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Small Farmers and the Short Food Supply Chain.

The CAP and the Californian Alternative Food Movements

as a source of potential insights

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*A Nonna Lina,
alla sua capacità di coltivare fiori dove c'è terra arida,
di trasformare ogni pasto in un gesto di amore,
di amarmi senza riserve.*

Geography may not be destiny but our surroundings shape our identities.

Where we are affects who we are.

Santa Cruz - and amazing human beings living there -

thanks for becoming the place I belong.

May we never grow old.

TABLE OF CONTENTS

LIST OF ABBREVIATIONS	
ABSTRACT	
1. Small Farmers and the Short Food Supply Chains in the EU scenario.....	Error!
Bookmark not defined.	
1.1. Introduction	Error! Bookmark not defined.
1.2. The compass that points the way	Error! Bookmark not defined.
1.3 How not to get lost: juggling in the jungle of definitions.....	Error! Bookmark not defined.
defined.	
1.3.1. Introduction	Error! Bookmark not defined.
1.3.2. Short Food Supply Chains (SFSCs)	Error! Bookmark not defined.
1.3.2.1. A plethora of definitions.....	Error! Bookmark not defined.
1.3.2.2. How are SFSCs organized?.....	Error! Bookmark not defined.
1.3.3. SFSCs and Local Food Systems (LFS)	Error! Bookmark not defined.
1.3.4. SFSCs and Alternative Food Networks (AFNs)....	Error! Bookmark not defined.
1.3.5. The impact of SFSCs: not all that glitters is gold.	Error! Bookmark not defined.
1.3.6. Support from EU Institutions.....	Error! Bookmark not defined.
1.3.7. SFSCs and their limits	Error! Bookmark not defined.
1.3.8. Small farms and small farmers	Error! Bookmark not defined.
2. Small Farmers and the Short Food Supply Chain supported by the CAP: a historical overview with a critical eye	Error! Bookmark not defined.
2.1. The Common Agricultural Policy (CAP): an overview	Error! Bookmark not defined.
defined.	
2.2. The early stage: the Treaty of Rome	Error! Bookmark not defined.
2.2.1. The fundamental principles of the CAP	Error! Bookmark not defined.

- 2.3. The roadmap to the EU Single Market: the years of excess . **Error! Bookmark not defined.**
- 2.4. The CAP at the threshold of the 1990s **Error! Bookmark not defined.**
 - 2.4.1. Criticism **Error! Bookmark not defined.**
 - 2.4.2. The role of small farmers during the first three decades of the CAP **Error! Bookmark not defined.**
 - 2.4.3. How the CAP before the reforms have impacted small-scale farming?..... **Error! Bookmark not defined.**
- 2.5. The MacSharry Reforms: the first signs of a rural development policy **Error! Bookmark not defined.**
- 2.6. Agenda 2000: the way ahead..... **Error! Bookmark not defined.**
 - 2.6.1. The twin pillars **Error! Bookmark not defined.**
 - 2.6.1.1. Pillar I **Error! Bookmark not defined.**
 - 2.6.1.2. Pillar II **Error! Bookmark not defined.**
 - 2.6.2. How Agenda 2000 took care of small farmers **Error! Bookmark not defined.**
 - 2.6.3. Agenda 2000 and effects on small farmers..... **Error! Bookmark not defined.**
- 2.7. The Small Farmers Scheme: the first attempt at CAP simplification **Error! Bookmark not defined.**
- 2.8. The compass that points the way: the 2003 CAP Reform..... **Error! Bookmark not defined.**
 - 2.8.1. The 2003 Fischler Reform: more than a mid-term CAP review **Error! Bookmark not defined.**
 - 2.8.2. New keywords for a renewed policy **Error! Bookmark not defined.**
 - 2.8.2.1. Direct payments: Decoupling and Cross-Compliance..... **Error! Bookmark not defined.**
 - 2.8.2.2. The principle of modulation and the Rural Development..... **Error! Bookmark not defined.**

2.8.3. The multifunctional agriculture	Error! Bookmark not defined.
2.8.4. The 2003 CAP reform: small farmers and its blind spots ..	Error! Bookmark not defined.
2.9. The compass that points the way: a hint of the renationalization of the CAP	Error! Bookmark not defined.
2.9.1. Introduction	Error! Bookmark not defined.
2.9.2. The renationalization and the Rural Development Policy .	Error! Bookmark not defined.
2.9.3. Predictable consequences, concerns, and oppositions	Error! Bookmark not defined.
2.9.4. The supporters of the renationalization	Error! Bookmark not defined.
2.9.5. Preliminary findings.....	Error! Bookmark not defined.
2.10. Conclusion	Error! Bookmark not defined.
3. Small Farmers and the Short Food Supply Chain supported by the CAP: the roadmap to the present time.....	Error! Bookmark not defined.
3.1. The 2013 Reform and the 2014-20 period: “The Common Agricultural Policy is not just a matter for experts. It's a policy for all Europeans”	Error! Bookmark not defined.
3.1.1. The compass that points the way: a dutiful preamble	Error! Bookmark not defined.
3.1.2. Content of the reform: innovations and major changes	Error! Bookmark not defined.
3.1.3. Pillar I	Error! Bookmark not defined.
3.1.3.1. Direct Payments	Error! Bookmark not defined.
3.1.3.2. Single Farm Payments (SFP).....	Error! Bookmark not defined.
3.1.3.2.1. An overview of the Small Farmer Scheme (SFS)	Error! Bookmark not defined.

3.1.3.3. Cross-Compliance.....	Error! Bookmark not defined.
3.1.4. Pillar II.....	Error! Bookmark not defined.
3.1.4.1. A renewed Rural Development Policy (RDP): rural areas of the future ...	Error! Bookmark not defined.
	Bookmark not defined.
3.1.5. Why do farmers need support?	Error! Bookmark not defined.
3.1.6. Small farmer’s payback.....	Error! Bookmark not defined.
3.1.6.1. Some opening considerations	Error! Bookmark not defined.
3.1.6.2. The new legal framework on behalf of small farmers	Error! Bookmark not defined.
	defined.
3.1.7. Small changes, relevant caveats, and strong criticisms.....	Error! Bookmark not defined.
	defined.
3.1.7.1. Financial aids and false expectations.....	Error! Bookmark not defined.
3.1.7.2. New opportunities for small farmers?.....	Error! Bookmark not defined.
3.1.7.3. The Omnibus Regulation: a quick overview	Error! Bookmark not defined.
3.1.8. The compass that points the way: the 2013 Reform, not a complete disaster.	
Positive outcomes and smart suggestions	Error! Bookmark not defined.
3.2. The CAP post-2020: an ambitious project	Error! Bookmark not defined.
3.2.1. Where is the CAP heading? A narrow overview of the major changes.....	Error! Bookmark not defined.
	Bookmark not defined.
3.2.2. Stakeholders’ opinions on the future CAP and small farmers’ positions in the food supply chain.....	Error! Bookmark not defined.
3.2.2.1 EU Institutions and Member States.....	Error! Bookmark not defined.
3.2.2.2. EU Farmers.....	Error! Bookmark not defined.
3.2.2.3. EU Lobbies	Error! Bookmark not defined.
3.2.2.4. EU Consumers	Error! Bookmark not defined.
3.2.3. Towards an ever greater ‘renationalization’ of the CAP?....	Error! Bookmark not defined.
	defined.

3.2.4. CAP post-2020 and new challenges	Error! Bookmark not defined.
3.2.4.1. The EU Green Deal in a nutshell	Error! Bookmark not defined.
3.2.4.2. The Farm to Fork strategy: the roadmap for a fair, healthy, and environmentally-friendly food system.....	Error! Bookmark not defined.
3.2.5. Conclusion	Error! Bookmark not defined.
4. Small Farmers and the case for Food Safety.....	Error! Bookmark not defined.
4.1. Introduction	Error! Bookmark not defined.
4.2. The EU approach to Food Safety in the field of SFSCs: a brief overview	Error! Bookmark not defined.
4.3. The principle of flexibility.....	Error! Bookmark not defined.
4.4. The flexibility approach to support small farmers: goodwill versus results.....	Error! Bookmark not defined.
4.4.1. Exclusion	Error! Bookmark not defined.
4.4.2. Derogation.....	Error! Bookmark not defined.
4.5. Some criticisms	Error! Bookmark not defined.
4.6. Time for action	Error! Bookmark not defined.
5. Small Farmers and the SFSCs across the ocean: the case for California.....	Error! Bookmark not defined.
5.1. Introduction: why California?	Error! Bookmark not defined.
5.2. Why this perspective? Constructive criticism	Error! Bookmark not defined.
5.3. Allocation of regulatory competences in the United States: an overview.....	Error! Bookmark not defined.
5.4. The missing definitions.....	Error! Bookmark not defined.
5.5. Legislation as a burden.....	Error! Bookmark not defined.
5.6. The role of Alternative Food Movements (AFMs): history, dynamics, and challenges.....	Error! Bookmark not defined.

5.7. Alternative Food Movements (AFMs) and its criticisms.....	Error! Bookmark not defined.
5.8. The EU experience: a brief overview.....	Error! Bookmark not defined.
5.8.1. Community Supported Agriculture (CSA)	Error! Bookmark not defined.
5.8.2. Famers' Market (FM).....	Error! Bookmark not defined.
5.9. EU vs California: from a top-down to a bottom-up approach	Error! Bookmark not defined.
5.10. Conclusion	Error! Bookmark not defined.
6. Conclusion	Error! Bookmark not defined.
6.1. Where did it all start?.....	Error! Bookmark not defined.
6.2. Findings on major issues.....	Error! Bookmark not defined.
6.3. EU legal scenario and its positive outcomes.....	Error! Bookmark not defined.
6.4. The EU legal scenario and its drawbacks	Error! Bookmark not defined.
6.5. The CAP support to small farmers and SFSCs throughout the history: final remarks	Error! Bookmark not defined.
6.6. Endemic barriers to SFSCs' development.....	Error! Bookmark not defined.
6.7. California vs EU: final remarks.....	Error! Bookmark not defined.
6.8. The way forward. Closing considerations.	Error! Bookmark not defined.
REFERENCES	Error! Bookmark not defined.
MONOGRAPHS & ARTICLES.....	Error! Bookmark not defined.
EU LEGISLATIVE ACTS.....	Error! Bookmark not defined.
REGULATIONS	Error! Bookmark not defined.
DIRECTIVES.....	Error! Bookmark not defined.
TREATIES.....	Error! Bookmark not defined.
EU INSTITUTIONAL ACTS	Error! Bookmark not defined.
EU COMMISSION.....	Error! Bookmark not defined.

EU PARLIAMENT	Error! Bookmark not defined.
COUNCIL OF THE EU	Error! Bookmark not defined.
CASE LAW	Error! Bookmark not defined.
CALIFORNIA LEGISLATION	Error! Bookmark not defined.
MISCELLANEOUS	Error! Bookmark not defined.
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LIST OF ABBREVIATIONS

AFIs	Alternative Food Initiatives
AFMs	Alternative Food Movements
AFNs	Alternative Food Networks
AKIS	Agricultural Knowledge and Innovation Systems
ASMs	Alternative Social Movements
AWU	Annual Working Units
BPS	Basic Payment Scheme
CAFF	Community Alliance with Family Farmers
CAP	Common Agricultural Policy
CCR	California Code of Regulation
CDFA	California Department of Food and Agriculture
CFMs	Certified Farmers' Markets
CMO	Common Market Organization
CoR	Committee of Regions
CSA	Community Supported Agriculture
CSFs	Community Supported Frameworks
DG AGRI	Directorate-General for Agriculture and Rural Development
DG ENTR	Directorate-General for Enterprise and Industry
DG IPOL	DG for Internal Policies
EAFRD	European Agricultural Fund for Rural Development
EAGF	European Agricultural Guarantee Fund
EAGGF	European Agricultural Guidance and Guarantee Fund
EC	European Commission
ECA	European Court of Auditors
ECVC	European Coordination Via Campesina
EEC	European Economic Community
EESC	European Economic and Social Committee
EFSA	European Food Safety Authority
EIP-AGRI	European Innovation Partnership
ENRD	European Network for Rural Development
EP	European Parliament
EPHA	European Public Health Alliance
EU	European Union
FAC	California Food and Agricultural Code
FADN	Farm Accountancy Data Network

FAO	Food and Agriculture Organization of the United Nations
FAS	Farm Advisory Service
FAS	Farm Advisory System
FBOs	Food Business Operators
FDA	(U.S.) Food and Drug Administration
FM	Farmers' Market
FSDN	Farm Sustainability Data Network
FSMA	Food Safety Modernization Act
GAP	Good Agricultural Practices
GATT	General Agreement on Tariffs and Trade
GFL	General Food Law
GFP	Good Farming Practices
GMP	Good Manufacturing Practices
HACCP	Hazard Analysis and Critical Control Points
LFS	Local Food System
OECD	Organisation for Economic Co-Operation and Development
PAFF	Standing Committee on Plants, Animals, Food and Feed
PDO	Protected Designation of Origin
PGI	Protected Geographical Indication
RDF	Rural Development Fund
RDP	Rural Development Policy
RFA	Regulatory Flexibility Act
SAPS	Single Area Payment Scheme
SFF	Semi-Subsistence Farming
SFP	Single Farm Payment
SFS	Small Farmers Scheme
SFSCs	Short Food Supply Chain
SME	Small and medium-sized enterprises
SO	Standard Output
SPS	Single Payment Scheme
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of European Union
TSG	Traditional Speciality Guaranteed
USA	United States of America
USDA	United States Department of Agriculture
WTO	World Trade Organization

ABSTRACT

Agricultural landscapes in the EU are undergoing fundamental changes, revealing an increasing interest in Short Food supply chains as a tool to promote both local products and their food systems. Despite small farmers are the backbone of the EU agricultural system and represent the most relevant primary mode of farming production, it seems that the policy leadership has been not sufficiently fostering their position in the socio and economic today's narrative. The present study aims at deep-diving two different issues: analyzing the role of small farmers and Short Food Supply Chains (SFSCs) within the EU legal framework in order to understand whether EU legislation supports or rather inhibits this alternative system of production and supply; and investigating the case for California, whose approach to the subject matter - often studied with soft law measures and bottom-up strategies - is a valid example from which identify potential insights that could improve the EU model.

Two different regulatory approaches fall under the scope of the present study. On the one hand, the top-down strategy adopted at the EU level and which characterized the drafting and implementation of both soft law and hard law instruments. On the other, the bottom-up scheme, that guides the political scenario and shapes the California legal framework, as part of a common law system. A combination of different methodologies has been applied: an investigation of the significant legal sources and a deep critical reading of the most notable literature available are merged with a comparison between two different systems, confined to the subject of research. This approach provides the author with enough tools to widen her perspectives and to wear interdisciplinary lens to connect sociological, environmental, and legal studies.

Chapter 1 covers a broad analysis of different definitions of small farmers and SFSCs that have been laid down at different levels. The latter is followed by a critical revision of the most significant CAP reforms in Chapter 2 and an investigation of the potential positive outcomes of the post-2020 CAP due to the advent of the 'Farm to Fork' strategy in Chapter 3. The rural development has indeed been considerably reformed, and new priorities more favorable to small farmers were set. Nevertheless, as pointed out in Chapter 4 - which gives an overview of the present legislation of the food safety system concerning small farmers -, the ambitions included in the new political approach remain unsatisfied. Chapter 5 is dedicated to the examination of California's approach to the governance of small farmers and local food systems, to understand what is the lesson that the Europeans can learn from a model more social- and less law-oriented. Due to the absence of the national political and legal intervention and the massive use of de-regulation and self-regulation strategies, Alternative Food Movements (AFMs) took the stage. Nevertheless, intervening exclusively with social measures rather than promoting a change in the existing regulatory framework seems not to bring adequate results as well. By identifying drawbacks and potential benefits of California's model, the study provides some insights as concerns the integration of the EU 'regulatory' and top-down approach with a perspective more prone to social issues, acknowledging that the narrative around agriculture cannot be reduced only to legal jargon but should be always evaluated in light of the cultural and social roots of the communities involved. Finally, Chapter 6 gathers all the outcomes of each previous section to provide an answer to the initial research question and some final remarks that allow identifying the way

forward. The current legal framework seems less and less inhibiting the support for small farmers to date but an effective integration between short and long supply chain is not yet recognizable.