., P. 80-102.

to protect and improve the environment, natural resources, soil and genetic diversity and to maintain the landscape and the countryside³¹.

CHAPTER VI of the Regulation deals with “agri-environment” (that is the title of it) and gives a brief definition of it: it is a whole bulk of “agricultural production methods designed to protect the environment and to maintain the countryside”(Article 22). According to the Regulation support for agri-environment shall promote (among others):

- ways of using agricultural land which are compatible with the protection and improvement of the environment, the landscape and its features, natural resources, the soil and genetic diversity,
- an environmentally-favourable extensification of farming and management of low-intensity pasture systems,
- the conservation of high nature-value farmed environments which are under threat (Article 22).

Agri-environmental issues come in many shapes and sizes and a one-size-fits-all policy tool does not exist. Hence, harmonizing agricultural production with preferences for improved environmental quality requires a menu of policy options. How well an agri-environmental policy instrument performs (e.g., the extent of environmental gains, cost of achieving gains, and distribution of these costs) depends largely on program design and implementation. In other words, the “devil is in the detail.”³² For example land retirement programs – focused largely on soil conservation providing annual payments to farmers for retiring land from crop production – are relatively cheap and besides soil conservation they are dampening the agricultural overproduction, are stabilizing markets and in addition efficiently increase the soil’s carbon sequestration.

Agenda 2000³³ introduced the concept of the first (commodity production) and second (rural development, that contains agri-environmental efforts, too) pillars within the CAP, with the aim of strenghtening the latter one. The „mid-term review” of Agenda 2000, later renamed „Towards sustainable farming: a long-term perspective for sustainable agriculture”, but more easily referred to as the 2003 Fischler reforms, went further. According to Council Regulation (EC) No 1782/2003 of 29 September 2003³⁴ Member States shall ensure that all agricultural

³¹ COUNCIL REGULATION (EC) No 1257/1999 of 17 May 1999, preamble (31)

³² ROGER CLAASSEN, et al.: Agri-Environmental Policy at the Crossroads: Guideposts on a Changing Landscape, Economic Research Service/USDA, Washington DC, 2001, p. 1

³³ Agenda 2000: For a stronger and wider Union. COM(97) 2000 Final

³⁴ OJ L 270 , 21/10/2003, P. 01 - 69

land, especially land which is no longer used for production purposes, is maintained in good agricultural and environmental condition (Article 5 point 1.).

According to the next important step of agri-environmentally relevant legislation, Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)³⁵ support should continue to be granted to farmers to help address specific disadvantages in the areas concerned resulting from the implementation of Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds and Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora in order to contribute to the effective management of Natura 2000 sites, while support should also be made available to farmers to help address disadvantages in river basin areas resulting from the implementation of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for the Community action in the field of the water policy [Preamble (34)]. Agri-environmental payments are to be continued to play a prominent role in supporting the sustainable development of rural areas. In accordance with the polluter-pays principle³⁶ these payments should cover only those commitments going beyond the relevant mandatory standards [Preamble (35)].

While setting down the landmarks of agri-environmental protection the central question is the taking into account of the affected environmental elements, the consideration of the medial-, causal- and vital fields of environment protection that can be involved. The special fields dealt with thoroughly in the literature – according to the degree of the human-hygienic relevance and the involvement of the environmental media – the quantitative- and qualitative water protection, the similarly two-way protection of the soil, or nature conservation dealing with the only living environmental element (too), finally the one that became popular recently, the speciality dealing with the environmental risks of the genetic modifications of genetic engineering, the so-called agrár- or „green biotechnology”³⁷.

Compared to these the fields of the protection of air quality, the protection against noise- and vibration, the animal protection and the waste management are under-represented in the legislation and specialized literature of agri-environmental law because of their indirect involvement (the latter one can be caught practically just from the viewpoint of air quality

³⁵ OJ L 277, 21/10/2005 P. 01 - 40

³⁶ whoever is responsible for (potential) harming the environment must pay the expenses of (prevention or) clearing up

³⁷ This special field of agri-environmental law is the youngest one. In the German agri-environmental literature it is called shortly „Gentechnikrecht”

management and soil-, and water protection) or because of their significance regarded as relatively smaller one.

Not to be forgotten the landscape as manifold combined environmental unit³⁸, that counts as an important environment protection object from the viewpoint of agri-environmental protection. The protection of landscape serves as a part of nature conservation since landscape is a biological-geologic unit in one, it is to be included into nature conservation by the categorisation of the environment protection specialities.

When and where agricultural policies stimulate intensive use of inputs environmental risks and the loadings of the environmental media – the legal subjects protected by the above mentioned special fields of law – show being on the increase.

Although farming activities mainly lead to environmental damages, they also can provide some benefits (e. g. by holding back natural succession on grasslands), so the question of the effects of agriculture is complex. The orders of agri-environmental law are meant to be the sensible balance.

However „in the case of agriculture, the most important issue is food safety”³⁹, which is the other main goal of agri-environmental protection, offering the solution also to keep up the level of this human demand.

Literature:

[1] LESTER R. BROWN: *PLAN B 3.0, Mobilizing to Save Civilization*, New York, London, W. W. Norton & Company, Earth Policy Institute, 2008, p 399, ISBN 978-0-393-06589-3 (cloth) 978-0-393-33087-8 (pbk)

[2] SUELI GIORGETTA: *The Right to a Healthy Environment, Human Rights and Sustainable Development*, In.: *International Environmental Agreements: Politics, Law and Economics*, Vol. 2, No. 2, 2002., Kluwer Academic Publishers, Springer Netherlands, pp. 171-192, ISSN 1567-9764 (Print) 1573-1553 (Online)

[3] MÁTÉ JULESZ: *Interdisciplinary fields of environmental law and new branches of civil law*, *Journal of Legal Theory*, 2003/3., <http://jesz.ajk.elte.hu/julesz15.html> (08. 04. 2008.)

[4] LÁSZLÓ DORGAI: *Az agrártermelés és a környezetvédelem EU követelmények szerinti összehangolása*, *Magyar Tudomány*, Akaprint Kft., 2002/9, p 1181

[5] ROGER CLAASSEN, et al.: *Agri-Environmental Policy at the Crossroads: Guideposts on a Changing Landscape*, Economic Research Service/USDA, Washington DC, 2001, p 56

³⁸ TAMÁS ANDRÁS: A környezetvédelem jogi alapkérdései, ELTE Jogi Továbbképző Intézet, Bp. 1976, 73. o.

³⁹ [com/agr/env\(99\)60/final](http://www.oecd.org/olis/1999doc.nsf/LinkTo/com), The agri-environmental situation and policies in the Czech republic, Hungary and Poland, Directorate for Food, Agriculture and Fisheries, OECD, Paris, 1999, <http://www.oecd.org/olis/1999doc.nsf/LinkTo/com>, p. 15 (25. 02. 2002.)

[6] ANDRÁS TAMÁS: *A környezetvédelem jogi alapkérdései*, ELTE Jogi Továbbképző Intézet, Bp. 1976, p 96

[7] GÁBOR NAGY: *Jogharmonizáció és jogalkalmazás a csatlakozást követően*, AZ EURÓPAI UNIÓ AGRÁRGAZDASÁGA, 2004. 9. évf. 7. szám, p. 33, ISSN 1786-4518

[8] GÖTZ VOLKMAR - HUDAULT JOSEPH: *Harmonisierung Des Agrarrechts in Europa*, V. Agrarrechtssymposium des C.E.D.R., Göttingen 20./21. September 1990, Carl Heymanns Verlag KG, Köln, 1991, p140 Band 37

horvg@sze.hu

Széchenyi István University, Deák Ferenc Faculty of Law and Political Sciences, Department of Commercial, Land and Labour Law, Hungary, 9026 Győr, Áldozat 12.