



THE DEPARTMENT OF  
**AGRICULTURE & FOOD**  
AN ROINN TALMHAÍOCHTA AGUS BIA

**THE  
SINGLE  
PAYMENT  
SCHEME**

Guide to Cross Compliance Requirements  
to be Implemented in 2006 and 2007

**August 2006**

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# Introduction

The Council of Ministers of the European Union, in endorsing the Single Payment regime clearly also recognised that farmers in receipt of payments have important responsibilities towards the protection of the environment, animal health and welfare, plant health and public health. An important cornerstone of the decoupling of direct payments from production is therefore the link between EU support for agriculture under the Single Payment Scheme and measures aimed at protecting the environment as well as achieving high standards in food safety, animal health and welfare and plant health. Under the Single Payment Scheme farmers are required to respect the various Statutory Management Requirements (SMRs) set down in EU legislation (Directives and Regulations) on the environment, public, animal and plant health and animal welfare and to maintain land in Good Agricultural and Environmental Condition (GAEC). This is known as Cross-Compliance.

The cross-compliance obligations that apply from 1 January 2005 were published in the booklet entitled *“The Single Payment Scheme – Guide to Cross Compliance”* which was issued to each farmer in April 2005. A copy of that booklet is available at [www.agriculture.gov.ie](http://www.agriculture.gov.ie).

This Booklet is the third in a series of Booklets on the Single Payment Scheme. It sets out the Cross Compliance obligations that apply under an additional 7 SMRs introduced in 2006 and a further 3 SMRs that will be introduced in 2007. This booklet is also available on the Department’s website [www.agriculture.gov.ie](http://www.agriculture.gov.ie).

Further information and an Irish version of this document is also available, by contacting

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# Nitrates

**Relevance:-** Applicable to all farmers.

The Nitrogen and Phosphorus fertiliser limits defined in Part 3 of the Nitrates Regulations, which deals with nutrient-management, will apply from 1 January 2007. This means that Cross Compliance inspections for 2006 will concentrate only on those elements of the Regulation that are legally in place since 1 February 2006. (See annex 1 for 2006 and 2007 checklist). The Department will ensure that farmers are fully informed on all of the new requirements. In this context, the Department is preparing a Nitrates Guidance document for farmers which reflects the amended regulations and consultations on this will take place with the farm organisations shortly.

The circulation of this Nitrates Guidance Document to all farmers will be accompanied by a series of information meetings for farmers around the country in the autumn.

# SMRs Applicable From 1.1.2006

	Public Animal and plant Health	EU Legislation
SMR9	Concerning the placing of plant protection products on the market	Council Directive 91/414/EEC Article 3
SMR10	Concerning the prohibition on the use in stock farming of certain substances having a hormonal or thyrostraic action and of beta-agonists.	Council Directive 96/22/EC Articles 3, 4, 5 and 7
SMR 11	General principles and requirements of food law and laying down procedures in matters of Food Safety.	Regulation (EC) No 178/2002 Articles 14,15,17(I) 18, 19 and 20
SMR 12	Rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies.	Regulation (EC) No 999/2001 Articles 7, 11, 12, 13 and 15

	Notification of Diseases	
SMR 13	Community measures for the control of foot-and-mouth disease.	Council Directive 85/511/EEC Article 3
SMR 14	General Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease.	Council Directive 92/119/EEC Article 3
SMR15	Specific provisions for control and eradication of bluetongue	Council Directive 2000/75/EEC Article 3

	Applicable from 1.1.2007 Animal Welfare	
SMR 16	Sets minimum standards for the protection of calves	Council directive 91/629/EEC Article 3 and 4
SMR 17	Sets minimum standards for the protection of pigs	Council Directive 91/630/EEC Article 3 and 4(I)
SMR 18	Rules concerning the protection of animals kept for farming purposes.	Council Directive 98/58/EC Article 4

# SMR9 Authorisation, Placing on the Market, Use and Control of Plant Protection Products.

**Relevance:** Applicable to all farmers using Plant Protection and Biocidal Products.

## Farmer Requirements

1. Only authorised or registered plant protection and biocidal products may be stored and used
2. Plant protection and biocidal products must be stored, handled and used properly as specified on current approved product labels
3. Plant protection products must when appropriate, be used in accordance with the principles of integrated control
4. Plant protection products must be used in accordance with the principles of good plant protection practice
5. Records of acquisition, use and disposal of plant protection and biocidal products must be maintained and be produced for inspection
6. Plant protection and biocidal products that are no longer approved for use must not be retained.

## Inspections

The inspecting officer will check compliance with all the requirements referred to above and will pay particular attention to ensure:

- That any pesticides being used by the farmer are approved products,
- That they are being stored handled and used properly.
- That they are used on approved crops only, at the correct dosage levels and leaving sufficient "buffer zones" so that spray does not enter water courses.
- That records of acquisition, use and disposal of plant protection and biocidal products are maintained

Evidence of misuse of pesticides from residues in products will also be checked.

**See annex 2 for inspection checklist**

# **SMR10 Concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostraic action and of beta-agonists**

**Relevance:** Applicable to all farmers keeping animals.

## **Farmer Requirements**

1. Must comply with the E.U. Hormone Ban i.e. must not administer to a farm or aquaculture animal, a substance having a thyrostraic, oestrogenic, androgenic or gestagenic action, or a beta-agonist (except in authorised animal remedies under veterinary prescription).
2. Must comply with withdrawal periods for Animal Remedies authorised under the exceptions to the Hormone Ban.

## **Inspections**

### **Inspections will involve:**

- Taking of samples and the analysis of samples at approved laboratories for the specified animal species and substance groups.
- Visiting farms selected under the targeting criteria for the detection of residues or substances.

# **SMR11** General principles and requirements of food law and laying down procedures in matters of food safety

**Relevance:** Applicable to all farmers.

## **Farmer Requirements**

1. Ensure that relevant food and feed safety requirements of food law are met at all stages of production, processing, and distribution within the businesses.
2. Maintain traceability systems.
3. Withdraw and/or recall food or feed from the market if this is not in compliance with food or feed safety requirements, and notify competent authorities

## **Inspections**

### **Inspections will involve:**

- Checks to ensure that all registered primary food producers have taken adequate steps to prevent hazardous contamination of food and feed.
- Checks to ensure the hygienic production, transport, storage and cleanliness of animals, food & feed.
- Checks on the maintenance of traceability systems.
- Checks to ensure the withdrawal of food or feed from the market not in compliance with food or feed safety requirements.

**See annex 3 for inspection checklist**

# SMR12 Rules for the prevention, control and eradication of certain transmissible encephalopathies

**Relevance:** Applicable to all livestock farmers.

## Farmer Requirements

1. Producers must not feed to ruminants protein derived from mammals.
2. Producers must not export or store feed intended for farmed animals which contains protein derived from mammals, except for feeding to dogs and cats.
3. Any animal suspected of being infected by a Transmissible Spongiform Encephalopathy (TSE) must be immediately notified to the competent authority.
4. Producers must fully comply with movement restrictions or any other notices served on that animal by the control authority under these articles.

## Inspections

### Inspections will involve checking for:

- Evidence, which demonstrates a breach of the feed control requirements.
- Evidence that farmers have notified the Department of suspect TSE animals (BSE or Scrapie).
- Evidence which demonstrates a failure to comply with movement restrictions or other notice

**See annex 4 for inspection checklist**

## **SMR13** Community measures for the control of Foot and Mouth Disease

**Relevance:** Applicable to all livestock farmers.

### **Farmer Requirements**

Farmers must notify Competent Authorities if they know or suspect animals or carcasses to be infected with Foot and Mouth Disease

#### **Inspections**

- There are no specific farm inspections for the purpose of Foot and Mouth monitoring. However, farm visits by Veterinarians for other purposes should pick up any incidence of concern in respect of foot and mouth.
- Compliance will therefore depend on notification in the event of suspicion of this disease or on confirmation of its presence by laboratory testing. In addition, inspections carried out both ante mortem and post mortem at slaughterhouses may be used to identify herds for inspection.
- DAF officers provide a 24 hour emergency service all year round to facilitate the reporting of disease.

## SMR14 General Community measures for the control of certain animal diseases and specific measures relating to Swine Vesicular Disease

**Relevance:** Applicable to all livestock farmers.

### Farmer Requirements

Farmers must notify Competent Authorities if they know or suspect animals or carcasses to be infected with notifiable diseases.

#### Inspections

- There are no specific farm inspections for the purpose of notifiable disease monitoring. Compliance with this SMR requires the farmer to notify the suspicion of a notifiable disease
- DAF officers provide a 24-hour emergency service all year round to facilitate the reporting of disease.

## SMR15 Specific provisions for control and eradication of Bluetongue

**Relevance:** Applicable to all livestock farmers.

### Farmer Requirements

Farmers must notify Competent Authorities if they know or suspect animals or carcasses to be infected with Bluetongue.

#### Inspections

- There are no specific farm inspections for the purpose of Bluetongue monitoring. Compliance with this SMR requires the farmer to notify the suspicion of the presence of Bluetongue.
- DAF officers provide a 24-hour emergency service all year round to facilitate the reporting of disease.

## **SMR16** Minimum standards for the protection of calves

**Relevance:** Applicable to all livestock farmers.

### **Farmer Requirements**

Farmers are required to comply fully with national legislation which implements the E.U. requirements covering the welfare of calves.

### **Inspections**

Inspections will involve checks for compliance with National Legislation including:

- Conditions for rearing calves
- Specific welfare requirements for :
  - Accommodation
  - Tethering
- Feeding, food, water and colostrum

## SMR17 Minimum standards for the protection of pigs

**Relevance:** Applicable to all livestock farmers.

### Farmer Requirements

Farmers are required to comply fully with national legislation which implements the E.U. requirements covering the welfare of pigs.

### Inspections

Inspections will involve checks for compliance with national legislation including:

- Conditions for rearing and fattening pigs
- Specific welfare requirements for:
  - All pigs
  - Boars
  - Sows and gilts
  - Piglets
  - Weaners and rearing pigs

## **SMR18** Rules concerning the protection of animals kept for farming purposes

**Relevance:** Applicable to all livestock farmers.

### **Farmer Requirements**

Farmers are required to comply fully with the national legislation which implements the E.U. requirements covering the welfare of animals kept for farming purposes.

#### **Inspections**

Inspections will involve checks for compliance with national legislation including:

- Staffing, inspection and record keeping
- Freedom of movement
- Buildings and accommodation
- Animals not kept in buildings
- Automatic or mechanical equipment
- Feed, water and other substances
- Breeding procedures

# ANNEX 1 – Nitrates Checklist

## Livestock Manures and other Organic Fertilisers

- Is there visual evidence of inadequate collection of livestock manure, other organic fertilisers, soiled water or silage effluent.
- Is there visual evidence of inadequate management of the storage facilities for livestock manure, other organic fertilisers, soiled water or silage effluent.
- Is there visual evidence of structural defects in the storage facilities in use leading to direct or indirect runoff to groundwater or surfacewater
- Where reduced storage capacity conditions are in place due to outwintering, does the holding fail to satisfy the outwintering requirements
- Has FYM been stored in such a way or location that it breached the requirements of the Regulations
- Is there evidence that farmyard manure is or has been stockpiled on land during the prohibited spreading period

**Note:-** Under the Nitrates Regulations farmers are subject to a 170 Kilograms of organic nitrogen per hectare per calendar year with effect from 1 February 2006. Ireland has applied for a derogation from the 170kg figure to 250kg per hectare.

## Landspreading of Chemical and Organic Fertiliser

- Is there evidence that chemical fertiliser has been applied within 1.5 m of a surface watercourse.
- Is there evidence that Organic Fertiliser or Soiled water has been applied within the minimum buffer zones for water extraction points as specified in the Regulations.
- Is there evidence that Organic Fertiliser or Soiled Water has been applied within 20 m of a lake shoreline.
- Is there evidence that Organic Fertiliser or Soiled Water has been applied within 15 m of exposed cavernous or karstified limestone features.
- Is there evidence that Organic Fertiliser or Soiled Water been applied within 5 m of a surface watercourse or 3 m as applicable under certain conditions as specified in the Regulations.

## Application of Chemical and Organic Fertilisers

- Is there evidence of the spreading of chemical fertiliser or organic fertiliser including farmyard manure during a prohibited spreading period.
- Is there evidence of a poor spread pattern of livestock manure, other organic fertilisers or soiled water on the land.
- Is there evidence of the application of fertilisers or soiled water to land that is waterlogged, flooded, snow covered, frozen or when heavy rain is forecast.
- Is there evidence of the application of fertilisers or soiled water to steeply sloping ground where there is a significant risk of causing water pollution because of proximity to water, ground conditions, ground cover or rainfall.
- Is there evidence of the application of organic fertiliser or soiled water using an upward facing splashplate, or sludge irrigator mounted on a tanker.
- Is there evidence of the application of organic fertiliser or soiled water from a road or passageway.
- Is there evidence of the application of soiled water in quantities exceeding 25,000 l/ha in any 42 day period (3mm per hour by irrigation) in extreme vulnerability areas or 50,000l/ha in other areas (5mm per hour by irrigation).

# ANNEX 1 – Nitrates Checklist Contd.

## **Ploughing and use of non-selective herbicides**

- Is there evidence that grassland has been ploughed between 16th October and 30th November
- Is there evidence of insufficient emergence of green cover by 1st November after the ploughing of grassland between 1st July and 15th October
- Is there evidence, where arable land has been ploughed between 1st July and 15th January, of insufficient emergence of green cover within 6 weeks of the ploughing
- Is there evidence of insufficient emergence of green cover within 6 weeks of the application of a non-selective herbicide between 1st July and 15th January
- Is there evidence of the complete removal of required green cover, by ploughing or the use of non-selective herbicide, before the 15th January unless a crop is sown within two weeks of its removal

## **The following is an additional checklist for cross-compliance inspections that will be undertaken during 2007 and subsequent years.**

- Is there evidence that the holding exceeded the maximum fertilisation rates of available nitrogen or phosphorus in the relevant calendar year
- Is there evidence that clean water is not being diverted to a clean water outfall to minimise soiled water generation
- Is there evidence that all required records are not being maintained and retained
- Is there evidence of inadequate storage capacity for pig manure on or off the holding

**Note:** In relation to other livestock manures, where a farmer currently has insufficient storage capacity, he/she has until 31 December 2008 to provide adequate storage facilities.

## ANNEX 2 – Pesticide Checklist

- Are plant protection and biocidal products segregated from food and feed
- Are the storage facilities used dedicated to storage of chemicals
- Are the storage facilities enclosed, secure and constructed such that leakages and spillages are retained within the store
- Is a warning sign displayed on the entrance to the store
- Are powders stored separately from or above liquids
- Are plant protection and biocidal products stored in their original containers, in good condition, with approved labels attached
- Are scales (and a check-weight) and graduated measures (e.g. jugs) designated for sole use for weighing / measuring plant protection and biocidal products available
- Are facilities for soaking up small spillages or leakages available (e.g. bucket of sand or peat).
- Are protective clothing and equipment available and are they clean and properly maintained
- Are records of purchases, acquisitions, disposal or return of plant protections and biocidal products maintained (i.e. date; supplier; company to which returned / disposal company; brand name; PCS number; quantity or volume).
- Are records of use of plant protection and biocidal products maintained (i.e. date; crop; material or surface treated; area treated; brand name; PCS number; quantity of product applied).
- Is application equipment in use suitable for purpose
- Has application equipment in use been properly calibrated
- Are all products used and stored, currently registered or were registered at time of purchase or acquisition
- Do all registered products used, have approved packaging and labels
- Are all registered products used and stored, appropriate for the crops grown and enterprises on the farm
- Are inspection findings indicative of use in accordance with approved label instructions or are the results of -
  - residue monitoring and
  - results of analyses of samples takenconsistent with use of products in accordance with approved label instructions
- Are inspection findings indicative of use in accordance with the Principles of Good Plant Protection Practice or are the results of -
  - residue monitoring and
  - results of analyses of samples takenconsistent with use of products in accordance with the Principles of Good Plant Protection Practice
- Where appropriate are inspection findings indicative of use in accordance with Integrated Control Techniques or are the results of –
  - residue monitoring and
  - results of analyses of samples takenconsistent with use of products in accordance with Integrated Control Techniques

# ANNEX 3 – Food/Feed Hygiene Checklist

## Feed Business operators including farmers

- Is there evidence that the use of feed additives and veterinary medicinal products are not used correctly
- Is there evidence that feed is not transported, stored and fed separately from chemicals and other products prohibited for animal feed to avoid hazardous contamination.
- Is there evidence that medicated and non-medicated feeds are not stored and or handled in such a manner as to prevent contamination and avoid feeding to non-target animals
- Is there evidence that feed has been sourced and used from establishments which are not registered based on a check of farm records
- Is there evidence that the necessary records in respect of feed hygiene, including pre-mixtures and medicated feed, are not being maintained

## Dairy Herds

- Is there evidence that dairy and milking parlour are not kept in good repair
- Is there evidence that fittings and equipment are not clean or not in good condition or not free of toxic materials
- Is there evidence of inadequate separation of the dairy / milking parlour from sources of contamination
- Is there evidence that internal surfaces that are intended to come in contact with milk are dirty
- Is drainage inadequate and are drains without traps
- Is the milk tank incapable of cooling milk to 8°C if collected daily or to 6°C if collected every 2nd day or longer
- Are hand washing facilities inadequate
- Is the supply of water inadequate for the dairy
- Is there inadequate storage for chemicals and cleansing materials
- Is there evidence that cow housing is constructed in such a way that cows are dirty
- Is there evidence that cow housing, yards and passageways are not kept in good repair or are not free from accumulation of dung
- Is milk from Brucellosis and/or TB infected animals entering the food chain
- Is there evidence that the isolation of infected, or suspected of being infected animals, is not effective
- Is there evidence that the milking animals are not in a good general state of health
- Is there evidence that teats, udders and adjacent parts are dirty
- Is there evidence of the use of unauthorised or illegal substances
- Is there evidence that milk from animals with clinical signs of udder disease is not excluded from human consumption
- Is there evidence that withdrawal periods have not been observed in the case of the use of authorised products or substances requiring milk withholding periods
- Is there evidence that a required entry has not been recorded in the Animal Remedies Register in respect of animals being treated
- Is there evidence that, animals undergoing a treatment likely to transfer residues to milk, are not clearly identified.
- Is there evidence that teat dips and sprays are used in a manner that produces unacceptable residue levels in milk

## **ANNEX 3 – Food/Feed Hygiene Checklist Contd.**

### **Egg Requirements**

- Is there evidence that eggs produced for sale are not kept clean, dry, free from extraneous odour and out of direct sunshine

### **General Requirements**

- Is there evidence of inadequate controls to prevent the introduction and spread of contagious diseases transmissible to humans through food, including by not taking precautionary measures when introducing new animals and reporting suspected outbreaks of such diseases to the competent authority
- Is there evidence that plant protection products and biocides are not used correctly
- Is there evidence that the applicant has not taken remedial action when informed of problems during official controls
- Is there evidence that the applicant has failed to implement any requirements imposed as a result of any relevant analysis carried out on samples
- Is there evidence that facilities and equipment are dirty and where necessary not disinfected after use
- Is there evidence that the necessary records in respect of veterinary medicines and food hygiene are not being maintained
- Is there evidence of inadequate control of vermin on the farm
- Is there evidence that storage and handling of waste and hazardous substances are not adequate to prevent contamination of food
- Is there evidence of the use of unauthorised or illegal substances
- Is there evidence that the withdrawal periods have not been observed in respect of authorised products requiring withholding periods based on evidence on or off the farm.

## **ANNEX 4 – Feed SMR 12 Checklist**

- Is pet food stored in such a manner that it may contaminate animal feed or animals may gain access to it
- Is there evidence of fishmeal or compound feed containing fishmeal being fed to ruminants
- Is there evidence of other animal proteins, e.g., Meat and Bone Meal (MBM), Poultry Offal Meal (POM) or compound feed containing these products being stored and or used on the farm

