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Agriculture in 2040 according to the European Commission Communication “A Vision for Agriculture and Food”

L’agricoltura nel 2040
secondo la comunicazione della Commissione Europea
“Una visione per l’agricoltura e l’alimentazione”

This article aims to evaluate the legal solutions proposed in the European Commission’s Communication “A Vision for Agriculture and Food.” This Communication marks the beginning of the discussion on the new Common Agricultural Policy after 2027, setting out a vision of its development until 2040. It sets out plans for an agricultural system that will be attractive, competitive, sustainable and fair for current and future generations. The Communication contains several proposals that focus in particular on placing research, innovation, knowledge and skills at the heart of the European agri-food economy. It also identifies the challenges that Polish agriculture and agricultural law will have to face. The article assesses potential legal changes relating to the shaping the European Commission’s vision for agriculture and food.

Keywords: agriculture, Common Agricultural Policy, Common Agricultural Policy after 2027, agricultural law, European agricultural law, Agriculture 2040

L’obiettivo del presente articolo è valutare le soluzioni giuridiche proposte nella Comunicazione della Commissione Europea intitolata “Una visione per l’agricoltura e l’alimentazione”. La comunicazione avvia la discussione sulla nuova Politica Agricola Comune dopo il 2027, con una prospettiva di sviluppo fino al 2040, puntando a creare un sistema agricolo attrattivo, competitivo, sostenibile ed equo per le generazioni attuali e future. Il documento comprende diverse proposte, ponendo al centro dell’economia agroalimentare europea soprattutto la ricerca, l’innovazione, le conoscenze e le competenze, e delineando al contempo le sfide per l’agricoltura polacca e il diritto agrario. L’articolo valuta i possibili cambiamenti giuridici in linea con la visione della Commissione Europea per l’agricoltura e l’alimentazione.

Parole chiave: agricoltura, Politica Agricola Comune, Politica Agricola Comune dopo il 2027, diritto agrario, diritto agrario europeo, Agricoltura 2040

Introduction

The current financing period for the Common Agricultural Policy will come to end in less than two years, in 2027. Consequently, alongside the assessment of the legal mechanisms that have been governing the use of the funds allocated to agriculture and their effective use so far, a new European agricultural policy is currently being discussed. Many issues need to be addressed, and they range from the fundamental question of the need to co-finance agriculture to the selection of specific objectives to be achieved in the future financial perspective. Legal mechanisms that would serve the development of agriculture are also being sought. Such a debate is nothing new; it always takes place before the start of a new budgetary period. However, the current debate should resolve many issues that are not only related to agriculture, but also to innovation and climate protection.

One of the voices in the discussion is the Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 19 February 2025 termed “A vision for agriculture and food. Shaping the EU’s agricultural and food sector together, attractive for future generations.”¹ It presents the challenges that will face agriculture in the near future, not only in terms of financing, but also outlining the prospects for 2040. Certain legislative proposals have also been already submitted in the form of a draft regulation of the European Parliament and of the Council, and they lay down the conditions for the implementation of EU support under the common agricultural policy for the period 2028–2034.² However, the vision goes much further in terms of time horizon and includes a projection to 2040.

¹ Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 19 February 2025, “A vision for agriculture and food. Shaping the EU’s agricultural and food sector together, attractive for future generations,” <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52025DC0075>.

² Proposal for a Regulation of the European Parliament and of the Council establishing the conditions for the implementation of the Union support to the Common Agriculture Policy for the period from 2028 to 2034, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52025PC0560>

The aim of the considerations presented in this article is to identify the potential legal mechanisms resulting from the Communication and their impact on national regulations. The challenges facing Polish agriculture as well as the threats associated with new solutions, not only legal ones, but also financial and social, including international consequences will be identified. The analyses will be carried out by comparing the existing legal solutions with the preliminary proposals of new ones. In this respect both, Polish as well as European law, face the challenge of introducing the new rules for agricultural aid while seeking to maintain the principles of a liberal market. The vision for the development of agriculture by 2040 set out in the Communication seems to be only the beginning of the discussion on the future of European agriculture in terms of its place in the global economy, and the legislative proposals made so far do not resolve the doubts associated with the functioning of agriculture in a global environment.

There will be some research hypotheses emphasised in the paper. The first concerns the assessment of the state of Polish agricultural legislation. This legislation requires the changes and adjustments if the solutions set out in the European Commission's Communication are to be implemented. The time is passing and Polish agricultural law has not kept pace with the changes going on in the rest of EU Member States despite the fact that also in those countries changes are being introduced with a considerable delay. European and Polish regulations focus more on the conditions for granting financial aid than, for example, on the issue of the rights arising from technological solutions and their effective patenting.³ There is no uniform strategy for the development of the Polish model of agriculture 4.0. either. Another problem is the processing of data, including personal data obtained in the process of using agriculture 4.0, for example regarding GPS systems or drones.⁴ The lack of appropriate regulations in this area may prove costly in the long term, not only due to possible claims,⁵ but also because it may affect other areas of regulation.

³ R. Abbasi, P. Martinez, R. Ahmad, *The digitisation of agricultural industry – a systematic literature review on agriculture 4.0*, "Smart Agricultural Technology" 2022, vol. 2, <https://doi.org/10.1016/j.atech.2022.100042>.

⁴ M.E. Sykuta, *Big Data in Agriculture: Property Rights, Privacy and Competition in Ag Data Services*, "International Food and Agribusiness Management Review" 2016, no. 19, p. 58.

⁵ T. Pawłowski, *Przepisy i regulacje obowiązujące autonomiczne pojazdy rolnicze poruszające się po polu*, "Technika Rolnicza Ogrodnicza Leśna" 2021, no. 1.

The second hypothesis concerns the assessment of the state of Polish and European agricultural law in the context of climate change and the implementation of innovations⁶ in countries outside the EU. International agreements, including the recent agreement with the MERCOSUR countries and the association agreement with Ukraine, require that in the future vision of agriculture there is also place for the development of mechanisms that will protect the domestic market. What is needed is not only a review of climate regulations, but an introduction of aid measures and legal mechanisms capable of protecting farmers against excessive interference from agricultural products with which, under the existing legal requirements, they will not be able to compete.

Another hypothesis concerns the lack of a uniform approach in the European Union to agricultural issues. Given the diversity of economic and legal models of agriculture in the Member States, the existing mechanism within the strategic plans seems insufficient. The free internal market for EU agricultural products is also experiencing a crisis related to the concentration of production and relatively substantial price changes. The announced Communication does not seem to contain any legal and political solutions within this vision of agricultural development. Therefore, a uniform new approach to the common agricultural market needs to be developed.

1. European regulations – a challenge for the future

The European Commission's Communication "A Vision for Agriculture and Food in 2040" sets out a long-term strategy for the development of agriculture and the food sector in the EU, focusing on sustainability, innovation, digitalisation and climate resilience. The legislative proposal submitted in July 2025 for a draft regulation of the European Parliament and of the Council laying down the conditions for the implementation of Union support under the common agricultural policy for the period 2028–2034 only concerns the immediate financial perspective. The Communication outlines the time frame for the next two perspectives. For this reason, it is much more general and, unfortunately, does not address all important issues.

The main assumptions of the Communication cover five basic issues. The first of these is the green transition. Increasing the use of environmentally friendly practices, reducing greenhouse gas emissions and caring for biodiversity are the main issues identified in the Communication in this context.

⁶ A. Schaffner, *Digitisation: top value for farmers*, "Agrifuture" 2017, vol. 4, pp. 24–25.

According to the Communication, the Commission expects agriculture to reduce emissions in line with the EU's 2030 climate target. "On this basis, the Commission will consider how the agricultural sector can contribute to the EU's 2040 climate target, taking into account the specificities of the sector and focusing on its competitiveness, the need to ensure food security and the development of the bioeconomy, in dialogue with the sector and Member States, of course. This approach will be reflected in the review of the relevant legislation governing greenhouse gas emissions and removals in the agriculture and land use, land use change and forestry sectors."⁷ In this context, the concept of carbon farming and a new approach to the bioeconomy are gaining in importance.⁸

A new feature of the green transition is to be a voluntary benchmarking system for sustainability assessments on farms, thus enabling simplification and comparative analysis. This system will be voluntary for the time being, but it should help to monitor sustainable development and be used to further improve the mechanisms for achieving zero-emission targets.⁹ This idea should be viewed positively as it is voluntary. However, its widespread implementation and use should be viewed with scepticism. Without appropriate incentives, farmers will certainly not be inclined to fill in more reporting documents.

The second important issue is innovation and digitalisation in agriculture. This assumes the widespread use of modern technologies, artificial intelligence and data analytics in agriculture.¹⁰ The Communication points out that "advanced digital technologies, including artificial intelligence, combined with data from the Internet of Things (IoT) and other sources, can significantly improve operations and stimulate innovation, revolutionising the way food is produced and enabling care for the environment, the climate and people. However, the introduction of digital tools in agriculture and other parts of the food system is slow."¹¹ The implementation of artificial intelligence is becoming a challenge not only for agriculture, but for the economy in general. Legal regulations in this area must be prepared for

⁷ Communication, p. 21.

⁸ W. Ziętara, Z. Mirkowska, *Zielony Ład – w kierunku rolnictwa ekologicznego czy ekologizacji rolnictwa?*, "Zagadnienia Ekonomiki Rolnej" 2021, vol. 368, no. 3, pp. 29–54.

⁹ L.J. Cole, D. Kleijn, L.V. Dicks, J.C. Stout, S.G. Potts, M. Albrecht, J. Schepers, *A critical analysis of the potential for EU Common Agricultural Policy measures to support wild pollinators on farmland*, "Journal of Applied Ecology" 2020, vol. 57, no. 4, pp. 681–694.

¹⁰ C. Zapala, *Processing of information and personal data in agriculture within the framework of Big Data*, "Studia Iuridica" 2018, vol. 78, pp. 517–533.

¹¹ Communication, p. 29.

the various problems associated with it. The new approach presented in the Communication assumes that “the Commission will apply the ‘collect once, use many times’ principle, reducing the reporting burden on farmers, taking into account existing and already changing initiatives at EU level, such as the common European agricultural data space.”¹² The implementation of the declared principle could significantly reduce the reporting and bureaucratic burden on farmers. The only question is what specific solutions will be behind them.

The third group of issues concerns food security related to ensuring the availability of high-quality, healthy and safe food. At the same time, the communication does not provide any clear details on trade with third countries, including Ukraine, which is associated with the EU. The lack of such a vision in the document outlining the future of agriculture until 2040 raises the question of whether this is a deliberate omission or whether the Commission currently has no idea how to solve the problem of EU enlargement to include new countries. In terms of food security, a “comprehensive approach is planned to encourage investment in competitiveness, innovation, resilience and sustainability in food processing, distribution and sales, thereby addressing current gaps and challenges. The Commission will also continue to actively promote the uptake and implementation of the EU Code of Conduct on Responsible Food Business and Trade Practices.”¹³

The fourth issue is supporting farmers by promoting small and medium-sized farms and facilitating access to technology and financing. Finally, the balance between production and the environment is emphasised through the achievement of climate neutrality by 2050, with an emphasis on reducing resource consumption.

There is nothing particularly new in these general issues, as they will be defined in legislative acts which will be prepared at a later date. However, the Communication itself contains a certain vision of agriculture at least until 2040. Initially, it boils down to a rather slogan-statement: “In 2040, the Union must be a place where agriculture and food production thrive across the continent in all their diversity. A place where agriculture is attractive to future generations and the agri-food sector is competitive, resilient, adapted to future challenges and fair.”¹⁴ It should be clearly pointed out that this sentence alone provides the first answer to the question sometimes asked: should agriculture continue to be subject to common regulations? It seems

¹² Ibidem, p. 29.

¹³ Ibidem, p. 28.

¹⁴ Ibidem, p. 5.

that in a period of uncertainty related to security, including food security, it is necessary to keep agriculture not only within the common regulatory sphere, but above all within the common framework for financing agricultural policy. Even such general statements as the above confirm the need for uniform regulation of the basic problems related to the agricultural market.¹⁵

The shape of the future CAP remains an issue. The communication provides a partial answer here, stating that “the future CAP, as part of the future MFF proposals, will be simpler and more focused, so that it can support an ambitious and forward-looking EU agricultural policy. It will strike a clearer balance between regulatory and incentive-based policies that affect farmers.”¹⁶

The call for simplification of the CAP¹⁷ has already been made in previous funding periods. European law has not changed much in this area and remains quite complex. In addition, the regulation of strategic plans at national level has been left untouched. On the one hand, the choice of specific legal mechanisms by Member States was the right solution because it allowed them to respond to local needs. On the other hand, it complicated matters due to the level of European and national regulations.

An important element of the Communication is the retention of some of the existing solutions. As stated, “participatory local development tools such as LEADER/community-led local development and other forms of cooperation such as smart villages, which have proven to be effective, will continue to be developed. The concept of functional rural areas will be further developed [...].”¹⁸ In particular, the development of smart villages¹⁹ is worth highlighting, as they may in future meet both climate objectives²⁰ and be a place for digitalisation and innovation. Examples from European countries

¹⁵ K. Heyl, B. Garske, J. Stubenrauch, *Turning the EU's agricultural vision into environmental action: A performance-oriented CAP after 2027*, “*Ambio*” 2025, <https://doi.org/10.1007/s13280-025-02281-y>.

¹⁶ Communication, p. 8.

¹⁷ M. Kałużyńska, *Better Regulation*, “Biuletyn Analiz Urzędu Komitetu Integracji Europejskiej” 2003, no. 13; P. Litwiniuk, *Uproszczenia Wspólnej Polityki Rolnej – nośny slogan czy absolutna konieczność?*, “*Studia Iuridica Agraria*” 2015, vol. 13, pp. 101–116.

¹⁸ Communication, p. 25.

¹⁹ A.L. Rossouw, M. Garbutt, *Six Roles of ICT in Alleviating Depopulation of Rural Villages Through Improved Quality of Life*, “*Lecture Notes in Networks and Systems*” 2023, vol. 624, pp. 341–351.

²⁰ R.S. Sattar, M.S. Mehmood, M.H. Raza, V.P.I.S. Wijeratne, B. Shahbaz, *Evaluating adoption of climate smart agricultural practices among farmers in the Fujian Province, China*, “*Environmental Science and Pollution Research*” 2023, vol. 30.

are promising in this regard.²¹ However, it should be emphasised that there is a lack of uniform legal solutions for this approach to rural development across the EU.

2. Prospects for the development of Polish agricultural law – Poland's position

The Polish Ministry of Agriculture and Rural Development has published a preliminary assessment of the Communication.²² It has been acknowledged that among the positive aspects of this document for Poland there are: the emphasis put on the role of direct payments and attention drawn to the lack of fairness in the distribution of payments; the announcement of simplifications in the CAP (also for the current programming period, including the conditionality system); the announcement of a balance between the regulatory policy and an incentive-based policy. The announcement of the continuation and development of support for farmers operating in areas with natural constraints, organic farmers and young farmers has been welcomed, while regarding foreign trade, the Ministry welcomed the announced greater activity in promoting EU exports including assertiveness in applying the principle of reciprocity in bilateral trade relations, a partnership dialogue on agricultural and food policy, including the promotion of production standards, and the announcement of a stricter application of production standards for imported products, especially in the area of pesticides and animal welfare in response to the calls for maintaining EU values, responding to social demand and thus the voice of farmers as well.

Among the new developments that have been given initial positive assessment is the introduction of a rule prohibiting the re-entry into the EU through imports of the most dangerous pesticides once banned in the EU. The declarations that coincide with Poland's demands, among them those concerning pro-export measures or the protection of agricultural interests in negotiated agreements have also been noted with satisfaction as was the an-

²¹ M. Pělucha, *Smart Villages and Investments to Public Services and ICT Infrastructure: Case of the Czech Rural Development Programme 2007–2013*, “European Countryside” 2019, vol. 11, no. 4, pp. 584–598; T.T. Sikos, D. Szendi, *Evolution of smart village models in Hungarian Abaúj micro-region*, “Regional Statistics” 2022, vol. 12, no. 4, pp. 152–175; S. Źukowska, B. Chmiel, M. Potom, *The Smart Village Concept and Transport Exclusion of Rural Areas – A Case Study of a Village in Northern Poland*, “Land” 2023, vol. 12, no. 1.

²² Wstępna ocena Wizji dla rolnictwa i żywności, <https://www.gov.pl/web/rolnictwo/wstepna-ocena-wizji-dla-rolnictwa-i-zywnosci> [accessed on 12.06.2025].

nouncement of measures to diversify, in a manner conducive to the transition to a low-carbon economy, the supply chain in order to reduce dependence on imports of strategic raw materials, including fertilisers and plant protein.

Finally, the Ministry responded positively to the plans to continue the measures correcting the imbalance in the food chain in order to improve the position of farmers in that chain, as well as to the further work to combat unfair practices in the trading in agricultural and food products and to address the purchases of products below their production costs.

At the same time, the Polish Ministry has noted a number of debatable issues. For example, it is unclear how the European Commission intends to introduce solutions for greater targeting or simplification of support under the CAP. This general slogan of simplification, which is repeated many times in the programme documents, is extremely difficult to implement in practice. And the new nomenclature for individual measures or aid mechanisms is of no help in that regard.

The reference to digitisation, including the use of satellites, as an example of a solution helping to reduce controls and reporting obligations²³ was also assessed negatively. This system has certain limitations (as reported by Poland) such as, for example, spatial resolution that makes its use difficult on small and irregular agricultural plots. The spatial diversity and fragmentation of farms, and even more so of agricultural properties, may prove difficult to implement in practice. The assessment mechanisms with the use of these tools, already in operation, may in Poland be only effective on uniform, large properties.

The Communication pays little attention to rural development issues.²⁴ The Vision briefly refers to the development needs of these areas, pointing to the need for strong coordination between funds and policies, and particularly for a cohesion policy. This view is consistent with one of the hypotheses concerning the lack of uniform solutions for agriculture in the EU. This omission is all the more important given that rural development policy in the current perspective has been shaped by Member States. The lack of a clear vision

²³ M. Padhiary, K. Raushan, *Enhancing Agriculture Through AI vision and machine learning: the evolution of smart farming*, in: D. Thangam, *Advancements in Intelligent Process Automation*, Hershey, PA 2025, pp. 295–324.

²⁴ M. Zindler, M. Haensel, U. Fricke, T.M. Schmitt, C. Tobisch, T. Koellner, *Improving Agri-environmental Schemes: Suggestions from Farmers and Nature Managers in a Central European Region*, “Environmental Management” 2024, vol. 73, pp. 826–840, <https://doi.org/10.1007/s00267-023-01922-w>.

for the development of one of the main pillars of the CAP poses a challenge for future regulations in terms of how they should be shaped.

Finally, a very vague reference is made to the issue of EU enlargement, with only a mention of the need for gradual integration. EU enlargement (especially to include Ukraine) will require significant changes to CAP support instruments. This issue has been omitted from the Vision. From the point of view of Polish agriculture, the lack of reference to EU enlargement, and in particular the EU's association with Ukraine, is hard to understand. A large part of the price problems for agricultural products in Poland was related to the opening of the EU market to certain agricultural products from Ukraine. The failure to take this element into account in the presented vision is a significant shortcoming of the Communication.

Summary

The above considerations lead to several important conclusions. The European Commission's Communication "A Vision for Agriculture and Food" may be considered as a policy document. It is only a starting point for establishing legal regulations related to the determination of the shape of the CAP until 2040. The solutions adopted in it, focusing on the process of climate protection and the implementation of innovation, are partly a continuation of some of the existing solutions. However, the biggest problem with the presented document is what is missing from this Communication. First of all, there is no reference to issues related to EU enlargement, including Ukraine, or to issues related to the association period. No transitional mechanisms or solutions are proposed that would ensure an adequate level of competitiveness for agriculture in the EU.

Polish agricultural law will require changes and adjustments if the solutions set out in the European Commission's Communication are implemented. This requires time and discussion. Currently, relevant changes that directly affect the market are being implemented with considerable delays. This was also the case, for example, with the change in eco-schemes in the current financing period. An analysis of how to prepare for the implementation of the presented vision needs to be undertaken today. As the Ministry notes, the fragmentation of agricultural property and, consequently, the implementation of modern control procedures using satellites may be a problem. Effective regulations related to privacy protection and the implementation of post-control proposals will also be needed. Currently, there is no uniform strategy for the development of the Polish model of agriculture 4.0. Another

problem is the processing of data, including personal data, obtained when using agriculture 4.0, for example GPS systems or drones. It is necessary to develop a model of legal solutions that will prove effective in the long term.

The vision presented in the Communication also changes agricultural law in terms of climate and the implementation of innovation in non-EU countries. There are currently no effective mechanisms to protect against the opening of the agricultural market to products from outside the EU. The Communication does not refer to the application of rules equivalent to those applicable to European farmers for this type of product. Thus the competitiveness of agriculture that is emphasised in the Communication may be undermined which, together with the aforementioned omission related to EU enlargement, may lead to a rather dangerous area with a potential legal loophole that might in the long term destabilise the agricultural market.

The vision presented lacks a uniform approach to agricultural issues within the European Union. The rather cursory treatment of issues related to rural development confirms this hypothesis. It is not entirely clear what the investment part of EU agriculture will look like. Which areas of activity will receive special funding, and which of them will be attractive enough for farmers to want to take advantage of this aid and support? There is also a lack of clear guidelines on the legal framework which would give Member States the freedom to choose specific mechanisms and solutions.

The Communication presented here is the first formal document initiating the discussion on the future of the CAP after 2027. The time for discussion on this issue is shrinking. The outlined vision is an important starting point which needs to be clarified and its possible financial framework defined. Although it does not address some of the challenges facing modern agriculture, it may be developed and improved. Subsequent legislative proposals clarify this vision, but do not solve the fundamental problems discussed above.

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