

Jerzy Bieluk, Paweł A. Blaje, Dorota Łobos-Kotowska, Katarzyna Leśkiewicz Przemysław Litwiniuk, Mariusz Maciejczak Konrad Marciniuk, Silvia Nenci, Giuseppe Spoto, Cristina Vaquero-Piñeiro, Marcin Wiącek, *Legal and Economic Conditions of Planning and Implementation of EU Policies in the Agri-Food Sector*, edited by Giuseppe Spoto Collan: Quaderni di Il Diritto dell'Agricoltura, 4 Napoli: Edizioni Scientifiche Italiane, 2024, 232 páginas.



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DOI: <https://doi.org/10.24197/reecap.264.2025.332-335>

The publication deals with legal and economic aspects of the implementation and application of the solutions of the Common Agricultural Policy.

The reviewed work consists of six chapters divided into separate thematic content. The first chapter - is of an introductory nature (by G. Spoto), is a presentation of the subject of consideration and the normative scope of the study.

The second chapter entitled Legal and economic conditions of the functioning of agri-food systems. It includes publications by M. Maciejczak, The concept of a systemic approach to bioeconomy and the food systems - the synergies of CAP Strategic Plans and National Bioeconomy Strategic Concept Papers of Central and Eastern EU Member States, and K. Leskiewicz, Carbon farming as an instrument for increasing the resilience of EU food systems and agriculture.

M. Maciejczak refers to the need for transformative changes in agricultural policy, in line with the European Green Deal and the farm-to-table and bioeconomy strategies. A study aimed at assessing the synergies between national CAP strategic plans and bioeconomy documents in Central and Eastern European countries (BIOEAST participants) found that while the EU documents are consistent with each other, at the national level the convergence of objectives is medium to low. This indicates the need for better integration of national policies with EU transformation goals to strengthen their effectiveness in the area of sustainable development.

Author K. Leskiewicz examines the regulation of carbon agriculture as a transformative potential. Contrary to the first impression (carbon farming as a CO₂ emitter), this is about regenerative agriculture, which aims to absorb and accumulate CO₂ in the soil. Such practices can be crucial in the systemic transformation of food systems - a change not only technical, but also structural. CAP regulations are beginning to incorporate carbon-absorbing agriculture, marking a shift away from traditional practices toward actively addressing climate change. Forward-looking solutions are being announced, such as certification of CO₂ removal from soil - an important step toward formalizing and standardizing these practices. Certification is now a key tool in the EU economy - it ensures the compliance of activities with the set goals (climate, environmental, quality). However, there is an important question about the credibility and effectiveness of these mechanisms: Will they really ensure sustainability? Will they be an effective barrier to greenwashing (apparent environmental action)?

The third chapter, Selected aspects of agricultural property protection and basic institutions of agricultural law, includes a section by M. Wiącek, Protection of the agricultural property right and its limitations, and a section by P. Litwiniuk, Legal position of "family farm" from the perspective of European Union regulations and Polish law. The authors take up important issues of national agricultural property law, including key concepts for agricultural law - the farm in the national and EU perspective.

M. Wiącek has taken up the ever-present theme of restrictions on property rights in agriculture, which are justified by the public interest, but, the author aptly and reasonably argues, must be proportionate and consistent with the rule of law. Particular emphasis was placed on the problem of arbitrariness of public administration actions against owners of agricultural property and the need to provide formal and procedural guarantees of property protection.

The text by Prof. Litwiniuk analyzes the status of family farms in the legislation of the European Union and in the national legal systems (with particular emphasis on Poland). The author rightly raises the problem of the lack of clear regulation and the absence of real preferential mechanisms, despite political declarations to support them. For years, Poland has lacked real tools to support family farms.

The fourth chapter entitled Selected aspects of agricultural real estate management and the shaping of production space the eu and polish perspective contains a section by P. Blajer, Restrictions of agricultural real estate transactions in the light of principles of European Union law and K.

Marciniuk, Spatial planning and the development of rural areas in Poland. The considerations in this part are related to the subject of restrictions in force in Poland in the field of agricultural real estate transactions in the context of rulings of EU courts and basic issues and functions of spatial planning.

It is necessary to agree with the author P. Blajer that since the EU has so far not adopted secondary legislation on trading in agricultural real estate, the rules of property rights in this regard are left to the discretion of member states. EU countries are essentially free to shape national laws regulating agricultural real estate transactions.

Konrad Marciniuk stresses that the amendment to the Spatial Planning Act of July 7, 2023 introduced significant changes in the Polish spatial planning system. Despite this, the construction of spatial planning instruments does not fully meet the modern needs of rural development, which is multifunctional in nature.

The fifth chapter entitled Agricultural contracts and the tax environment of agriculture in the EU includes the operation of D. Łobos-Kotowska, Legal instruments of granting funds from the Common Agricultural Policy 2023-2027 and J. Bieluk, Tax conditions of agriculture in the EU countries.

Definitely this part refers to the legal solutions implementing CAP in the current perspective and the issue of the tax environment for agriculture in EU countries.

The text by D. Lobos-Kotowska analyzes the rules for granting EU funds under the strategic plan of the Common Agricultural Policy for 2023-2027. She points out the complexity of the procedures, which combine administrative and civil law methods. In the case of direct payments, the form of administrative decision predominates, while in the case of more complex projects, a mixed model is used - administrative proceedings precede the conclusion of a civil law contract, with the autonomy of the parties significantly limited

J. Bieluk touches on the topic of greening the tax system in agriculture, stressing that although this concept is gaining ground in developed countries, it has still not been implemented in practice in Poland. The author points out the necessity of reforming agricultural taxes - not only as a fiscal tool, but also as a mechanism to support pro-environmental and pro-climate measures, especially in the context of livestock production and greenhouse gas emissions. The aim of the reform should be to support family farms that use climate-neutral production methods.

The last chapter entitled Considerations and economic implications of agricultural policy: territorial identity and global value chains was compiled

by: C. Vaquero-Piñeiro, Territorial identity and Rural Development Policy participation, and S. Nenci, Navigating Agricultural Policy in the Era of Global Value Chains.

The study as a whole brings new cognitive values to the study of agricultural law. The publication is characterized by its cross-cutting and interdisciplinary - legal and economic character. The work contains studies on various threads, both from the sphere of EU agricultural law and national law.

In particular, sustainable food systems, the implementation of solutions to adapt production to climate change, such as carbon farming in Polish conditions, as well as bio-economic strategies.

The considerations undertaken in the study concern very topical and socially important issues of the common agricultural policy, regulated at the EU and national levels.

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