



Department of
**Agriculture,
Fisheries and Food**

An Roinn
**Talmhaíochta,
Iascaigh agus Bia**

Cross Compliance Farm Advisory Service Training Module 3 2009

FAS and Good Agricultural
Environmental Condition

GAEC

Overview

FAS

GAEC Health check

Landscape Features





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FAS

The Farm Advisory System



Need for a FAS

Cross Compliance

Cross compliance is a mechanism that links full support under the first and, to some degree, second pillars (DAS and REPS) of the CAP to the compliance of farmers with rules relating to basic standards for environment, food safety, animal and plant health and animal welfare, as well as standards aimed at the maintenance of land in good agricultural and environmental condition.

Farmers must be provided with the means of obtaining information on these requirements

Legal basis of FAS

Farm advisory system

Council Regulation 1782/2003 introduced the Farm Advisory System (FAS). Article 13 requires each member state to have the FAS in place by 1 January 2007

According to Article 12 of the revised Council Regulation 73/2009

1. Member States shall operate a **system of advising** farmers on land and farm management operated by one or more designated authorities or by private bodies.
2. The farm advisory system shall cover **at least the statutory management requirements and the good agricultural and environmental condition** referred to in Chapter 1.
3. Farmers may participate in the farm advisory system on a **voluntary basis**. Member States may determine, in accordance with objective criteria, the priority categories of farmer that have access to the farm advisory system.



Situation prior to health check

- § MS obligation to set up the system by 1 January 2007
- § Farmers may participate in the system in a voluntary basis
- § MS shall give priority to the farmers who receive more than 15 000 EUR
- § The Farm Advisory System may become compulsory after the Commission report in 2010.

Situation post to health check

- § The requirement to make it compulsory for farmers in 2010 is dropped.
- § The obligatory priority for farmers receiving more than €15000 is deleted
- § MS will have more freedom to give priority to some farmers .

FAS Summary

- FAS under **CAP** Pillar payments (1st & 2nd)
 - § Aim to help farmers comply with CC requirements and standards (Art 12(2))
 - § Provision of Advice not Control
 - § Legal Basis (Arts 12 of 73/2009)
 - § Voluntary
 - § Implementation must be reported to the Commission
 - § Review by Dec 2010
 - § Member states must inform the Commission each year on the implementation of the FAS

FAS Approval Procedure

Old Procedure

§ REPS trained + Cross Compliance Training Modules

New Procedure

§ With ending of REPS DAFF has taken full responsibility for Cross Compliance FAS training based on Basic qualifications and attending Cross Compliance training modules

§ Applications to the Cross Compliance Unit



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GAEC Update



GAEC UPDATE Overview

Before and after the update

The new EU framework now
have compulsory and optional
standards

The new standards

Landscape Features

GAEC UPDATE

Before the Health Check

- § Some ambiguity on the legal position of the GAEC standards
 - § Some Member States considered GAEC standards as optional
 - § The Commission considered all standards are compulsory where appropriate in a member state

GAEC UPDATE

Before the Health Check

- § Some Member States implemented standards with no basis in the EU legal framework
- § These related to such issues as:
 - § Water
 - § Habitats/biodiversity
 - § Other.

GAEC UPDATE

Following the Health Check

- § The legal position of the GAEC standards is now clarified in the Regulation
- § Member states do not have the freedom to define GAEC standards that do not have a basis in the EU Legal framework

GAEC UPDATE

Following the Health Check

- § The EU framework is now more flexible.
- § Optional standards allow more targeting of measures
- § The framework now places more emphasis on dealing with the important issues of water and biodiversity

GAEC Legal basis....

GAEC Council Reg. 73/2009 Annex III

This is the revised Regulation which
replaces 1782/2003

GAEC UPDATE

The new framework

- § Now 3-column layout
- § Issues addressed have not changed
- § The protection and management of water added
- § Standards used to address these issues are now listed in 2 groups:
 - § **Compulsory** standards group
 - § **Optional** standards group

Good agricultural and environmental condition referred to in Article 5

Issue	Standards
<p>Soil erosion: Protect soil through appropriate measures</p>	<ul style="list-style-type: none"> — Minimum soil cover — Minimum land management reflecting site-specific conditions — Retain terraces
<p>Soil organic matter: Maintain soil organic matter levels through appropriate practices</p>	<ul style="list-style-type: none"> — Standards for crop rotations where applicable — Arable stubble management
<p>Soil structure: Maintain soil structure through appropriate measures</p>	<ul style="list-style-type: none"> — Appropriate machinery use
<p>Minimum level of maintenance: Ensure a minimum level of maintenance and avoid the deterioration of habitats</p>	<ul style="list-style-type: none"> — Minimum livestock stocking rates or/and appropriate regimes — Protection of permanent pasture — Retention of landscape features — Avoiding the encroachment of unwanted vegetation on agricultural land

Good agricultural and environmental condition referred to in Article 6

Issue	Compulsory standards	Optional standards
Soil erosion: Protect soil through appropriate measures	— Minimum soil cover	— Retain terraces
	— Minimum land management reflecting site-specific conditions	
Soil organic matter: Maintain soil organic matter levels through appropriate practices	— Arable stubble management	— Standards for crop rotations
Soil structure: Maintain soil structure through appropriate measures		— Appropriate machinery use
Minimum level of maintenance: Ensure a minimum level of maintenance and avoid the deterioration of habitats	— Retention of landscape features, including, where appropriate, hedges, ponds, ditches trees in line, in group or isolated and field margins	— Minimum livestock stocking rates or/and appropriate regimes
		— Establishment and/or retention of habitats
	— Avoiding the encroachment of unwanted vegetation on agricultural land	— Prohibition of the grubbing up of olive trees
	— Protection of permanent pasture	— Maintenance of olive groves and vines in good vegetative condition
Protection and management of water: Protect water against pollution and run-off, and manage the use of water	— Establishment of buffer strips along water courses ⁽¹⁾	
	— Where use of water for irrigation is subject to authorisation, compliance with authorisation procedures	

⁽¹⁾ Note: The GAEC buffer strips must respect, both within and outside vulnerable zones designated pursuant to Article 3(2) of Directive 91/676/EEC, at least the requirements relating to the conditions for land application of fertiliser near water courses, referred to in point A.4 of Annex II to Directive 91/676/EEC to be applied in accordance with the action programmes of Member States established under Article 5(4) of Directive 91/676/EEC.

GAEC UPDATE

Implementation

The **issue** represents the objective to reach

The **standards** are the means to use to obtain this objective

Member States must translate the standard into farmer obligation(s) to be implemented at farm level, *taking into account of the specific characteristics in the MS*

GAEC UPDATE

Compulsory Standards:

§ They *must all* be implemented by *all* Member States

Optional Standards:

§ They *may* be implemented by Member States wishing to do so

§ These may be standards whose *relevance and beneficial effects may not be sufficient to justify their implementation by all Member States.*"

GAEC UPDATE

However

§ Optional standards are compulsory when :

§ Defined in National Legislation

GAEC UPDATE

So What are the **new** Compulsory standards?

- § Retention of **landscape features** including, where appropriate, **hedges**, ponds, **ditches**, trees in line, in group or isolated and field margins"
- § Establishment of **buffer strips** along water courses
- § Where **use of water** for irrigation is subject to authorisation, must comply with authorisation procedures

GAEC UPDATE

The new optional standards?

§ *Establishment and/or retention of habitats*

GAEC UPDATE New Standards

Retention of landscape features

- § The objective or issue is to "ensure a minimum level of maintenance and avoid the deterioration of habitats"
- § Its origins are in the demands from some MS's to accommodate for the adverse effects from the abolition of the set a side obligation
- § It's already an existing standard but now further clarified
- § MS do not have the obligation to retain all these listed landscape features
- § However MS must consider if it is appropriate to retain these features and justify their final decision
- § The list is not exhaustive, other features not listed may be retained

GAEC UPDATE New Standards . . . Landscape Features

- § Control issues:
 - § Definition of the requirement:
 - § Definition of the feature (what is an hedge, watercourse, etc ?)
 - § Definition of retention (what when the hedge grows, etc?)
- § System Identification of the features
- § Methods for on-the-spot checks :
measuring, remote sensing, etc
- § Sanction rules



GAEC UPDATE ..

Buffer Strips

Establishment of buffer strips along water courses

- § The objective or issue is to *“protect water against pollution and run-off and manage the use of water”*
- § The rationale is that protection and management of water in the context of agricultural activity has increasingly become a problem in certain areas
- § MS have to define in particular what is a “buffer strip” and which “water courses” are concerned.
- § However the buffer strips must respect on the whole territory at least the requirements of land application of fertiliser resulting from the Nitrates Directive

GAEC UPDATE ..

Buffer Strips

Control issues:

§ Definition of the requirement:

§ What is a water course (identification on a map, definition by size, by water presence, etc)

§ What is a buffer strip

§ What size is the BS: Where to measure from

§ System identification of the features

§ Methods for on-the-spot checks : measuring, remote sensing, etc

§ Sanction system

GAEC UPDATE

Water for Irrigation

Where use of water for irrigation is subject to authorisation then compliance with authorisation procedures is a requirement of the GAEC cross compliance requirement

GAEC UPDATE

Habitats

Establishment and/or retention of habitats

- § The objective or issue is to “*ensure a minimum level of maintenance and avoid the deterioration of habitats*”
- § The rationale is the compensation of adverse effects of the abolition of the set a side obligation
- § This is a new standard referring to an existing issue
- § The standard is optional except where national rules exist addressing the standard

THE UPDATED GAEC

The challenge
Must now ensure its correct
implementation

Any Questions