



THE DEPARTMENT OF
AGRICULTURE & FOOD
AN ROINN TALMHAÍOCHTA AGUS BIA

Single Payment Scheme

**Guidelines to Additional Cross Compliance Requirements to be
Implemented from 1 Jan 2006 and 1 Jan 2007**

Consultation

DEPARTMENT OF AGRICULTURE AND FOOD
**GUIDE TO THE STATUTORY MANAGEMENT REQUIRMENTS UNDER CROSS COMPLIANCE TO
BE IMPLEMENTED WITH EFFECT FROM 1 JANUARY 2006 AND 1 JANUARY 2007.**

Introduction

This booklet sets out the Cross Compliance obligations that must be respected in Ireland by farmers receiving direct payments under the Single Payment Scheme in accordance with the additional Statutory Management Requirements (SMRs) to be implemented in 2006 and 2007.

The Cross Compliance obligations are being phased in over a three-year period. Eight cross-compliance SMRs were introduced in 2005 together with the Good Agricultural and Environmental Condition requirements for Ireland.

The conditions that apply from 1 January 2005 were the subject of a consultation exercise (November 2004) and were subsequently published in the booklet entitled “*The Single Payment Scheme – Guide to Cross Compliance*” which was issued to each farmer in April 2005. If required, you can obtain a copy of this booklet at www.agriculture.gov.ie. This booklet sets out the Standards and Requirements that farmers must meet in respect of the first eight Statutory Management Requirements (SMR’s). The detail of how farmers should respect Good Agricultural and Environment Condition is also set out.

A further 7 SMRs are being introduced with effect from 1 January 2006 with the final three to be introduced with effect from 1 January 2007.

Arrangements for the implementation of SMR 4, which deals with Nitrates will reflect the national regulations governing Ireland’s national action programme.

The objective of this booklet, which is also available on the Department website (www.agriculture.gov.ie), is to highlight the important features of the new statutory management requirements for cross compliance to be implemented on 1st January 2006 and 1st January 2007.

Any comments on the requirements as outlined should be submitted by **February 28th 2006**.

Please forward your responses by e-mail to cross.compliance@agriculture.gov.ie or to:

Mary Lawlor,
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SMR	Legislative Basis EU / Irish	Cross Compliance Legislation Requirements	Standards
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9	<p>EU legislation: Council Directive 91/414 of 15 July 1991 concerning the placing of plant protection products on the market.</p> <p>Article 3</p> <p>Irish Legislation: European Communities</p> <p>(Authorisation, Placing on the Market, Use and Control of Plant Protection Products) Regulations, 2003 to 2005</p> <p>Regulation 6</p> <p>Regulation 9</p>	<ol style="list-style-type: none"> 1. Only authorized 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. <p>* Requirement introduced to give effect to Regulation (EC) 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (see SMR No 11)</p>	<p>Inspection visits will check the following :</p> <ul style="list-style-type: none"> ▪ 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. ▪ The maintenance of records of acquisition, use and disposal of plant protection and biocidal products. ▪ Evidence of misuse of pesticides from pesticide residues in products.
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SMR's 9 to 15 for implementation on 1 January 2006 and SMR's 16 to 18 for implementation on 1 January 2007

SMR	Legislative Basis EU / Irish	Cross Compliance Legislation Requirements	Standards
10	<p>Council Directive 96/22 of 29 April 1996 concerning the prohibition on the use in stock farming of certain substances having a hormonal or thyrostatic action and of beta-agonists</p> <p>Articles 3, 4, 5 and 7.</p> <p>Irish: Control of Animal Remedies and their Residues Regulations 1998. (S.I. 508 of 1998) Animal Remedies Regulations 2005 (S.I. X of 2005).</p>	<ol style="list-style-type: none"> 1. Must comply with the E.U. Hormone Ban i.e. must not administer to a farm or aquaculture animal, a substance having a thyrostatic, 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. 	<p>Inspections will involve :</p> <ul style="list-style-type: none"> • Taking of samples by Veterinary Inspectors and the analysis of samples at approved laboratories to the percentages required as detailed in ANNEX IV of Directive 96/23 and Commission Decision 97/747/EC for the specified animal species and subsistence groups. • Visiting farms selected under the targeting criteria as required by the residue plans specified in CHAPTER II of Directive 96/23 on Monitoring plans for the detection of residues or substances.
11	<p>Regulation No 178/2002 of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.</p> <p>Articles 14, 15, 17(1), 18, 19 and 20</p>	<ol style="list-style-type: none"> 1. Make sure that the food and feed safety requirements, as laid out in Articles 14 and 15 of Regulation 178/2002, are met. 2. Ensure that relevant food and feed safety requirements of food law are met at all stages of production, processing, distribution within the businesses. 3. Maintain traceability systems. 4. 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 	<p>Inspections will involve :</p> <ul style="list-style-type: none"> • 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 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.

SMR	Legislative Basis EU / Irish	Cross Compliance Legislation Requirements	Standards
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12	<p>Regulation 999/2001 of 22 May 2001 laying down rules for the prevention, control and eradication of transmissible spongiform encephalopathies. Articles 7, 11, 12, 13 and 15.</p> <p>Irish Legislation:</p> <p>Diseases of Animals Act,1966 (First Schedule) (Amendment) Order 1989, made BSE a class A disease for the purposes of the Act. SI 60/89.</p> <p>Diseases of Animals (BSE) Order, 1989 provided for compulsory notification of the disease, the comprehensive measures and procedures for the detection and control of the disease, the imposition of movement controls on affected or suspected animals.</p> <p>Diseases of Animals (BSE) (Amendment) (No.2) Order 1990 provides for the imposition of controls on movement of bovine animals into or out of holdings on which BSE cases occurred. SI 61/1989</p> <p>Diseases of Animals Act,1966 (First Schedule) (Amendment) Order 1989 SI 1/99 extended the</p>	<ol style="list-style-type: none"> 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. 	<p>Inspections will involve checking for:</p> <ul style="list-style-type: none"> • 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 notices.
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SMR's 9 to 15 for implementation on 1 January 2006 and SMR's 16 to 18 for implementation on 1 January 2007

SMR	Legislative Basis EU / Irish	Cross Compliance Legislation Requirements	Standards
	definition of "disease" in the Diseases of Animals Act, 1966 to include all TSEs		
13	<p>Council Directive 85/511 of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease.</p> <p>Article 3.</p> <p>Irish: Diseases of Animals (Foot and Mouth Disease) Orders.</p>	<ol style="list-style-type: none"> Farmer must ensure that the presence, or suspected presence, of foot-and-mouth disease is compulsorily and immediately notified to the competent authority. Farmer must ensure that any animal suspected of being infected by Foot and Mouth Disease (FMD) is immediately notified to the competent authority. 	<p>There are no specific farm inspections for the purpose of Foot and Mouth monitoring. However, farm visits by Veterinary Inspectors, Private Veterinary Practitioners etc for other purposes should pick up any incidences of concern in respect of this SMR.</p> <p>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.</p> <p>DAF officers provide a 24 hour emergency service all year round to facilitate the reporting of disease.</p>
14	<p>Council Directive 92 /119 of 17 December 1992 introducing general Community Measures for the control of certain animal diseases and specific measures relating to swine vesicular disease.</p>	<ol style="list-style-type: none"> Farmers must notify Competent Authorities if they know or suspect animals or carcasses to be infected with notifiable diseases * 	<p>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</p> <p>DAF officers provide a 24 hour emergency service all year round to facilitate the reporting of disease.</p>

* These diseases include: Rinderpest, Peste des petits ruminants, Swine vesicular fever, Bluetongue, Epizootic haemorrhagic disease of deer, Sheep and goat pox, Vesicular stomatitis, Teschen disease, Lumpy skin disease, Rift valley fever

SMR's 9 to 15 for implementation on 1 January 2006 and SMR's 16 to 18 for implementation on 1 January 2007

SMR	Legislative Basis EU / Irish	Cross Compliance Legislation Requirements	Standards
	<p>Article 3. Irish Legislation Diseases of Animals (Notification of Infection Diseases) Orders 1975-2003.</p>		
15	<p>Council directive 2000/75 laying down specific provisions for the control and eradication of Bluetongue (Article 3) Diseases of Animals (Notification of Bluetongue and Vesicular Stomatitis) Order 1986</p>	<p>1. Farmers must notify Competent Authorities if they know or suspect animals or carcasses to be infected with Bluetongue.</p>	<p>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</p> <p>DAF officers provide a 24 hour emergency service all year round to facilitate the reporting of disease.</p>
16	<p>Council Directive 91/629 of 19 November 1991 laying down minimum standards for the protection of calves. Articles 3 and 4. Irish Legislation S.I. 127/2000 S.I. 48/2003</p>	<p>Farmers are required to comply fully with national legislation which implements the E.U. requirements covering the welfare of calves.</p>	<p>Inspections will involve checks for compliance with National Legislation including:</p> <ul style="list-style-type: none"> • Conditions for rearing calves • Specific welfare requirements for : <ul style="list-style-type: none"> ○ Accommodation ○ Tethering ○ Feeding, food, water and colostrum

SMR's 9 to 15 for implementation on 1 January 2006 and SMR's 16 to 18 for implementation on 1 January 2007

SMR	Legislative Basis EU / Irish	Cross Compliance Legislation Requirements	Standards
17	<p>Council Directive 91/630 of 19 November laying down minimum standards for the protection of pigs</p> <p>Articles 3 and 4 (1)</p> <p>Irish Legislation: S.I. 48/2003</p>	<p>Farmers are required to comply fully with national legislation which implements the E.U. requirements covering the welfare of pigs</p>	<p>Inspections will involve checks for compliance with national legislation including:</p> <ul style="list-style-type: none"> • Conditions for rearing and fattening pigs • Specific welfare requirements for: <ul style="list-style-type: none"> ○ All pigs ○ Boars ○ Sows and gilts ○ Piglets ○ Weaners and rearing pigs
18	<p>Council Directive 98/58 of 20 July 1998 concerning the protection of animals kept for farming purposes.</p> <p>Article 4.</p> <p>Irish Legislation S.I. 127 of 2000</p>	<p>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</p>	<p>Inspections will involve checks for compliance with national legislation including:</p> <ul style="list-style-type: none"> • 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