Controls under the Direct Payment Schemes

24 May 2012

The Scale of SPS System

Farmer Applications each year covering:

- 125,000 Single Payment applicants (SPS)
- 100,000 Less Favoured Area applicants (DAS)
- 30,000 Environment Scheme applicants
- 2,000 applications for consolidation of entitlements
- 10,000 applications to transfer entitlements (50% of which involve inheritance)
- 1,000 applications for entitlements from the National Reserve
- 5% and 1% control rates for land eligibility and Cross Compliance respectively

1.8 Billion € in payments involved

Inspection types

Eligibility (5% controls)

- Single payment
- DAS
- Grassland Sheep

Cross Compliance (1% controls)

- SMR's
- GAEC

Other

Suckler cow, Grassland sheep …

Overview

Area 1 Environment

SPA's, SAC's, Groundwater, Sludge and Nitrates

Area 2 – Public, Plant & Animal Health

- SMR 6 – Pig IDR
- SMR 7 – Cattle IDR
- SMR 8 – Sheep/Goat IDR
- SMR 9 – Pesticides
- SMR 10 – Hormones – Vet. Services
- SMR 11 – Food & Feed Hygiene
- SMR 12 - TSE
- SMR 13 - 15 – Certain Animal Diseases

Overview

Area 3 – Welfare

- SMR 16 – Welfare of Calves
- SMR 17 – Welfare of Pigs – Vet. Services
- SMR 18 – Welfare of Animals

GAEC – Good Agricultural & Environmental Condition

The inspection process

First the Risk Analysis and Selection Process

A fully integrated approach taken since the DAFM inspection unit has responsibility for the majority of inspections associated with the single payment.

This ensures:

- § Complete and comprehensive Risk Analysis
- § Allows for appropriate timing of inspections to meet a range of control objectives (audit)
- § Optimises the available staff resources to meet objectives particularly payment deadlines

Risk Analysis and Selection Process

Selection procedures

1. Analyse latest years inspection findings and reductions and update the risk factors.
2. Select Remote sensing sites for land eligibility randomly throughout the country

Inspection Cycle

Complete File for each eligibility inspection generated in advance

Controlled release to satisfy all timing criteria

Inspections scheduled by the inspector and the Inspections Details Document then generated providing the inspector with all of the latest farm details he needs and which he shares with the

Controls

Announcements of on-the-spot checks

Provided that the purpose of the control is not jeopardised, on the spot checks may be announced. The announcement shall be strictly limited to the minimum time period necessary and shall not exceed 14 days. However, for on-the-spot checks concerning livestock aid applications, the notice shall, except in duly justified cases, not exceed 48 hours. Furthermore, where the legislation applicable to the acts and standards relevant to cross-compliance requires the on-the-spot check to be unannounced, those rules shall also apply in the case of on the spot checks related to cross-compliance.

Inspection Protocols

Unannounced

Visit farm, Make contact, may withdraw and revisit if no one home

Announced

Phone applicant and make appointment

Set timing to cover issues of concern

Minimise inconvenience to applicant by completing inspection as quickly as possible

On arrival

Explain and provide Explanatory Document

Details Explained to Applicant on Arrival

You have been selected for an on-farm Full Cross-compliance Inspection. The regulations require that no notification is permitted for inspections relating Food Hygiene (SMR 11), Feedstuffs (SMR 12) and Welfare of Calves and Other Animals (SMR 16 and 18).

The notification requirement for inspections relating to Identification and Registration of Animals:- Cattle (SMR7) and Sheep (SMR8) Pigs (SMR 6), can be up to 48 hours where such notice does not jeopardize the objective of the inspection.

The notification requirement for inspections relating to Birds (SMR 1), Groundwater (SMR 2), Sludge (SMR 3), Nitrates (SMR 4), Habitats (SMR 5), Pesticides (SMR 9), Animal Health (SMR 13,14,15) and GAEC can be up to 14 days where such notice does not jeopardize the objective of the inspection.

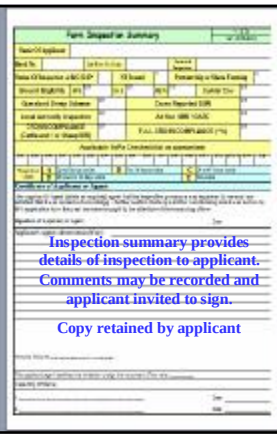
The notification requirement for inspection for Ground Eligibility can be up to 14 days where such notice does not jeopardize the objective of the inspection.

On Completion

Applicant provide with a summary of any issues on the interim notice form if any non-compliances found

Farm Inspection Summary Completed and the Applicant is invited to sign

Final notice of breaches issued which also details the appeal process available to the applicant ie



TOLERANCE

No legal basis until 2009 the health check

Now available once remedial action conducted

Is not available for such breaches where remedial action cannot be taken

Weightings and Sanctions

Sanctions are either classified as:
Negligence (1%,3%,5% reductions),
or
Intentional (15%, to 100% reductions).

Repeated breaches receive a tripling of the sanction

Weightings = 0 No sanction
Weightings = 0 - 6 = Clear with tolerance Remedial Action Notice issued & 3 months to remedy problem(s) otherwise a 1% sanction.
Weightings = 6 – 26 = 1% Sanction
Weightings = 27 – 46 = 3% Sanction
Weightings = 47+ = 5% Sanction

Weightings v Sanctions

Sanctions considered using the principles of extent, severity and permanence

Apply EXTENT where off-farm impact such as an un-notified farm-to-farm movement.
Consider SEVERITY having taken account of the non-compliance e.g. large number of animals never tagged
Consider PERMANENCE in cases where traceability cannot be established.

Summary of Inspection Procedure

Must consider an INTENT (15%, to 100%) where the non-compliance has been undertaken intentionally

Some Cross Compliance Issues

Welfare Issues important

- § Lameness in cows and sheep
- § Risk of poisoning of animals in sheds from materials stored in the shed (eg chemicals or other poisonous liquids on shelves or walls above livestock
- § Young calf housed on own
- § Sufficiency of clean dry bedding for animals

Welfare

SMR 7 – Bovine IDR

Must account for ALL animals on holding!

At inspection cases of recent animal movements or unregistered calves less than 27 days old must be checked to determine if all registration/ notification requirements have been fully complied with on time.

Online registration issues

SMR 9 Part 1 – Pesticides

Part 1 of SMR 9 assesses the storage, handling of PPPs on farm.

Checks for:

- § Dedicated storage facility/area
- § Bunded store & warning sign
- § Facility for containing spills e.g. sand/peat
- § Protective equipment/clothing for handling PPPs.

SMR 9 Part 1 – Pesticides

Record details of spraying equipment

Full inventory of chemical store is recorded & application records for previous 12 months to assess compliance with maximum rates of application and status of products used.

Checks are carried out to ensure that powders are stored above liquids (avoid contamination) and products are in their original containers.

SMR 9 - Pesticides

Importance of adequate Records

- § Checks for the existence of records on holding!
- § Where records exist but in notebook etc farmer given 5 days to return completed records.
- § Where no records are available on the day must apply appropriate weightings

SMR 11 – Food & Feed Hygiene

Feed Hygiene checks and Food Hygiene particularly in the dairy and milking equipment

Delayed health testing can be sanctioned

Herdowner written to 5 to 10 days after due test (Round) date and giving 14 days to complete the test. 5 days after this date farmer is written to restricting herd and may be sanctioned under cross compliance

For Consequential tests the period is reduced to 5 or 10 days

Maintenance of Animal Remedies Records

Land Eligibility

To Receive Payment some Basic Eligibility Requirements must be met

To be eligible to draw down a payment under the Single Payment Scheme:

- You must be actively farming eligible land
  - Which is available to you and under your control for a period including 31st May 2012.
    - The period may be Jan 1st to A date after 31st May or from a date before 31st May to Dec 31st
- For the Disadvantaged Areas Scheme and REPS, you must farm the land for the entire calendar year.

Compliance Requirements

In making application and to meet the requirements you must:

Accurately declare all land farmed by you while ensuring that all of the necessary reductions are made;

Maintain your land on in Good Agricultural and Environmental Condition (GAEC) by actively farming it;

Comply with all Statutory Management Requirements (SMR's) applying to you;

Compliance Requirements

An agricultural activity is defined as 'the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or such other actions as are required in maintaining the land in Good Agricultural and Environmental Condition (GAEC) each year'.

Compliance Requirements

GAEC Requirements:

Topping meets the GAEC requirement. However, where mechanical topping is not possible, one must choose other means such as grazing at an adequate stocking rate for the land in question to meet the GAEC requirements.

Abandoned land is totally rejected resulting in a reduced eligible area and a potentially serious payment reduction

Checks: Many controls are carried out by Remote Sensing using satellite imagery

Land Eligibility

Make an Accurate Application:

Allow for appropriate reductions for:

houses, farm buildings, yards, roadways, lakes, rivers, streams, woodland, rock, scrub, furze, bog, or land not being farmed or fenced off to exclude livestock

Land Eligibility

Ineligible land includes:

- Land you are not in control of for a period including 31 May 2011
- Land which cannot be farmed
- Land not kept in GAEC by being actively farmed including abandoned land

Land Eligibility

Indicate an appropriate reduction as an overall % or an redline exclusion as appropriate

Rock: Indicate a % reduction

Land Eligibility

Scrub reductions are required here as appropriate

Three Ineligible House Sites correctly excluded

INDICATE REDUCTIONS BY OUTLINING IN RED

Land Eligibility

New Buildings and access Road Error

Land Eligibility

A land area reduction required here

Land Eligibility

Land eligibility requirements also necessitate that:

Landscape Features which are eligible for payment are protected:

- Hedges
- Drains
- Trees in a line

Streams and rivers are not eligible areas

Eligible Landscape feature

An acceptable Hedge and Drain Landscape Feature combination

Trees in a line Landscape Feature

Streams and rivers are not Landscape Feature under the Landscape Feature Designation

Good Agricultural and Environmental Condition and

Keeping land eligible

A minimum level of land maintenance must be undertaken to ensure that land being claimed upon is not deemed abandoned and can be easily returned to normal production easily.

Main issues encountered

- § Heather
- § Bracken / ferns
- § Rushes
- § Scrub

Land Eligibility

Heather

Land Eligibility…Ferns

Marginal land traditionally farmed continues to eligible once adequately stocked

Invasive Species Encroaching on to land may incur a GAEC sanction or an land Eligibility Reduction

Good Agricultural and Environmental Condition

Keeping land eligible

Rushes

Department of Agriculture, Food and the Marine
An Roinn Talmhaíochta, Bia agus Mara

That's it