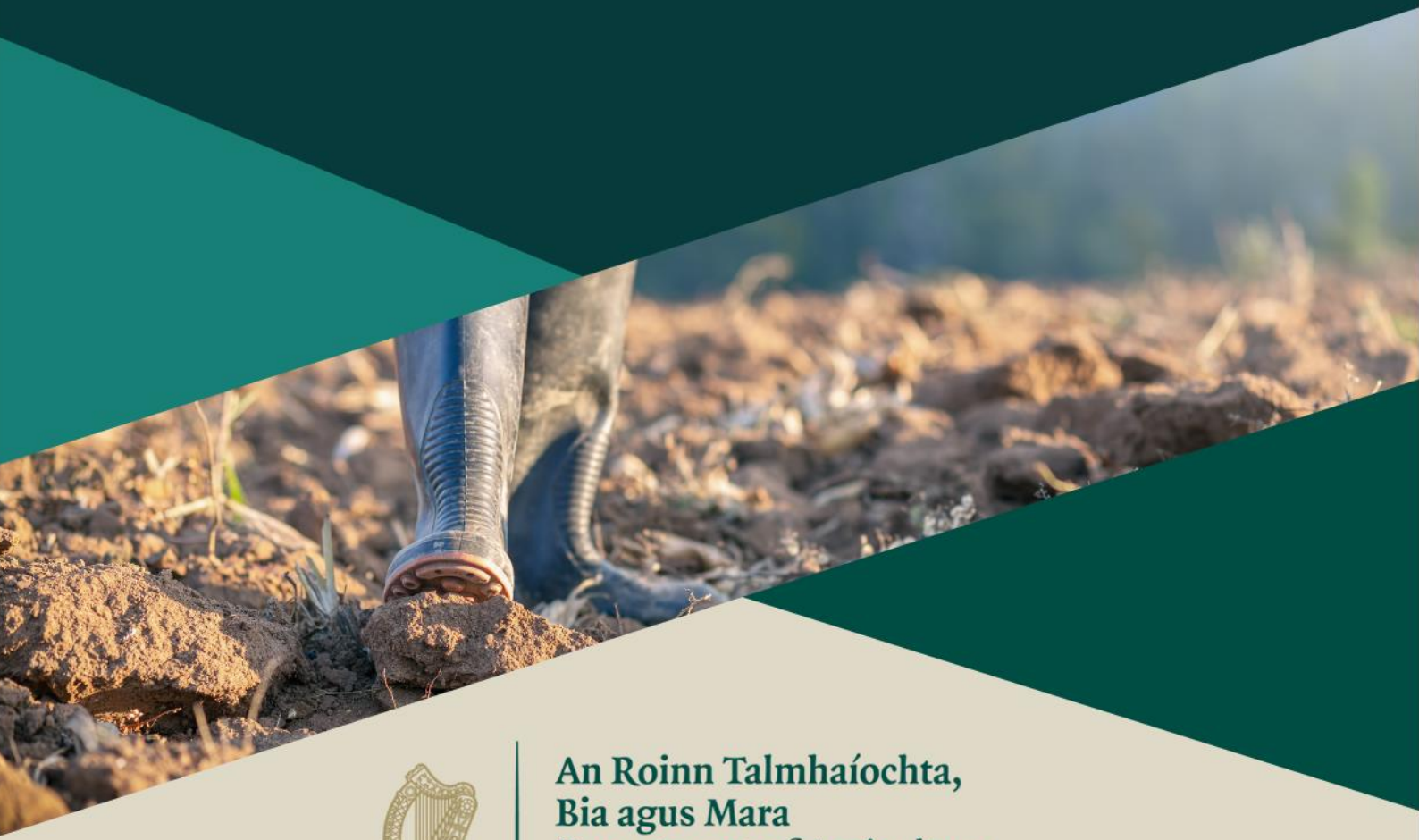
2023-2027

Version 23-03

Explanatory Handbook for Conditionality Requirements



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

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Amendments

Version No.	Reason for amendment / details of amendment	Date of Amendment
Version 23-01	Updates to SMR 7 and SMR 8	19-07-2023
Version 23-02	Updates to GAEC 6	31-08-2023

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Introduction

Agriculture and rural areas are central to EU commitments to environmental, climate and biodiversity protection as set out in the European Green Deal. The CAP Strategic Plan (CSP) 2023-2027 will underpin the continued sustainable development of Ireland's agriculture sector and is a key tool in reaching the ambitions of the European Green Deal, including the Farm to Fork and Biodiversity strategies.

The transition towards more sustainable systems of agriculture and forestry within the CSP will be achieved through the CAPs new Green Architecture, focusing all funding and policy tools towards the same environmental and climate objectives.

Payments to beneficiaries of the CAP are linked to mandatory requirements or **Conditionality**. **Conditionality** refers to the set of baseline conditions which all beneficiaries of the Basic Income Support for Sustainability (BISS), Scheme, and other Area Based Schemes, must adhere to (refer to Annex 4 Schemes Impacted by Conditionality). A system of enhanced conditionality is required to be implemented in Ireland through a combination of new and enhanced Statutory Management Requirements (SMRs) and Good Agricultural and Environmental Conditions (GAEC) standards as well as the full integration of previous greening requirements into Conditionality. Conditionality includes a package of inter-related measures intended to address specific issues, as outlined in Figure 1.

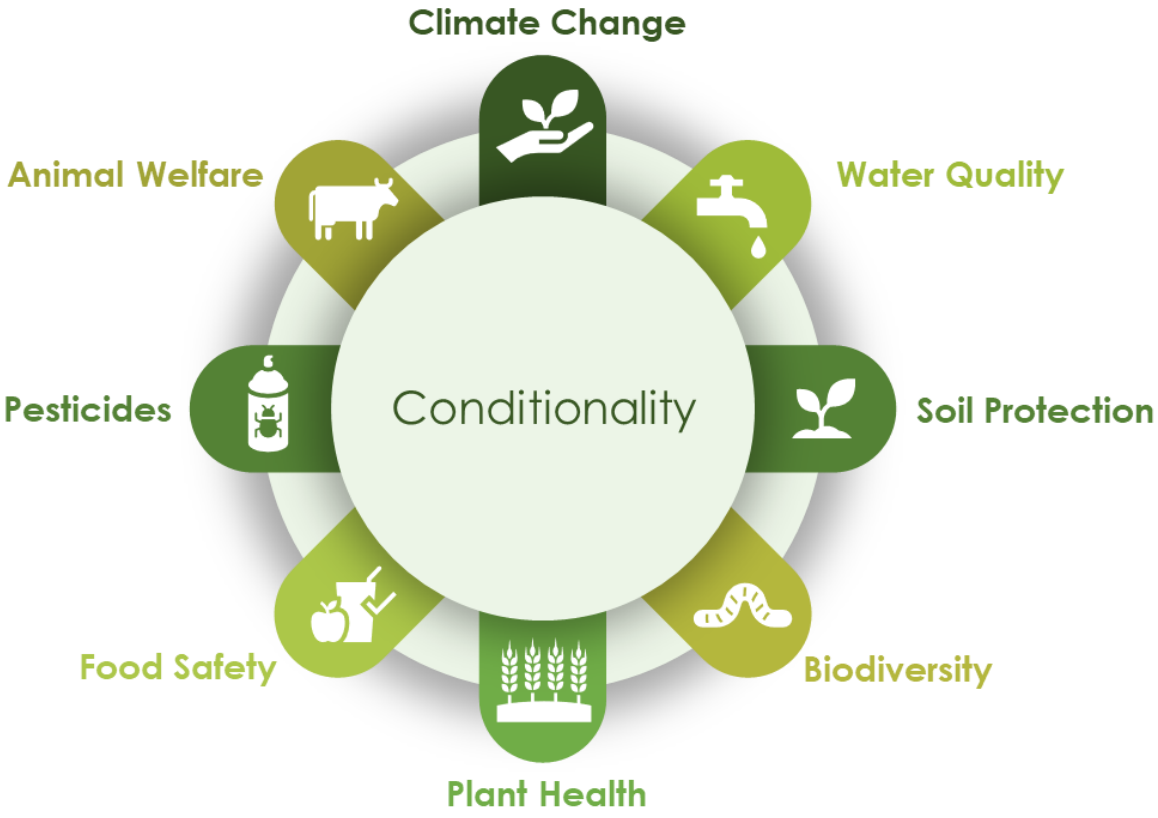


Figure 1: Issues to be addressed under conditionality.

This booklet has been produced by the Department of Agriculture, Food and the Marine (DAFM) as a guide to Conditionality. Its aim is to help you understand the requirements and how you can comply with these requirements. A comprehensive summary of the measures are included, along with information on what you can expect from a farm inspection and actions you can take if you are unhappy with a DAFM decision related to Conditionality that impacts your CAP payment(s).

The information contained in this booklet should not be regarded as a legal interpretation of the Regulations. This booklet is intended to assist you in ensuring that you are in full compliance with the requirements of the BISS and other area-based schemes. Scheme payments are important to you, and it is important that you routinely evaluate your farming practices to ensure full compliance and protection of your payment(s). You should read and be familiar with the terms and conditions of the BISS, other direct payment schemes and rural development measures, that you may apply for and to which Conditionality applies. It should be noted that the underpinning Regulations are subject to review. If there is any disparity between the guidance in this booklet and either the Terms and Conditions or the EU Regulations underpinning them; then you should be aware that the Regulations supersede any such guidance in this booklet.

Background

A healthy climate, water environment and biodiversity are strategically important to Irish agriculture and the measures on offer in the CAP 2023-2027 can strengthen the compatibility between economic and environmental performance. Through Conditionality you will have the opportunity to contribute to Ireland's overall ambition to reduce its greenhouse gas emissions, improve its nutrient use and efficiency, and reduce chemical nitrogen use, improve water, and air quality, and improve biodiversity levels. You will also be contributing to ensuring safe food production and upholding strong animal welfare principles.

What is Conditionality?

Conditionality is comprised of **eleven** SMRs and **nine** GAECs. SMRs are applied under sectoral legislation and therefore also apply to farmers not receiving CAP support.

Statutory Management Requirements

SMR 1 and **SMR 2** together are concerned with the protection of waters against pollution caused by nitrates and phosphates from agricultural sources, rules for water abstraction, and actions to reduce greenhouse gas emissions associated with manure management.

SMR 3 and **SMR 4** are primarily aimed at the protection and conservation of wild birds, habitats and wild flora and fauna.

SMR 5 and **SMR 6** are concerned with food and feed hygiene and safety.

SMR 7 and **SMR 8** will control the placing on the market, and the use of plant protection products.

SMR 9, **SMR 10** and **SMR 11** will primarily address animal welfare.

The nine GAEC standards set out the obligations that must be adhered to in keeping the land in good agricultural condition.

Good Agricultural and Environmental Conditions

GAEC 1 provides for the overall maintenance of the ratio of permanent grassland to arable on a national basis and the preservation of carbon stocks.

GAEC 2 is concerned with protecting peatland and wetland, while **GAEC 9** is concerned with protecting environmentally sensitive grassland. Together, these two conditions promote and maintain carbon sequestration in targeted areas with high carbon stocks.

GAEC 3 bans the burning of crop stubble and residues, except for plant health reasons, while maintaining organic carbon and prevents the direct release of carbon dioxide into the atmosphere.

GAEC 4 provides for buffer strips along water courses to prevent the flow of pollutants from agricultural land to water.

GAEC 5 and **GAEC 6** aims to prevent/minimise soil erosion and soil degradation, while **GAEC 7** provides for crop rotation in arable land in order to preserve soil organic matter content.

GAEC 8 is concerned with maintaining non-productive features and areas in order to improve on-farm biodiversity.

SMRs and GAEC requirements are divided into different areas of concern and are shown in Table 1 below:

Table 1: SMR and GAEC by areas.

Area 1: Climate and Environment	
SMR 1	Water abstraction and protection of waters against pollution caused by phosphates
SMR 2	Protection of waters against pollution caused by nitrates
SMR 3	Conservation of wild birds
SMR 4	Conservation of natural habitats
GAEC 1	Maintenance of permanent grassland
GAEC 2	Protection of peatlands and wetlands
GAEC 3	Ban on burning arable stubble, except for plant health reasons
GAEC 4	Establishment of buffer strips along water courses
GAEC 5	Tillage management to reduce the risk of soil degradation and erosion
GAEC 6	Minimum soil cover to avoid bare soil in periods that are most sensitive
GAEC 7	Crop rotation in arable land
GAEC 8	Minimum share (4%) of land devoted to non-productive areas or features on all agricultural area, retention of landscape features, ban on cutting hedges and trees during the bird breeding and nesting season and measures for avoiding invasive plant species
GAEC 9	Ban on converting or ploughing permanent grassland designated as environmentally sensitive permanent grasslands in Natura 2000 sites
Area 2: Public and Plant Health	
SMR 5	Food and feed hygiene
SMR 6	Restrictions on the use of substances having a hormonal or thyrostatic action and beta-agonists in farm animals
SMR 7	Proper and safe use of plant protection products
SMR 8	Sustainable use of plant protection products
Area 3: Animal Welfare	
SMR 9	Minimum standards for the protection and welfare of calves
SMR 10	Minimum standards for the protection and welfare of pigs
SMR 11	Protection and welfare of farmed animals

Conditionality Requirements

Beneficiaries must adhere to Conditionality requirements for the entire calendar year.

You, as the beneficiary are the person responsible for ensuring that Conditionality rules are met, and you must make sure that the following people also meet these rules:

- Persons acting for you (or under your control) on your holding e.g., contractor/farm employee.
- Persons with access to your holding under the terms of an agreement e.g., short- or long-term lease agreement.

The rules apply to all the lands farmed by the beneficiary (including commonage).

Farmers can build on Conditionality requirements by choosing to participate in Eco-Schemes and/or Pillar II interventions.

Conditionality Inspections

Conditionality inspections involve two key elements:

- Verification that farmers comply with the 11 SMRs set down in EU legislation on public health, plant health, animal welfare, and the environment.
- Verification that farmers comply with the 9 standards relating to GAEC of land.

The DAFM, as an official EU Paying Agency, undertakes this function, in association with the Department of the Housing, Local Government and Heritage (DEHLGH) which has primary responsibility for certain environmental requirements.

The DAFM must:

- Implement a system of on-the-spot controls.
- Provide for payment reductions or exclusions for non-compliance.
- Distinguish between non-intentional (negligence), non-recurring and intentional non-compliances and take account of repeated breaches (reoccurrence) of the requirements.

Cases selected for inspection are chosen by risk analysis (75-80%), appropriate to that Conditionality requirement/standard, supplemented by a randomly selected component (20-25%). As part of the risk analysis, the DAFM will conduct an annual

review of the control systems taking into consideration the results achieved and emerging new risks.

1% of all CAP beneficiaries are selected for Conditionality inspections.

Inspections may include a number of SMRs and GAECs in different combinations depending on farm enterprise mix and circumstances. Conditionality inspections include **all** 11 SMRs and 9 GAECs applicable to your farm.

A checklist is used to verify compliance with each requirement/standard and these checklists can be reviewed on DAFMs website at: gov.ie – Conditionality Inspection Forms (www.gov.ie)

Conditionality Sanctions

Conditionality sanctions will be applied to BISS payments as well as other Direct Payment Schemes such as Complementary Redistributive Income Support for Sustainability (CRISS), Eco Schemes and Complementary Income Support for Young Farmers (CIS-YF) and Rural Development Programme Measures such as Areas of Natural Constraints (ANC), Agri-Climate Rural Environment Scheme (ACRES), Straw Incorporation Measure (SIM), and Organic Farming Scheme to which Conditionality rules apply and for which you may be an applicant.

If an applicant is found to be in breach of Conditionality through a **non-intentional, non-recurring non-compliance**, a sanction of 3% will generally apply but this can be increased up to 10% or decreased to 1% depending on the extent, severity and permanence of the breach.

- **Extent** - where there is an off-farm impact.
- **Severity** – the importance/impact of the non-compliance.
- **Permanence** – the length of time for which the effects of the non-compliance last.

However, not every breach of the requirements or standards results in an automatic sanction. Where the breach is deemed minor then no sanction will apply. Where at a subsequent inspection, within 3 calendar years the same non-compliance occurs i.e., the minor non-compliance detected at the first inspection has not been rectified, a 3% sanction will generally apply.

A non-compliance is deemed **intentional** when there is a deliberate act or omission by the applicant. A reduction of at least 15% will apply but depending on the severity of the intentional non-compliance, the following range of **intentional** sanctions can be applied: 25%, 40%, 60%, 80%, or 100%.

In the event that the same requirement, or standard is breached more than once, within a consecutive period of 3 calendar years, a graduated scale is used to determine the

recurring sanction. As a general rule, a single reoccurrence equates to a 10% sanction although a lower reoccurrence sanction of 5% is applied where the previous detected sanction had no grave consequences i.e., it was either a 1% or 3%. Where the sanction at the first inspection was 5% a recurrence sanction of 10% will apply at a subsequent inspection carried out within 3 calendar years where the same non-compliance is detected. Any further reoccurrences of the same requirement are deemed intentional.

Force Majeure

A sanction will not be applied if it is established that the non-compliance is due to force majeure or exceptional circumstances as set out in Article 3 of Regulation (EU) 2021/2116. This will also be the case where the act or omission is a direct result of an order from a public authority.

Reviews and Appeals of Inspection Findings

Farmers who are dissatisfied with the outcome of Conditionality inspections, following the receipt of the interim notification, may firstly submit any additional information in writing to the local District Superintendent within 14 days of the inspection.

On receipt of the Formal Notice of findings letter, the farmer can then seek a review in writing from the District Inspector. He/she may further appeal their case to the Agriculture Appeals Office, should they still be dissatisfied with the findings. Details on how to appeal can be found at www.agriappeals.gov.ie.

Cross Reports

DAFM officials and officials from other State Bodies, some of which are shown in Figure 2 are required under EU/National law to report breaches of Conditionality to the Integrated Controls Division of DAFM who will then determine if a sanction is appropriate.

Figure 2: Examples of State bodies who cross report to the Integrated Controls Division of DAFM.

Farm Advisory System

The purpose of the Farm Advisory System (FAS) is to aid farmers in meeting their Conditionality obligations and to help farmers avoid financial reductions under Conditionality, in respect of SMRs and GAECs (Figure 3).

A FAS advisor should act as a 'general consultant', linking all the different elements of farming, including the financial aspects with the various compliance requirements. The existence of FAS ensures that each farmer can seek and receive advice on Conditionality. The use of the FAS is voluntary.

DAFM maintains a database of approved FAS Advisors which is available to farmers on DAFM's website at: https://www.gov.ie/en/publication/b41a6-farm-advisory-system/#find-a-farm-advisor

Figure 3: Farm advisory.

Area Monitoring System

The CAP 2023-2027 provides for the compulsory use of the Area Monitoring System (AMS) to identify and record agricultural activities and/or crop characteristics over a given agricultural area continuously throughout the year (Figure 4). The AMS interprets EU Copernicus Sentinel satellite imagery and combines this with other data sources, to provide decisions on agricultural activity and crop types on all declared land parcels. Land parcels are assessed, and compliance is indicated using a traffic light system. A green flag indicates the parcel is compliant, a yellow flag indicates that the results are inconclusive, and a red flag means the parcel is considered potentially non-compliant and a financial reduction may be applied. To ensure that your parcels are compliant the correct parcel area and use must be claimed, ineligible areas and features should be deducted and notifications regarding parcel queries responded to promptly. The use of AMS in Ireland means reduced numbers of on-farm inspections and the introduction of notification alerts to farmers. Such alerts will facilitate farmers to implement appropriate changes to their BISS application and other area related schemes to ensure continued compliance with scheme requirements and thereby avoid penalties.

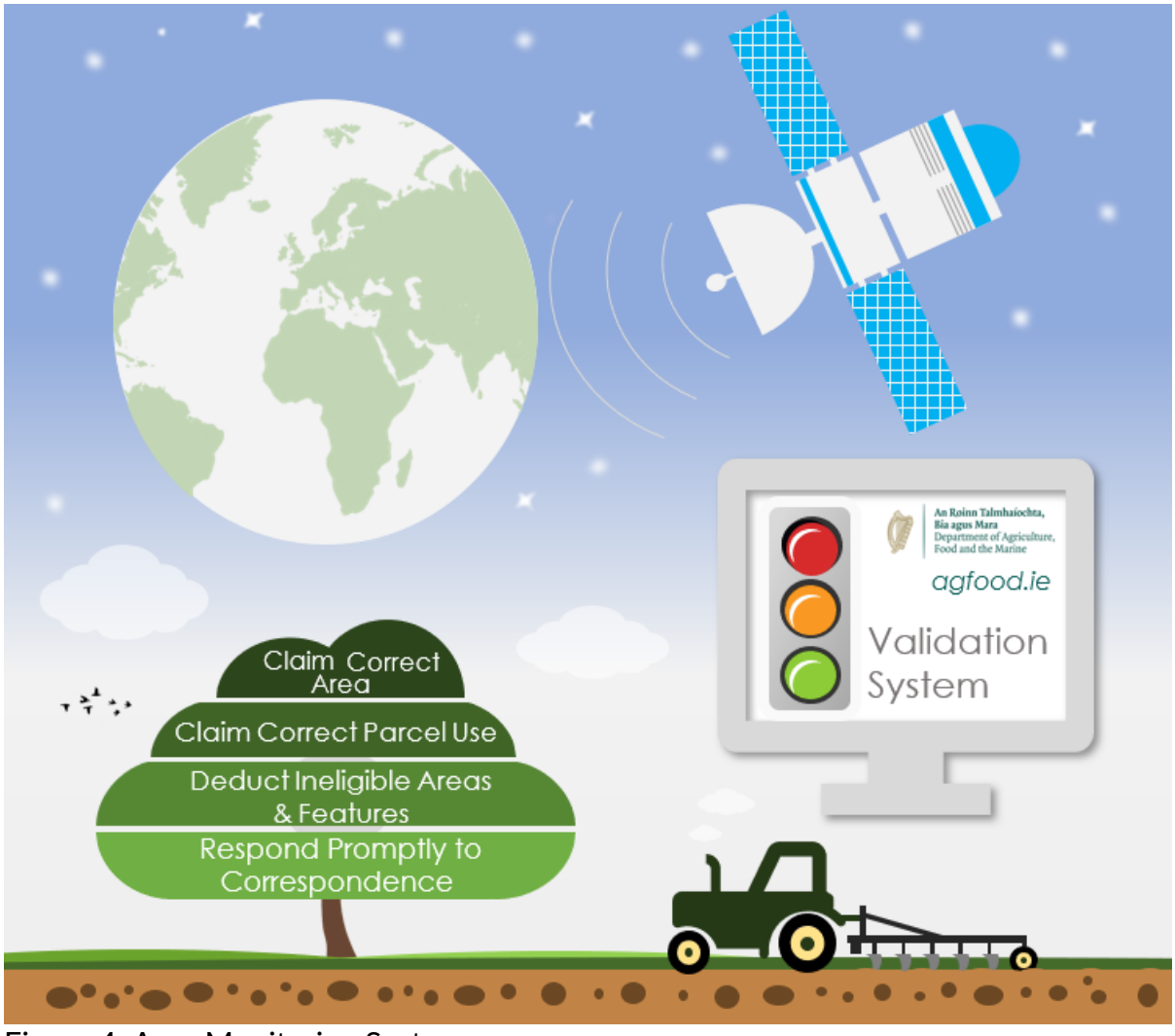


Figure 4: Area Monitoring System.

AgriSnap™

AgriSnap™ is a DAFM geotagged photograph application (App) for use on a smartphone (Figure 5). AgriSnap™ enables users to take geotagged photographs using their smartphone and submit them securely to DAFM in an efficient and seamless manner. A geotagged photograph is one that contains the GPS location co-ordinates of the position of where the photo was captured. The location information (latitude/longitude co-ordinates) is stored in the properties of the photo. From time-to-time DAFM may request geotagged photos from farmers to resolve queries that may arise for certain schemes or support applications.

Figure 5: AgriSnap™.

To use the AgriSnap™ app on your mobile device you must be registered on agfood.ie for online services. The AgriSnap™ app is freely available for download from the Google Play store and the Apple App store.

For queries relating to using AgriSnap™, please contact: AgriSnap@agriculture.gov.ie

STATUTORY MANAGEMENT REQUIREMENTS (SMRs)

SMR 1: Water Abstraction and Protection of Waters Against Pollution caused by Phosphates.

SMR 2: Protection of Waters Against Pollution caused by Nitrates.

SMR 3: Conservation of Wild Birds.

SMR 4: Conservation of Natural Habitats.

SMR 5: Food and Feed Hygiene.

SMR 6: Restrictions on the use of Substances having a Hormonal or Thyrostatic Action and Beta-agonists in Farm Animals.

SMR 7: Proper and Safe Use of Plant Protection Products.

SMR 8: Sustainable Use of Plant Protection Products.

SMR 9: Minimum Standards for the Protection and Welfare of Calves.

SMR 10: Minimum Standards for the Protection and Welfare of Pigs.

SMR 11: Protection and Welfare of Farmed Animals.

SMR 1 Water Abstraction and Protection of Waters Against Pollution caused by Phosphates

What is SMR 1 about?

SMR 1 applies certain elements of the Water Framework Directive (2000/60/EC) which aims to protect and improve water quality in all waters to achieve good ecological status by 2027.

As part of conditionality, SMR 1 requires farmers to control diffuse sources of Phosphorus which is liable to cause pollution, and to put in place measures to prevent or control these pollutants. **This requirement is currently implemented through Irelands Nitrates Action Programme which is controlled under SMR 2.**

SMR 1 also includes controls over the abstraction of fresh surface water and groundwater, including on-farm abstractions, and the establishment of a register for water abstractions.

Abstraction is the process of removing or extracting water from a natural resource such as surface water (rivers, lakes) and groundwaters (aquifers) for various uses.

As shown in Figure 6, SMR 1 applies where the water abstraction is occurring on-farm for use in agriculture, for example, from private wells, boreholes, rivers, and lakes, where 25 cubic metres (5,500 gallons) or more of water is abstracted in a single day.

Registration of a water abstraction is required when the maximum daily abstraction is expected to exceed 25m^3 of water from an inland or underground source for use in agriculture. Registration is not required for any water abstraction below this amount.

This SMR will **not** apply where the water requirements for the farm exceeds 25m^3 (5,500 gallons) in a single day and is provided from off-farm sources, for example, a local authority public water supply or a community owned group water scheme.

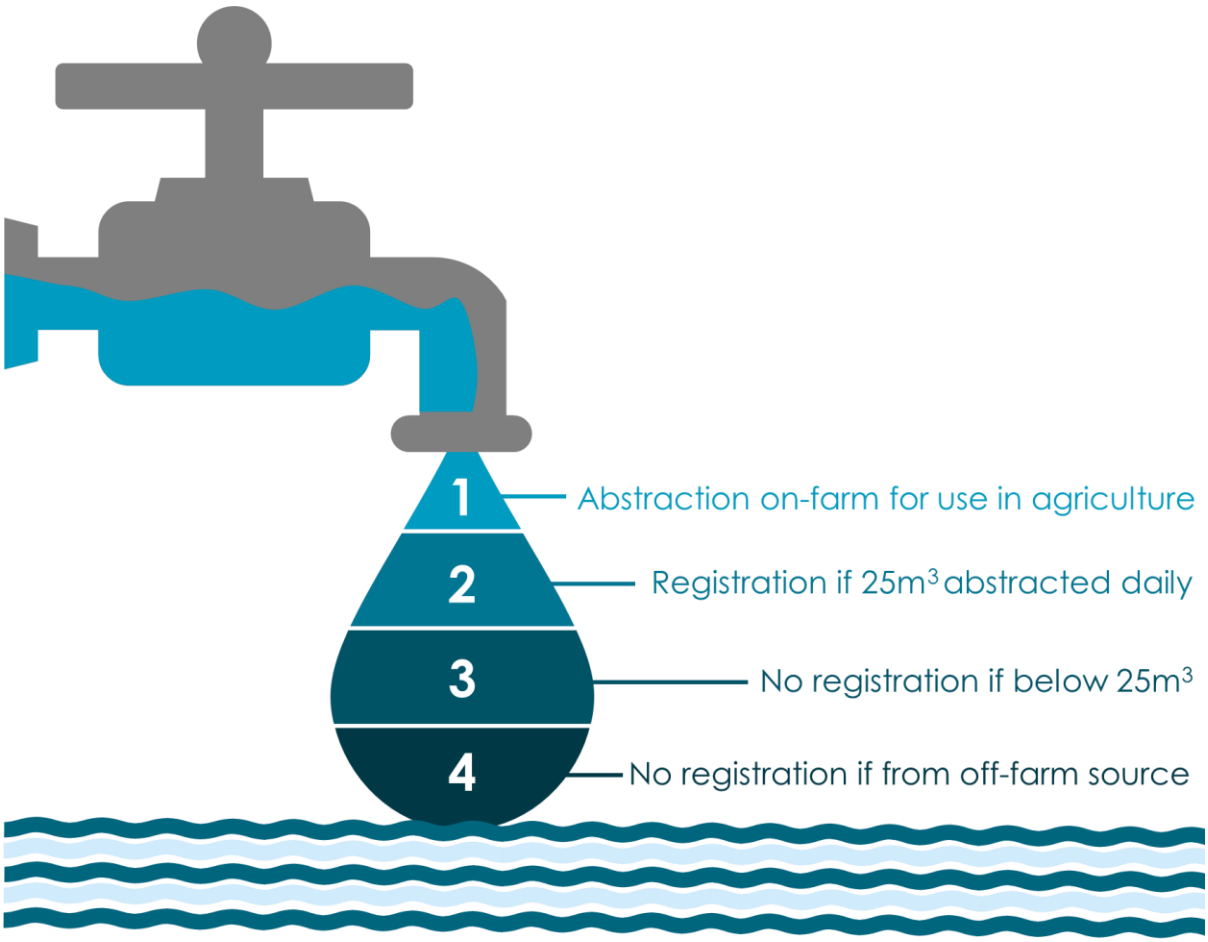


Figure 6: Water abstraction requirements under SMR 1.

The EPA maintains this register of water abstractions. The EPA has provided a calculation tool to assist you in the estimation of your daily water use on your farm, and guidance on how to register and enter your abstraction point to the abstraction register if required (see additional information below).

Registration of water abstraction ensures that flows are maintained to benefit all water users, the environment and biodiversity.

What will a farm inspector check?

If you are abstracting water from an on-farm source for use in agriculture such as private wells, boreholes, rivers, and lakes, the farm inspector will:

- Estimate the maximum daily water requirement for your holding.
- Check the EPA water abstraction register if abstracting more than 25m³ (5,500 gallons) of water in a single day from an on-farm source.

Is there anything else to remember?

The EPA is the competent authority responsible for operation of the requirements under this SMR.

Further Information

Licensing & Permitting: Freshwater & Marine Publications | Environmental Protection Agency (epa.ie) https://www.epa.ie/our-services/licensing/freshwater--marine/

SMR 2 Protection of Waters Against Pollution caused by Nitrates

What is SMR 2 about?

SMR 2 requires farmers to manage their holdings in accordance with requirements set under the EU Nitrates Directive (91/ 676/ EEC) and Irelands Nitrates Action Programme.

This SMR applies to all farmers, and it aims to prevent the pollution of waters caused by nitrates from agricultural sources.

Nitrogen, in the form of nitrate, is important for crop growth. Nitrate is highly mobile, and it can reach the plant root very quickly. However, because of its mobile state, and under wet conditions, it can be prone to leaching down through the soil profile and into ground water.

Nitrate loss to the environment can harm the aquatic environment and have an impact on biodiversity. In addition, elevated levels of nitrate in domestic drinking water can be harmful to consume.

What does this mean for you?

SMR 2 requires farmers to undertake measures set out in Irelands Nitrates Action Programme. These measures relate to farmyard management, the application of fertilisers, ploughing and green cover and the requirement to maintain records.

Managing the Farmyard

Farmyards are considered as point sources of pollution and must be managed to prevent any farmyard pollutants such as soiled water, slurry, silage effluent, etc., from entering water.

All clean water in the farmyard **must** be diverted to a clean water outfall. This means that all roof gutters and downpipes must be in place and fully functional to prevent clean water mixing with yard pollutants. By diverting clean water away from soiled yard areas, you can reduce the volume of dirty water produced on your holding and consequently reduce the volume of storage facilities you will require.

For the purposes of Conditionality, soiled water, which is stored together with slurry, is deemed to be slurry.

Minimisation of Soiled Water

Soiled water is clean water which has become contaminated by contact with livestock excreta, fertiliser or effluent, or clean water used in the process of washing, for example, dairy washings. You **must** minimise the amount of soiled water that is produced on the holding. Certain steps can include separating clean water from soiled areas and preventing clean water from entering storage facilities for livestock manure.

Where soiled water is produced then it should be kept to a minimum. Soiled water is considered an organic fertiliser, and it must be managed and stored in a manner that prevents any discharge to the environment.

As shown in Table 2, you will **not** be allowed to spread soiled water on land during certain periods of the year.

Table 2: Prohibited spreading periods.

Fertiliser Type	Start Date	End Date		
		Zone A	Zone B	Zone C
Chemical	15th Sept	26th Jan (a)	29th Jan (a)	14th Feb (a)
Organic	1st Oct (b)	12th Jan	15th Jan	31st Jan
Farmyard Manure	1st Nov	12th Jan	15th Jan	31st Jan
Soiled Water 2023 (c)	10th Dec	31st Dec	31st Dec	31st Dec
2024 (d)	1st Dec	31st Dec	31st Dec	31st Dec
2025 (c)	1st Dec	31st Dec	31st Dec	31st Dec

(a) The spreading of chemical fertiliser from the 15th of January in Zone A and Zone B, and from the 31st of January in Zone C, may be permitted in limited circumstances by the competent authority with responsibility for the Nitrates Regulations.

(b) The spreading of slurry between 1st of Oct and the 15th of Oct may be permitted in limited circumstances by the competent authority with responsibility for the Nitrates Regulations.

(c) Applicable to all milk producers.

(d) Applicable to all milk producers except contracted winter/ liquid milk producers.

Organic Fertiliser Storage

Organic fertiliser includes livestock slurry, farmyard manure (FYM), soiled water, silage effluent, composts, and non-farm organic substances such as sewage and industrial sludges, etc.

Prior to its application on land, you **must** collect and manage all organic fertilisers in a way that will prevent runoff or seepage, directly or indirectly, into groundwaters or surface waters. **All organic fertiliser storage facilities must be fit for purpose and free from structural defects.**

Earthen-banked lagoons/reed beds/out-wintering pads must be approved for use by your Local Authority.

You must provide sufficient storage for all organic fertilisers likely to require storage on the holding for such periods as may be necessary as to ensure compliance and the avoidance of water pollution.

Capacity for the Storage of Effluents and Soiled Water

Effluent produced from ensiled forage must be collected and stored.

For soiled water storage facilities constructed **before the 1st January 2015**, the required storage capacity for soiled water should equal or exceed the capacity required to store all soiled water likely to arise on the holding during a period of **10 days**, or for **a period of 15 days** in the case of soiled water storage facilities **constructed after the 1st January 2015.**

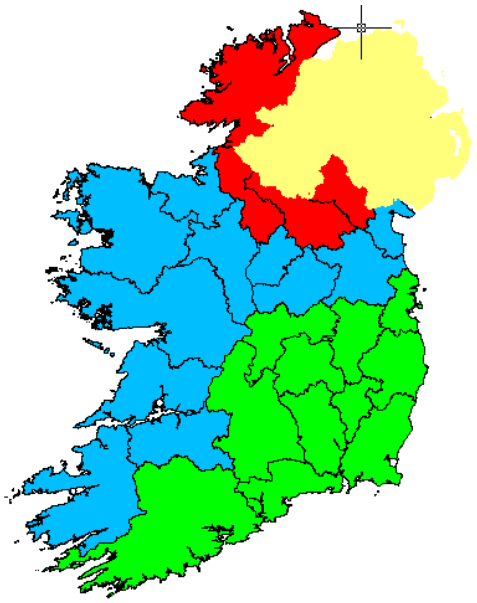
From 1st December 2023, for all milk producers, a minimum of 21 days soiled water storage capacity must be in place on the holding, and from 1st December 2024, for all milk producers, a minimum of 31 days soiled water storage capacity must be in place on the holding, except for winter/liquid milk producers where this storage must be in place by 1st December 2025.

Capacity for the Storage of Manure from Cattle

The capacity required to store livestock manure produced on the holding during the periods specified in Table 3 below must not be exceeded:

Table 3: Organic fertiliser storage periods.

Zones	Storage Capacity Required
A	16 weeks
B	18 weeks
C Donegal & Leitrim)	20 weeks
C (Cavan & Monaghan)	22 weeks



Where 20% or more of your holding lies within one or more counties with a higher storage requirement, you must follow the rules that apply to the zone where the greater storage capacity is required.

Capacity for the Storage of Manure from Other Livestock

If you keep deer, sheep, goats or horses, then you are required to have sufficient storage capacity to store all manure produced on the holding during a **6-week period**.

The general rule is that you must have **26 weeks storage capacity** for pig manure. However, the storage capacity on Table 3 will be sufficient if there are no more than 100 pigs on your holding at any time and your holding is large enough to take all livestock manure produced, without exceeding the nitrogen or phosphorus limits in the Nitrates Regulations.

You must have **26 weeks storage capacity** for poultry manure. The storage capacity on Table 3 will be sufficient if there are no more than 2,000 poultry places on your holding, and your holding is large enough to take all livestock manure produced, not just poultry manure, without exceeding the nitrogen or phosphorus limits in the Nitrates Regulations.

Other Requirements

- FYM cannot be stored in a field at any time during the prohibited spreading periods applicable to FYM (see Table 2).

- Silage bales cannot be stacked more than **2 bales high** or stored within **20m** of a surface water or water abstraction point unless there are storage facilities in place to collect any potential effluent.
- Supplementary feeding points cannot be placed within **20m** of a watercourse or on bare rock.
- **Sacrifice paddocks** or designated areas of the farm where livestock are kept to "save the rest of the land", particularly during the winter months, **are not allowed**.

Figure 7: Storing silage bales within 20m of a watercourse without collection facilities will result in a sanction.

Conditions for Availing of a Reduced Storage Capacity Through Out-Wintering Livestock

You may be able to avail of reduced storage capacity for organic fertilisers produced from cattle (except dairy cows), sheep, deer, or goats by out-wintering livestock. However, you must ensure the following:

- The amount of manure produced on your holding annually, cannot exceed **130kgs** of organic nitrogen per hectare. **From the 1st of January 2025**, holdings wishing to avail of reduced storage capacity by out-wintering livestock **must not exceed 100kgs of organic nitrogen per hectare.**
- The grassland stocking rate on the out-wintering area for livestock (excluding dairy cows), cannot exceed **85kgs** of organic nitrogen during the relevant prohibited spreading periods as set out in above in Table 2.
- The grassland stocking rate on the out-wintering area for deer, goats or sheep, cannot exceed **130kgs** of organic nitrogen during the relevant prohibited spreading period. **From the 1st of January 2025, this will be reduced to 100kgs of organic nitrogen per hectare.**
- All the lands used for out-wintering of livestock must be comprised within the holding.
- The livestock being outwintered must always have free access to the required lands.
- **Severe poaching must not occur**.

You cannot use the reduced storage by out-wintering in respect of dairy cows.

Conditions for Availing of Alternative Reduced Storage Capacity by Other Means

If you have one of the following contracts and can present it to a DAFM official, you may need less storage capacity on your holding:

- A contract granting you, sole access to enough alternative storage at another location outside of your holding.
- A contract with a treatment facility for processing livestock manure.
- A contract with an authorised person or body who undertakes the collection, recovery, or disposal of waste.

Limits on the Amount of Livestock Manure to be Applied

The total amount of livestock manure applied to your land in a calendar year, including that deposited by grazing livestock, must not contain more than 170 kgs of organic nitrogen per hectare.

The application limit of **170kg N/ha/year** from livestock manure is calculated as:

The total nitrogen produced by all livestock on your holding, adjusted for livestock imports and exports, and divided by the eligible area (hectares) on the holding.

In addition, the amount of livestock manure applied to commonage must not exceed 50 kgs of organic nitrogen per hectare.

Organic Nitrogen (N) and Phosphorus (P) statements are available online to those registered on Agfood.ie. In addition, interim statements are available during the year. This will give a clear indication of the organic nitrogen status and help you plan. Remember that this statement does not account for the N and P produced by other livestock on the holding, e.g., Sheep, Horses, Pigs.

Ireland's nitrates derogation allows farmers to farm at higher stocking rates when they take extra steps to protect the environment. The derogation increases the application limit of **170kg N/ha/year** of livestock manure to **250kg N/ha/year**. Ireland applies to the European Commission every 4 years for a derogation with approval dependent on water quality status. To qualify for a nitrates derogation, your farming enterprise, at a minimum, must:

- Have grazing livestock (cattle, excluding veal calves, sheep, deer, goats and horses) -derogation is only available in respect of grazing livestock.
- Be farming a holding that has at least 80% grass.

Additional requirements, and the terms and conditions for the nitrates derogation are available via the following link: gov.ie - Rural Environment & Sustainability - Nitrates (www.gov.ie)

Prevention of Water Pollution from Fertilisers and Other Activities

It is your responsibility to ensure you keep within the overall maximum fertilisation rates for nitrogen and phosphorus (organic and chemical combined) on your holding. The total quantity of fertilisers (organic and chemical combined) that you apply to your land must not exceed the requirements of the crop, including grass. This is to prevent excess fertiliser being applied to land which could be lost to water if there was or is insufficient crop uptake. In addition, all fertilisers and soiled water should be applied during optimal weather conditions, in a uniform manner and must adhere to the legal buffer zones set out in Table 4.

The application of chemical fertiliser is not permitted on commonage land. You must keep and provide when requested by DAFM officials, records of the quantities and location of spread fertilisers, and details of the fertilisers you purchased/sold or moved on/off your holding. To reduce the risk of nutrient loss, the spreading of organic and chemical fertiliser is prohibited during the periods specified in Table 2 above. Additionally, fertiliser must not be applied to land outside of these periods in poor weather or when poor weather is forecast.

As well as adhering to prohibited spreading periods you must not:

- Use an upward-facing splash plate, sludge irrigator or rain gun on a tanker or on an umbilical system when spreading organic fertiliser or soiled water.
- Spread organic fertilisers or soiled water from a road or passageway, even if the road or passageway is on your own holding.
- Spread chemical fertilisers, livestock manure, soiled water or other organic fertilisers when:
  - The land is waterlogged.
  - The land is flooded, or it is likely to flood.
  - The land is frozen or covered with snow.
  - Heavy rain, i.e., a Met Eireann ‘yellow’, ‘orange’ or ‘red’ rainfall warning, is forecast within 48 hours.

- Spread chemical fertilisers, livestock manure, soiled water or other organic fertilisers if the ground has a steep slope (> 10%) **and** if there is a significant risk of causing pollution. When you are deciding whether there is a risk, you must consider how close you are to waters, including land drains, whether there are hedgerows present to mitigate/slow down surface flow, the condition of the soil, the ground cover and how much rainfall there is or is expected.

Do not spread chemical fertiliser on land within 3 metres of any surface waters and where relevant adhere with buffer zones outlined in Table 4.

Table 4: Buffer zones for spreading organic fertilisers near different kinds of waterbodies (lakes, rivers, wells, etc.). Soiled water, effluents, FYM or other organic fertilisers cannot be spread inside the following buffers.

Water body/feature	Buffer Zone
Any water supply source providing 100m^3 or more of water per day, or serving 500 or more people	200 metres (or as little as 30 metres where a Local Authority allows)
Any water supply source providing 10m^3 or more of water per day, or serving 50 or more people	100 metres (or as little as 30 metres where a Local Authority allows)
Any other water supply for human consumption, including boreholes, springs or wells used for water abstraction	25 metres (or as little as 15 metres where a Local Authority allows)
Lake shoreline or turloughs likely to flood	20 metres
Exposed cavernous or karstified limestone features (e.g., swallow holes and collapse features)	15 metres
Any surface watercourse where the slope towards the watercourse exceeds 10%	10 metres
Any other surface waters	5 metres

The buffer zones for the spreading of organic fertiliser increases from 5 metres to 10 metres for the two weeks before and after the prohibited spreading period.

E.g., Zone A slurry applications increase to 10 metres between:

- 13th January and 26th January &

- 17th September and the 1st October

Managing the Farm to Prevent Nutrient Losses

There must be no direct discharge from farm roadways to waters. Mitigation measures can include cambering the surface of the road, or bunding or banking. This requirement applies to all holdings with farm roads. Poaching must not lead to a direct discharge to watercourses.

Bovine livestock must not have direct access to watercourses which are identifiable on a 1:5000 scale OSi map. Such watercourses must be fenced to 1.5m from the top of the bank or water's edge. **This measure only applies to those holdings with a grassland stocking rate greater than 170kg N ha before N exports**.

Supplementary drinking points must not be located within 20m of watercourses which are identifiable on a 1:5000 scale OSi map. **This measure only applies to those holdings with a grassland stocking rate greater than 170kg N ha before N exports**.

For late harvested crops, a minimum uncultivated buffer of **6m** shall be put in place to protect any intersecting watercourses. A 'late harvested crop' includes vegetable crops harvested after 15th September as well as fodder beet, sugar beet, main crop potatoes and maize excluding cereal crops and beans. An 'intersecting watercourse' means where a land parcel is sloped towards a watercourse and any surface water run-off would drain into that watercourse.

Soil Testing and Soil Organic Matter Content

Soil testing is used to determine nutrient levels, pH, organic matter content as well as other parameters important for plant growth. The level of nutrients in the soil is categorised using soil indices shown in Figure 8 with soil index 1 and 2 considered sub-optimal, soil index 4 too high and soil index 3 optimal.

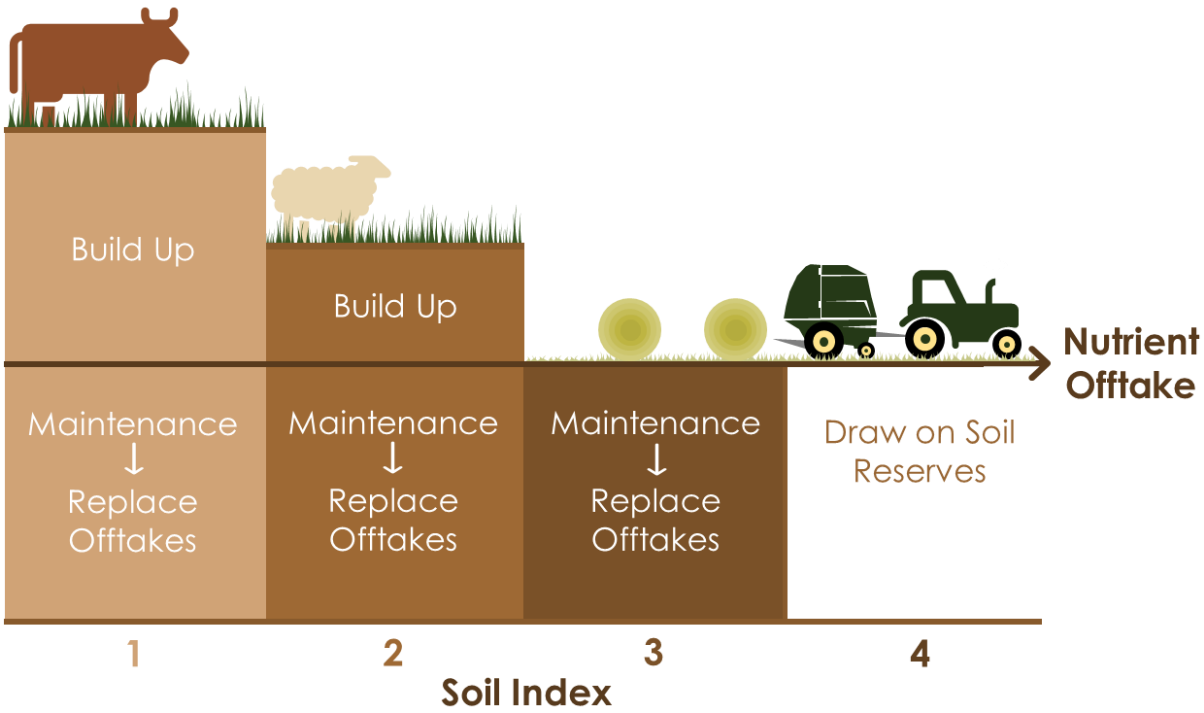


Figure 8: Soil index.

If you do not take soil tests for your holding, then you must assume that your soil is phosphorus Index 3 (permitting maintenance rates). However, soil testing will be mandatory for certain types of holdings. **From 1st January 2023, all farmers with a grassland stocking rate above 130kg N ha before N exports, and all arable land sown from this date, must have valid soil samples.** Where soil samples are not taken for the above holding types, then Index 4 for Phosphorus will be assumed until soil tests are taken. Soil samples are valid for a period of 4 years, and they must **not** represent an area greater than 5 hectares and be tested by an accredited laboratory.

All soils with an organic matter content greater than 20%, as defined by the Teagasc-EPA Indicative Soils map, are required to be soil tested for organic matter. However, where the holding accepts the organic matter content of 20% and above, as defined by the Teagasc-EPA Indicative Soils map, then a soil test for organic matter is not required. Where an organic matter content of 20% or above is not accepted, as defined by the Teagasc-EPA Indicative Soils map, then the soil test undertaken must include organic matter determination. **The P fertilisation rate for soils with greater than 20% organic matter must not exceed the amount permitted for P index 3**. Organic matter soil tests are valid for 12 years.

A liming programme must be prepared and implemented on all holdings with a grassland stocking rate greater than 170kgs N/ha before N exports.

Low Emission Slurry Spreading (LESS)

Low Emission Slurry Spreading (LESS) equipment is an effective way of reducing nitrogen losses to the atmosphere, which in turn, increases crop nutrient use efficiency and displaces chemical fertiliser requirements (Figure 9).

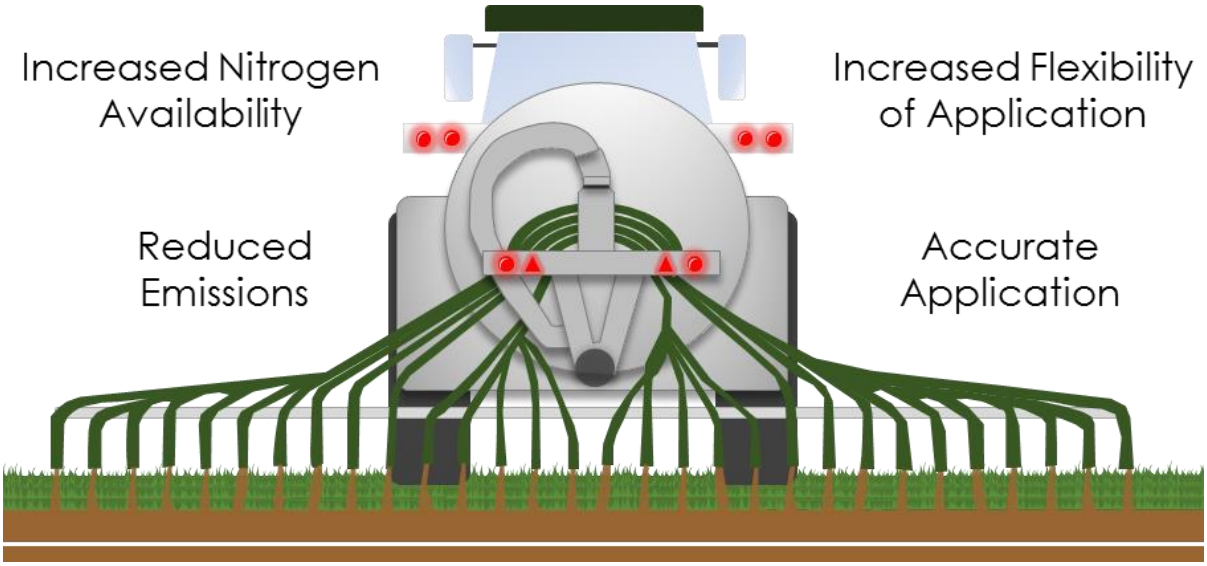


Figure 9: Benefits of LESS.

LESS systems only include the following types of spreading equipment: (a) the trailing shoe, (b) the trailing hose, and (c) a shallow injection system. The use of LESS is a mandatory requirement for certain holding types as shown in Table 5.

Table 5: Holdings that must use LESS.

Year	LESS must be used in the following circumstances
2023	On holdings with a **grassland stocking rate >150 kg N ha** before N exports
2024	On holdings with a **grassland stocking rate >130 kg N ha** before N exports
2025	On holdings with a **grassland stocking rate >100 kg N ha** before N exports

From 2023, the application of pig slurry (including imported pig slurry) must be spread using LESS equipment. In addition, the application of livestock slurry to arable land must be spread using LESS unless it is incorporated within 24 hours of application.

Crude Protein Limit

A crude protein limit applies to concentrate feedstuffs imported onto to holdings with a grassland stocking rate greater than **130kg N** per ha before N exports.

On the above holding types, where concentrate feedstuffs are being fed to animals greater than 2-years-old, including dairy cows, between 15th April and 30th September, the maximum crude protein content must not exceed 15%.

Farmyard Manure

- You must not store FYM in a field during the prohibited spreading period for farmyard manure (Table 2).
- You must collect all seepage from FYM when stored within the farmyard/shed.
- You can store FYM in a field during the spreading season, but you must store it in a compact heap, and you cannot store it within the buffer zones outlined in Table 6.
- FYM is the only organic fertiliser that may be stored in a field during the spreading season.
- FYM stored in a field during the prohibited spreading period (Table 2) and/or within buffer zones as shown Table 6 will lead to a sanction.

Figure 10: FYM stored in a field during the closed period.

Table 6: Buffer zones applicable when FYM is stored in a field.

Buffer zones applicable when FYM is stored in a field	
Water body/feature	**Buffer zone**
Any water supply source providing 100m^3 or more of water per day, or serving 500 or more people	250 metres
Any water supply source providing 10m^3 or more of water per day, or serving 50 or more people	250 metres
Any other water supply for human consumption	50 metres
Lake shoreline or turloughs likely to flood	20 metres
Exposed cavernous or karstified limestone features (e.g., swallow holes and collapse features)	50 metres
Any other surface waters	20 metres

Ploughing and Green Cover

You must:

- Where arable land is ploughed between **1st July** and **30th November**, take **necessary measures within 14 days of ploughing** to provide for the emergence of **green cover.**
- Where grassland is ploughed between **1st July** and **15th October,** take **necessary measures within 14 days of ploughing** to provide for the emergence of green cover from a **sown crop.**
- If you use a non-selective herbicide on arable land or grassland between **1st July** and **30th November**, there must be green cover from a sown crop or from natural regeneration within **6 weeks** from when you use the herbicide. In the case of seed crops and crops for human consumption and where the contract prohibits the use of non-selective herbicide pre-harvest the requirement to provide green cover is reduced to 75% of the contract area where the herbicide is applied after **15th October.**

You must not:

- Plough grassland between 16th October and 30th November.
- Remove green cover before 1st December once it is sown (to be in compliance with the nitrates regulations) by ploughing or by the use of a non-selective herbicide unless a crop is sown within two weeks of its removal.
- Plough or cultivate for non-grass crops within 3m of a watercourse.

Shallow Cultivation of Post-Harvest Stubbles[1]

Shallow cultivation must take place within 10 days of the baling of straw, or where straw is chopped, within 10 days of harvest. In all circumstances, shallow cultivation must take place **within 14 days of harvesting.**

Shallow cultivation is not required on certified organic holdings, after the harvesting of root crops or late harvested crops, where cereals are under sown with another crop, where cereals or beans are harvested after 15th of September, or on lands destined for winter combinable crops which are sown before the 31st of October. However, where shallow cultivation is required, then a minimum of 20% and a maximum of 25% of **cereal land** must not be subject to shallow cultivation after harvest. This is to provide available winter foraging habitat for seed eating birds and mammals. The 20 – 25% of land that is not shallow cultivated must not have any herbicides applied until at least 1st of February the following year, unless a crop has been planted.

Soil consolidation (rolling) can be used as an alternative to shallow cultivation where oilseed rape is harvested or where a parcel is certified by a FAS advisor as containing certain grass weeds[2]. Soil consolidation must be carried out within the same timeframes as set out for shallow cultivation.

Records

One of the requirements of Conditionality is to maintain Nitrates Records. You must keep the records for each calendar year, and they must be finalised by 31st March of the following year. You must retain these records for at least five years.

Your Nitrates Records must be available upon request by a DAFM official.

These records must contain information on the following:

- The total area of your holding in hectares (this is on your application form for the BISS if you are an applicant).
- The eligible area of the holding in hectares (this is on your application form for the BISS if you are an applicant).
- The areas of grass and any other crops on your holding (this is also in your application form for the BISS).
- An estimate of how much fertiliser your holding requires for the year and where applicable a copy of a Nutrient Management Plan completed for your holding.
- The numbers and type of livestock you have, as follows:
  - In the case of cattle, you do not need to keep any records additional to the Bovine Herd Register or Bovine Electronic Herd Register.

[1] Applicable only to all Nitrates Zone A counties, and counties Louth, Meath and Westmeath
[2] Blackgrass and certain brome species of grass

  - In the case of sheep, you do not need to keep any records additional to the Flock Register.
  - In the case of pigs and poultry, record the number of pig or poultry places.
  - You should also record the number of each livestock type other than the above types on the holding on the first day of each quarter e.g., horses/donkeys/deer.
- The quantities and types of chemical fertilisers moved on to or off your holding, including opening stock, records of purchase and closing stock (keeping receipts at all times)[3]
- The total amount of concentrates (including cereals produced on your holding and purchased from another farmer) that you fed to grazing livestock during the **previous year**. You should also keep a copy of all dockets showing quantities of concentrates purchased during the previous year.
- Livestock manure and other organic fertilisers moved on to, or off the holding, including quantities, type, dates and details of exporters/importers, where necessary.
- Quantities and type of organic fertiliser applied to Index 1 and 2 soils and details of the size of area (Land Parcel Identification System (LPIS) numbers) of land it was applied on.
- Location and area of any grassland establishment which took place on the holding during the year.
- Completed record of movement of organic fertiliser (Record 3) in respect of all imports and exports of livestock manure (e.g., cattle manure, pig slurry, poultry litter) occurring during the year, must be submitted on-line[4] via the www.agfood.ie portal, otherwise the movement will not be considered valid.
- A record of the details of livestock temporarily moved to, or received from, another holding for grazing including cattle/sheep types (Record 4). This record must be submitted to Nitrates Section on or before 31st December each year.
- A record of any rental/grazing agreements. This record should include the rental period, LPIS numbers of land grazed plus name and herd number of transferor/transferee (Record 5). This record must be submitted to Nitrates Section on or before 31st December each year.
- The facilities you have for storing livestock manure and other organic fertilisers, soiled water, and effluent from dungsteads, farmyard manure pits or silage pits. Also, how much they can hold and an assessment of whether you have enough storage to meet the requirements of the Regulations.
- The results of any soil tests (you must keep copies of them, a location map clearly identifying the areas from which they were taken and size of the areas).
- The location of any point where water for human consumption is taken from any surface watercourse, borehole, spring or well.

[3] Requirements will change in line with the National Fertiliser Database (NFD)
[4] By the 31st of October for derogated holdings, and by the 31st of December for all other holdings.

- If applicable, areas of the holding in receipt of slurry applied with LESS systems, and areas treated with lime and liming products.

Plan Ahead: It is recommended that you estimate your holdings fertiliser requirements early in the year using the record of the areas of grass and any other crops on your holding.

In the case of purchased fertiliser and concentrates you are required to keep the original receipts and submit on request.

What will a farm inspector check?

The inspector will check the following:

- Is the farmer minimising soiled water?
- Measures and checks if all manure storage facilities are 'fit for purpose'.
- Evidence of direct or indirect discharges of livestock manures to waters.
- Is FYM stockpiled/stored on land?
- Storage of silage bales.
- Land spreading/buffer zones of chemical and organic fertilisers.
- Ploughing and green cover.
- Other activities which may be applicable to your holding such as fencing of watercourses.

On inspection the applicant must submit:

- Complete accurate records by the 31st of March of the following year if requested.

Reconciling and checking the records submitted to the DAFM will include:

- Verifying the actual record submission dates.
- Checking accuracy of records.
- Checking the validity of records/invoices.
- Determining if the minimum manure storage requirements are being met.
- Checking if out-wintering requirements are being met.
- Checking if the chemical N and P used is within the crop requirements.

Further Information

The Explanatory Handbook for Good Agricultural Practice for the Protection of Waters Regulations 2022 and Statutory Instruments can be found at: gov.ie - Rural Environment & Sustainability - Nitrates (www.gov.ie)

SMR 3 Conservation of Wild Birds

What is SMR 3 about?

SMR 3 aims to ensure farmers meet certain requirements of the EU Birds Directive which is focused on protecting all wild bird species naturally occurring in the EU, including their eggs and nests (Figure 11).

EU Birds Directive: https://environment.ec.europa.eu/topics/nature-and-biodiversity/birds-directive_en

SMR 3 applies to all farmers and all lands: however, there are additional rules to be aware of if you have lands that are situated in a Special Protection Area (SPA) for birds.

Figure 11: Wild bird species such as the yellowhammer and corncrake as well as their eggs and nests are protected under the EU Birds Directive.

Across Europe there are more than 500 species of wild birds and approximately one third are not in a good conservation status. Ireland is home to over 400 species of birds (NPWS).

What are Special Protection Areas?

Special Protection Areas (SPA) are areas of land designated by the National Parks and Wildlife Service (NPWS) under the EU Birds Directive, to ensure areas of land are maintained as protected habitats for endangered and migratory wild birds. Each SPA designation has an individual site code and has its own Statutory Instrument giving legal effect to its designation. Landowners have been notified of these designations. Certain activities referred to as Activities Requiring Consent (ARCs) which have the

potential to damage an SAC or SPA cannot be carried out without first getting written consent from the NPWS.

A list of ARCs has been established and examples include reclamation, drainage works, and the construction of roads, paths or tracks. The particular ARC attached to a site depends on the habitats and/or species for which the site is protected. ARCs are not prohibited activities but prior to being carried out consent must be granted. This allows for the necessary environmental assessment to be conducted to determine if the activity can take place or if any conditions should be attached to any consent given.

Ireland's SPA Network encompasses over 597,000 hectares of marine and terrestrial habitats | National Parks & Wildlife Service (https://www.npws.ie/protected-sites/spa)

You can find out more about these Activities Requiring Consent (ARC) https://www.npws.ie/farmers-and-landowners/activities-requiring-consent

If you received written consent to carry out an ARC on your SPA land, you must ensure you do not carry out activities that go beyond the consent received.

When you make your application for BISS and other area related schemes you must be aware if any of the land parcels you are declaring are in a SPA. If you have SPA land on your farm and you wish to carry out works, you must check if these works require consent and if so, then you are the person responsible for getting written permission from the NPWS before carrying out those activities.

What does SMR 3 mean for you?

Habitat loss and degradation pose the most serious threat to the conservation of wild birds, and so great emphasis is placed under SMR 3 on ensuring that bird habitat and bird food is not damaged or removed during the bird nesting season.

The bird nesting season runs from 1st March to 31st August inclusive, each year.

The activities outlined in Figure 12 can result in the deterioration/disturbance of wild bird habitat and should not be undertaken during the bird nesting season. These include removing scrub, or trimming/removing hedgerows, unless you have been instructed to do so by the Local Authority for health and safety reasons.

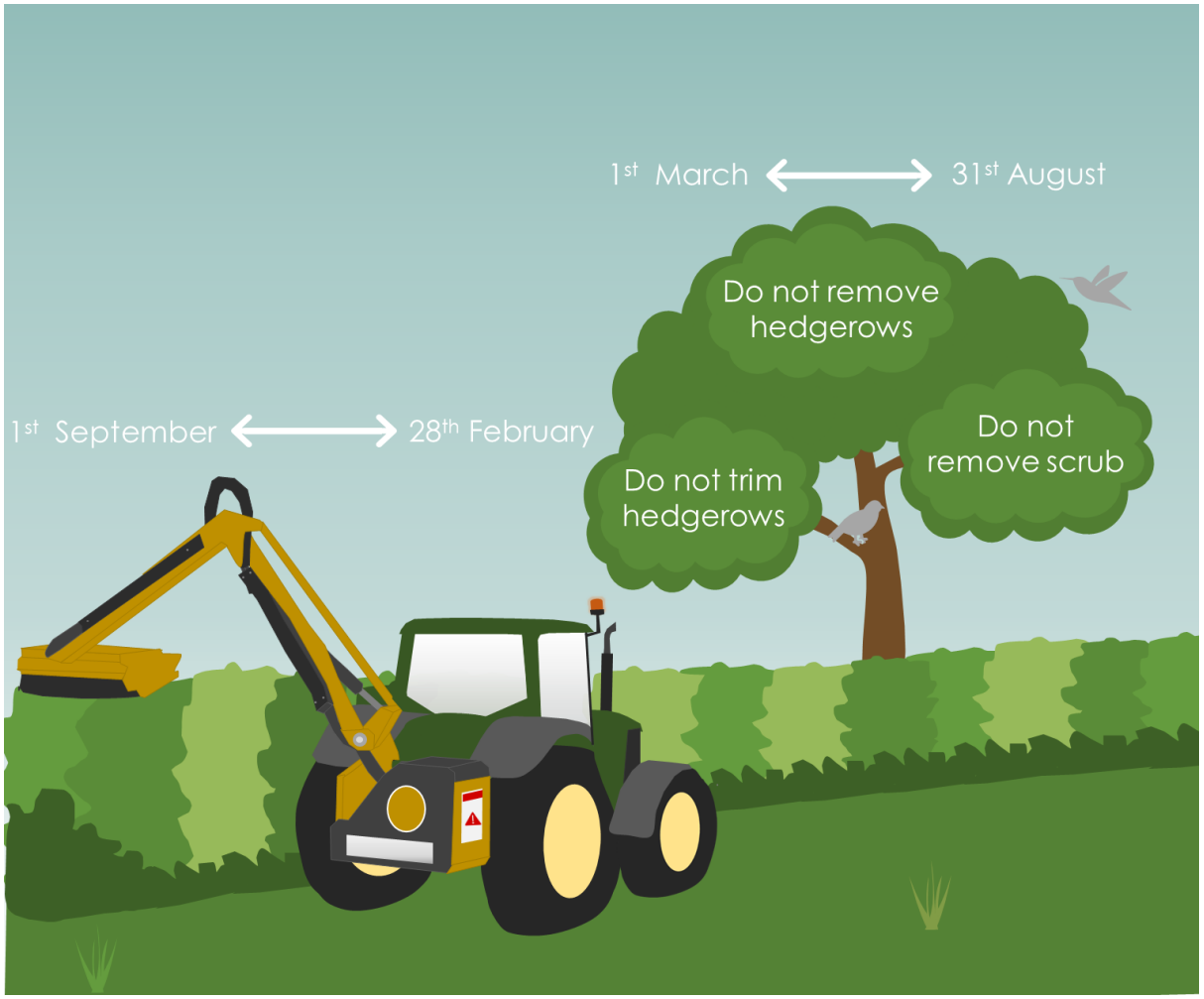


Figure 12: Measures to prevent the deterioration and disturbance of wild bird habitat.

What will a farm inspector check?

The farm inspector will check:

- If an activity requiring consent has been carried without having the appropriate consent in place.
- For evidence of any activity inside and/or outside the protected area likely to cause a deterioration of habitats or any disturbances affecting birds, for example, hedge cutting during the nesting season.

SMR 4 Conservation of Natural Habitats

What is SMR 4 about?

SMR 4 aims to ensure farmers work with nature to protect important habitats, and certain species of flora and fauna (plants and animals).

SMR 4 applies to all farmers with land located in a Special Area of Conservation (SAC).

Important habitats include raised bogs, blanket bogs, turloughs, sand dunes, machairs, heaths, lakes, rivers, woodlands, estuaries and sea inlets.

There are 25 Irish plant and animal species which must be afforded protection in SAC lands including Salmon, Otter, Freshwater Pearl Mussel, Bottlenose Dolphin and Killarney Fern.

Figure 13: Examples of habitats and flora found on SAC lands.

What are Special Areas of Conservation?

Special Areas of Conservation are areas of land designated by the NPWS under the EU Habitats Directive, to ensure valuable habitats are protected. Each SAC has its own individual site code. Landowners have been notified of SAC designations. Like SPAs outlined under SMR 3 above, certain activities referred to as ARCs which have the potential to damage an SAC cannot be carried out without first getting written consent from the NPWS.

There are 439 SAC designated sites in Ireland covering 1,350,000ha (https://www.npws.ie/protected-sites/sac)

You can find out more about Activities Requiring Consent here: https://www.npws.ie/farmers-and-landowners/activities-requiring-consent

What does SMR 4 mean for you?

When you make your application for BISS and other area-based schemes you must be aware if any of the land parcels you are declaring are in a SAC. If you have SAC land on your farm and you wish to carry out works, you must check if these works are ARCs and if so, then you are the person responsible for getting written permission from the NPWS before carrying out those activities.

If you received written consent permitting you to carry out works that are designated ARCs on your SAC land, you must ensure you do not carry out activities that go beyond the consent received.

What will a farm inspector check?

The farm inspector will check:

- For any actions being carried out without the necessary permissions within designated lands.
- Where permissions have been granted by the NPWS, checks will be carried out to see that works did not go beyond what was granted.

SMR 5 Food and Feed Hygiene

What is SMR 5 about?

SMR 5 is concerned with food safety and the aim of this SMR is to ensure a high level of protection for consumers as well as animal health and welfare.

Farmers are food and feed business operators (FBO), and as such, are subject to meeting all the relevant food and feed safety requirements of food law.

SMR 5 is applicable to all farmers as FBO, producing food or feed from plants and rearing animals for food, or producing products of animal origin, including milk and eggs.

What are the relevant food and feed safety requirements?

SMR 5 involves checks in a number of areas as outlined in Figure 14 to ensure that adequate steps are taken to prevent the hazardous contamination of food and feed:

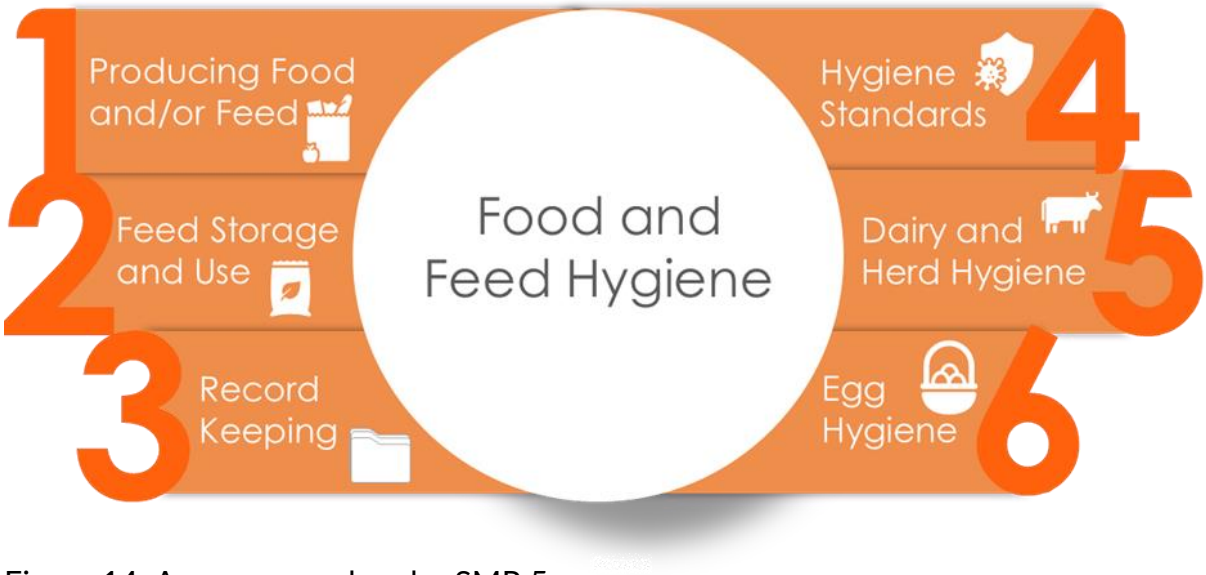


Figure 14: Areas covered under SMR 5.

Producing Food and/or Feed

When you produce food or animal feed and place it on the market, you must ensure that food is safe for human consumption and animal feed is safe for animal consumption. You must also ensure that you do not feed unsafe feed to any food-producing animal. Unsafe animal feed can have an adverse effect on animal health and can make the food derived from food-producing animals unsafe for human consumption.

If you find that food or feed produced by you is not in compliance with food and feed safety requirements, you must ensure it is withdrawn or recalled from the market, and you must notify, and co-operate with, the DAFM.

Feed Storage and Use

Cross contamination of feed must always be avoided and the actions you can take include:

- Regular cleaning of stores, storage areas, machinery and containers.
- Ensuring that feed is not transported, stored, handled or fed in a manner that could lead to contamination of feed from chemical, biological or physical sources.
- Storing and handling chemicals, waste and hazardous substances separately.
- Storing and handling medicated feed and non-medicated feed separately to avoid feeding of medicated feed to non-target animals.
- Ensuring that stored seed is not accessible to animals.
- Ensuring vermin are controlled on your farm.
- Following dosage application rates, storage and usage guidelines as stated on all feed additive, veterinary medicine or biocide labels.

Record Keeping

As a FBO you must keep records to ensure the traceability of food, feed and food-producing animals, can be accurately determined at all stages of production, processing and distribution. **These records must be kept for a minimum of three years.**

You must also maintain records of any animal feed purchased. If you bring feed onto your farm, you must show that you sourced that feed from an establishment which is registered and approved by the DAFM.

A list of registered and approved establishments is available using the link below https://www.gov.ie/en/publication/76664-feeding-stuffs-lists-of-fbos-registered-and-approved/

Animal remedies records containing details of veterinary medicine purchased, or other treatments, administered to your animals, the date(s) of treatment and the withdrawal period must be maintained for a minimum of five years. A record of all plant protection products and biocides used on your farm must also be maintained.

Be aware of the withdrawal period when administering treatments to animals and update your Animal Remedies Record following each treatment.

Hygiene Standards

The spread of contagious diseases transmissible to humans through food must be avoided and actions you can take include:

- Ensuring adequate isolation facilities on your holding for sick animals so that there is no adverse effect on other animals' milk.
- If you have been notified of a TB test or other tests and you do not comply, the Veterinary ERAD section of the DAFM may cross report this which could impact your BISS and other area-based scheme payments.
- If you have administered medical products to your animals, you must observe the requisite withdrawal periods. Raw milk from any animal that has not yet finished their withdrawal period, must be excluded from the bulk tank/food chain. The Veterinary Medicines section of the DAFM are obliged to cross report milk and meat samples where withdrawal periods have not been observed.
- Ensure that you don't misuse authorised substances (their use should be strictly controlled) and do not use unauthorised substances.

Dairy Hygiene

You must:

- Clean and disinfect, where necessary, all surfaces of equipment that come into contact with raw milk after each use. Equipment must be maintained in good condition.
- Ensure that milking equipment and the premises where raw milk is stored, handled or cooled are located and constructed in such a manner to limit the risk of contamination of milk.
- Ensure that premises used for the storage of raw milk:
  - Are protected against vermin, including birds and birds' nests.
  - Are adequately separated from animal housing.
- Ensure that raw milk is stored in a clean place, which should be designed and equipped to avoid contamination. Milk must be cooled immediately to:
  - Less than 8°C if it is collected daily, **or**
  - Less than 6°C if it is not collected daily.
- Ensure that cow housing, yards and passageways are constructed, maintained, and managed in such a way to ensure cows are clean e.g., ensure automatic scrapers are working.

Herd Hygiene

You must:

- Carry out milking hygienically, especially making sure that:
  - Before milking starts, the teats, udder and adjacent parts are clean.
  - You satisfactorily identify animals undergoing any medical treatment which are likely to transfer residues to milk or colostrum.
  - Raw milk from any animals that have received medication and have not yet finished their withdrawal period is not used for human consumption.
- Ensure that raw milk comes from animals that:
  - Are in a good general state of health.
  - Show no signs of disease that might result in the contamination of milk.
  - Do not have any udder wound that is likely to affect milk.
  - Have not been administered with any unauthorised substances or products.
- Ensure that raw milk comes from animals which have disease-free status for Tuberculosis (TB)
- Isolate animals that are infected or suspected of being infected with Tuberculosis, so that there is no adverse effect on other animals' milk.

Egg Hygiene Requirements

The following additional hygiene requirements shown in Figure 15 apply if you are producing eggs for sale:

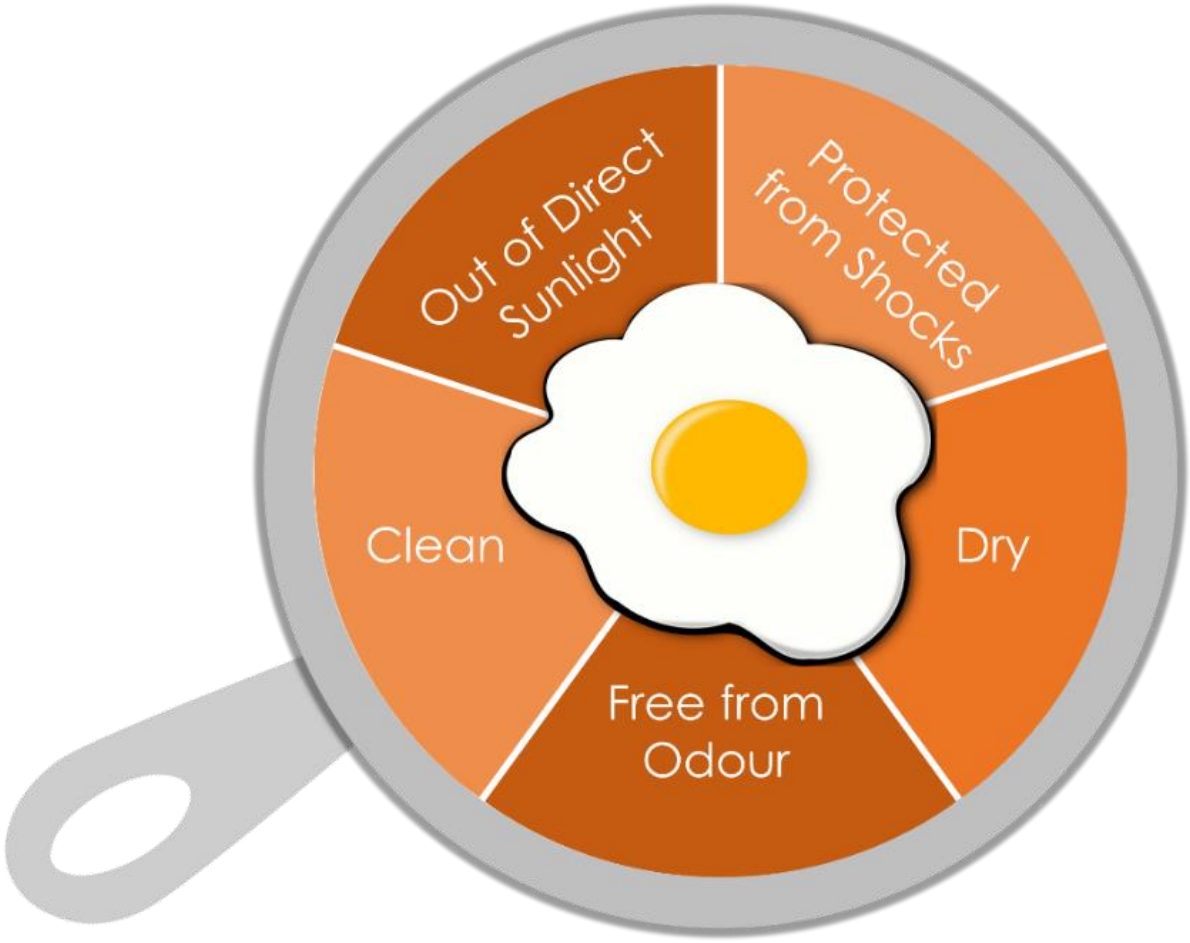


Figure 15: Egg hygiene requirements.

What will a farm inspector check?

The farm inspector will:

- Verify that food and feed are produced and stored in a safe manner.
- Check that you have maintained and retained records for the appropriate time period.
- Examine the dairy/milking parlour, equipment and cow housing to see if it is kept clean and in good repair and that the dairy is isolated from sources of contamination, e.g., that screens and doors between the dairy and the milking parlour, and between the dairy and the outside environment are in place and properly maintained.
- Assess hygiene practices during milking.
- Check for adequate control of vermin on the farm.
- Checks on the observation of withdrawal periods for authorised products.

SMR 6 Restrictions on the Use of Substances having Hormonal or Thyrostatic Action and Beta-Agonists in Farm Animals

What is SMR 6 about?

SMR 6 is concerned with food safety and the aim of these requirements is to prohibit the illegal use of certain substances that have hormonal or thyrostatic action and beta-agonists in animals, and to prevent the residues that these substances leave in meat and other foodstuffs from entering the human or animal food chain.

This SMR applies to all farmers keeping animals.

What types of substances are restricted under SMR 6?

The types of substances restricted under SMR 5 are shown in Figure 16 and include the following:

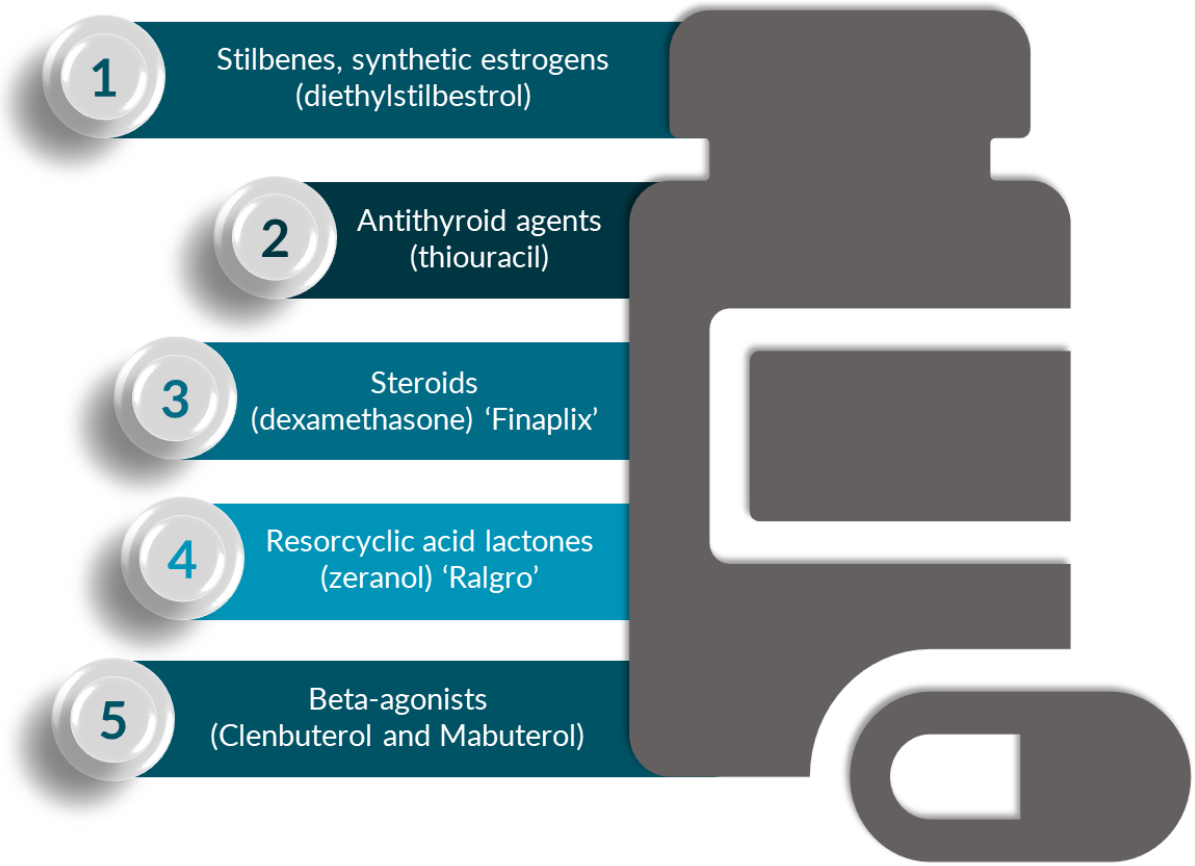


Figure 16: Substances restricted under SMR 6.

What does this mean for you?

You must:

- Comply with the EU hormone ban (in force since 1989).
- Comply with withdrawal periods for animal remedies authorised under the exceptions to the hormone ban.
- Make available all veterinary medical records relating to restricted substances on request.

You must not:

- Administer a restricted substance to a farm animal unless it is administered in line with any permitted exceptions.
- Place on the market, or send to slaughter, animals that have been administered a restricted substance, unless it has been given in line with permitted exceptions.
- Sell meat, or any other animal product, derived from an animal to which a restricted substance has been administered, unless it has been given in line with permitted exceptions.

What will a farm inspector check?

Positive results from the random sampling of animal-based products as part of the National Residue Control Programme, generally leads to targeted SMR 6 inspections at the farm of origin. The farm inspector will check:

- For the presence of restricted substances on the farm.
- If restricted substances have been administered to farm animals.
- If animals to which restricted substances have been administered have been placed on the market or sent for slaughter.
- If meat or any other animal product derived from an animal to which any restricted substance has been administered has been sold.
- Where certain restricted substances have been administered in line with permitted exceptions, is there evidence that records have been maintained and are available and withdrawal periods have been observed.

SMR 7 Proper and Safe Use of Plant Protection Products

What is SMR 7 about?

SMR 7 applies to **all** users of plant protection products. The aim of SMR 7 is to ensure that where pesticides are used, that their use is necessary, and that they are used in a manner that minimises risk to the user, the environment and the food chain. This means the application of the principles of Good Plant Protection Practice and compliance with the product label and product authorisation.

Pesticides, which are also referred to as Plant Protection Products (PPPs), include herbicides, fungicides, insecticides and molluscicides/slug killers that are used to protect plants from damage caused by pests, e.g., insects, fungi, weeds, slugs etc., and may also regulate growth.

What is Good Plant Protection Practice?

Good Plant Protection Practice (GPPP) is a set of principles which provide the basis for the proper and appropriate use of PPPs.

All professional users of PPPs must apply the general principles of Integrated Pest Management (IPM) and maintain records to demonstrate the application of these principles as shown in Figure 17:

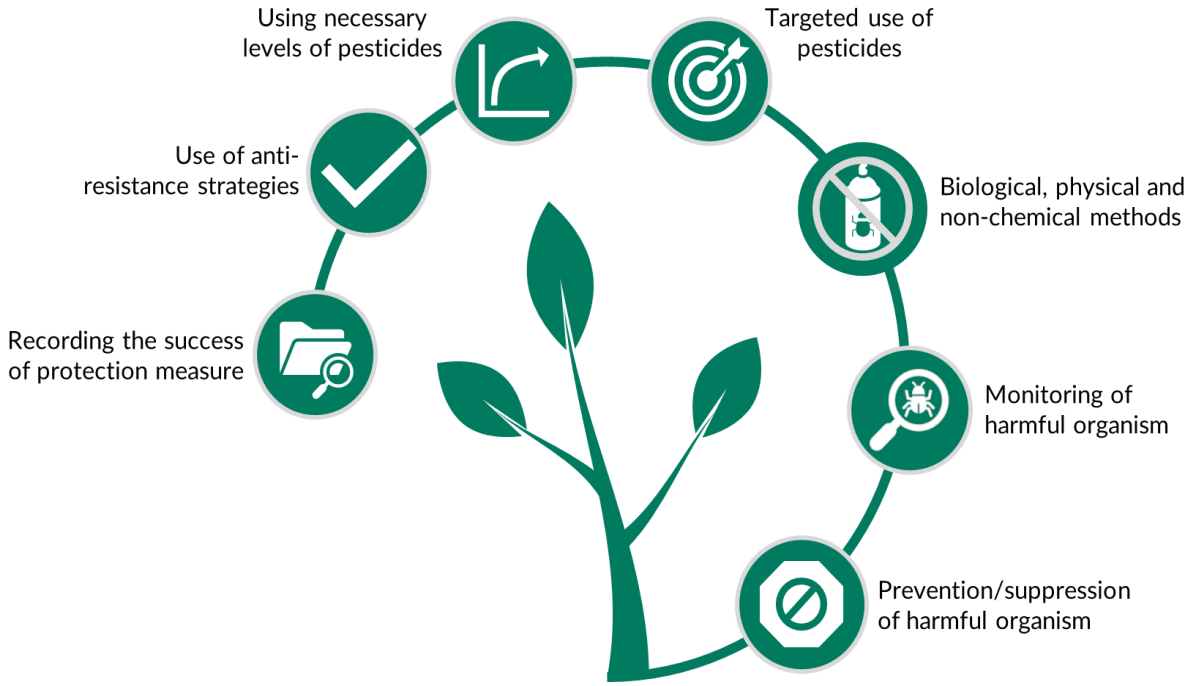


Figure 17: General principals of integrated pest management.

For more information visit:
https://www.pcs.agriculture.gov.ie/sud/integratedpestmanagement/

What will a farm inspector check?

The farm inspector will check:

- Are pesticide usage records completed correctly and do they include the following:
  - Date of application
  - Product name and PCS number
  - Crop/situation
  - Location/LPIS no.
  - Area/tonnage treated
  - Application rate
  - Water volume
  - Method of application
  - Buffer zone applied
  - Nozzle type
  - Rationale/reason for use
  - Applied by/PU number
- Adherence to the required buffer zones when spraying pesticides:
  - **A minimum 3m no spray buffer zone to all watercourses must be respected where PPP cannot be applied**.
  - A PPP authorisation may prescribe a buffer zone which is greater than 3m, in this case the buffer zone prescribed on the product authorisation/label may be reduced to 3m, only where it can be verified that the DAFM STRIPE initiative is used by the professional pesticide user
  - The STRIPE initiative currently cannot be used to reduce the 3m no spray buffer zone as per the GAEC 4 (Establishment of Buffer Strips along Watercourses) Standard
  - Further information on the STRIPE initiative can be found at: https://www.pcs.agriculture.gov.ie/sud/waterprotection/stripe-surfacewatertoolforreducingtheimpactofpesticidesintheenvironment/
- Are the principles of IPM being applied and do the records demonstrate this?

Is there anything else to remember?

- Your sprayer must **never** be filled or loaded/mixed near any watercourse (river/drain/well/spring/etc).
- You must keep your pesticide application records up to date.
- Conditions of use of a PPP are detailed on the product label, an example of which is shown in Figure 18.

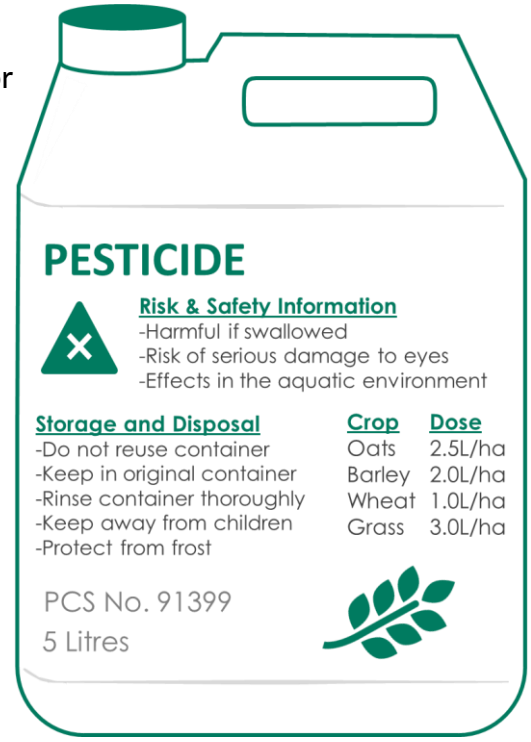


Figure 18: Examples of conditions of use on plant protection product label.

Further Information

For further information on approved plant protection products, Good Plant Protection Practice (GPPP) and record keeping requirements click on the following link: https://www.pcs.agriculture.gov.ie/sud/professionalusersprayeroperators

SMR 8 Sustainable Use of Plant Protection Products

What is SMR 8 about?

SMR 8 builds on SMR 7 (Proper and Safe Use of Plant Protection Products) regarding safe pesticide use in ensuring farmers meet certain requirements of the EU Sustainable Use (of pesticides) Directive. The Sustainable Use Directive (SUD) is focused on further reducing the risks and impacts of pesticide use on human health and the environment.

What does this mean for you?

If you use pesticides, you must:

User

-Complete professional pesticide user training & have a certificate to verify this.

-Be registered with the DAFM as a professional user & have a PU number.

-Contractors applying pesticides on behalf of a farmer must be registered with the DAFM as a professional user & have a PU number.

Equipment

-Calibrate sprayer at least once a year & keep a record of calibration checks.

-Ensure sprayer is tested by a DAFM registered equipment inspector.

-Sprayer more than 3 years old must be tested every 3 years.

Application

-Conduct a written risk assessment prior to considering pesticide use in an area used by the general public or vulnerable groups.

-Restrict pesticide use in protected areas defined in the WFD & Natura 2000 sites.

-Adopt IPM techniques, where possible.

Disposal

-Ensure safe disposal of packaging and remnants, tank mixes or rinsate.

-Ensure obsolete products are disposed of as hazardous waste.

-Triple rinse empty containers and dispose of them correctly.

The Sustainable Use Directive– Directive 2009/128/EC establishing a framework for Community action to achieve the sustainable use of pesticides.

What will a farm inspector check?

Some of the checks carried out under SMR 8 are shown in Figure 19 below and include the following:

- Do you have a dedicated storage area for the pesticides you use?
- Do you have pesticides segregated from food and feed?
- Your pesticide store must be:
  - Lockable and bunded.
  - Labelled with a warning sign.
  - Separate from food and feed storage.
  - Equipped with a spill kit (e.g., bucket of sand/peat).
- Do you have appropriate personal protective equipment (PPE), e.g., gloves, goggles, face shield/mask, coverall, etc.
- Do you have appropriate dedicated measuring equipment for weighing/measuring pesticide product?
- Do you store powdered pesticides above liquids to avoid contamination?
- Do you store products in their original containers and are all the products in your store within their expiry date?
- Is there evidence that the sprayer has been filled directly from a watercourse?
- Does the pesticide mixing, filling, and handling area present a risk to groundwater, drains, waterways or drinking water supplies?
- Do you have records of purchase and/or disposal of pesticide products?
- Does a contactor/third party provide and apply pesticide products?
- Has the sprayer/operator completed the necessary training and registered with DAFM as a Professional User?
- Has the pesticide application equipment used, been inspected and calibrated at the appropriate intervals?

Figure 19: Pesticide storage requirements.

Is there anything else to remember?

- If you need to dispose of out of date or revoked pesticides, you must ensure this is carried out by a licensed Hazardous Waste Disposal Operator.
- If using a contractor, they must be trained and registered as a Professional User (PU) and use appropriately tested and calibrated application equipment. IPM records must also be available for inspection.

Further Information

For further information on the Sustainable Use Directive (SUD), Integrated Pest Management (IPM) and risk assessments click on the following link: https://www.pcs.agriculture.gov.ie/sud

SMR 9 Minimum Standards for the Protection and Welfare of Calves

What is SMR 9 about?

The aim of SMR 9 is to protect and ensure the health and welfare of calves, i.e., bovine animals up to six months of age, by meeting minimum standards for their care and husbandry.

These requirements apply to you if you keep calves in addition to the other requirements for the welfare of farm animals (SMR 11).

What are the minimum welfare standards for calves?

As outlined in Figure 20, routine inspection, freedom of movement, housing and equipment as well as feed and nutrition are key factors in determining the welfare standards of calves.

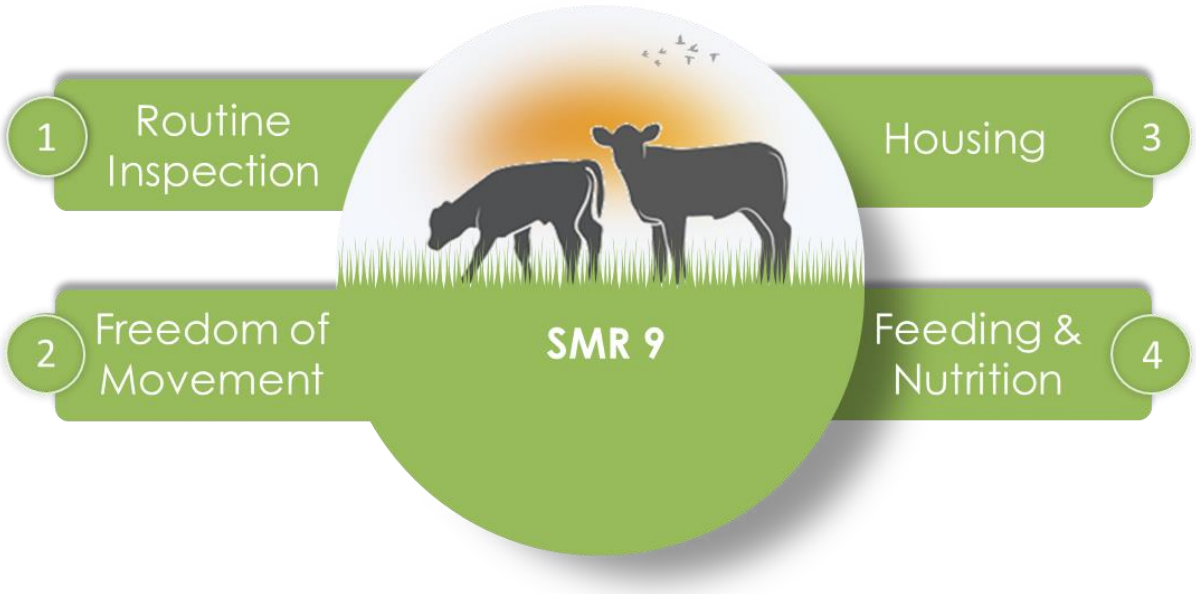


Figure 20: Key factors of calf welfare.

- If you house calves, you must inspect them at least twice a day.
- Calves kept outside need to be inspected at least once a day to check they are in a good state of wellbeing.
- All calves must be able to move freely, to stand up, lie down, turn around, rest and groom themselves without difficulty.

- Calves that are ill must be treated appropriately and without delay, and veterinary advice must be sought if necessary.
- Calves must not be tethered, with the exception of tethering for a maximum of one hour if feeding group housed calves, and ensuring no injury is caused.
- Calves must not be muzzled.
- No calf should be confined to an individual pen after 8 weeks of age without a veterinary certificate.

Housing

- Where calves are housed, the floors must be designed and managed in such a way as not to cause any injury to calves. Floors must be smooth but not slippery and must be comfortable with suitable bedding, e.g., straw, that is clean and adequately drained.
- Calf housing must receive 8 hours of light per day, the equivalent to normal daylight hours, if lit using artificial lighting.
- Calf housing, pens, equipment, and utensils must be clean and disinfected to prevent any cross contamination.
- Individual pens must have perforated walls which allow calves to see and touch each other, except for those where a sick calf is isolated.
- Electrical appliances must be kept out of reach of calves.
- All automated or mechanical equipment must be inspected at least once a day. Defects must be rectified immediately and where this is not possible appropriate steps must be taken to safeguard the health and well-being of the calves e.g., using alternative methods of feeding.
- Where an artificial ventilation system is used, there must be a back-up system to guarantee sufficient air renewal in the event of system failure. An alarm system must be provided to warn of the breakdown and the alarm system must be tested regularly.

Figure 21: Group housing of calves with access to appropriate bedding, diet and fresh water.

Feeding and Nutrition

- Calves must receive colostrum within 6 hours of birth.
- Weaned calves must be fed at least twice a day. However, feeding once per day, is permitted in a recognised management system.
- If group housed, all calves in the group must have adequate access to feed at the same time.
- All calves must always have access to fresh water.
- All calves must have access to a minimum daily ration of fibrous food, e.g., straw, hay, and there must be sufficient iron in the food.

What will a farm inspector check?

The farm inspector will check that you have met the minimum calf welfare standards described above.

SMR 9 inspections involve checks for compliance on:

- Accommodation/conditions for rearing calves.
- Adequate staffing and inspections of calves.
- Checks on the welfare of calves including freedom of movement.
- Appropriate feeding and nutrition practices (sufficient water and colostrum).

SMR 10 Minimum Standards for the Protection and Welfare of Pigs

What is SMR 10 about?

The aim of SMR 10 is to set down minimum standards for the care and husbandry of pigs to ensure that their welfare requirements are met.

These requirements apply to you if you keep pigs in addition to the other requirements for the welfare of farm animals (SMR 11).

What are the Minimum Welfare Standards for pigs?

There are a number of parameters that are important in ensuring that welfare standards for pigs are met. These are shown in Figure 22 and include the following:

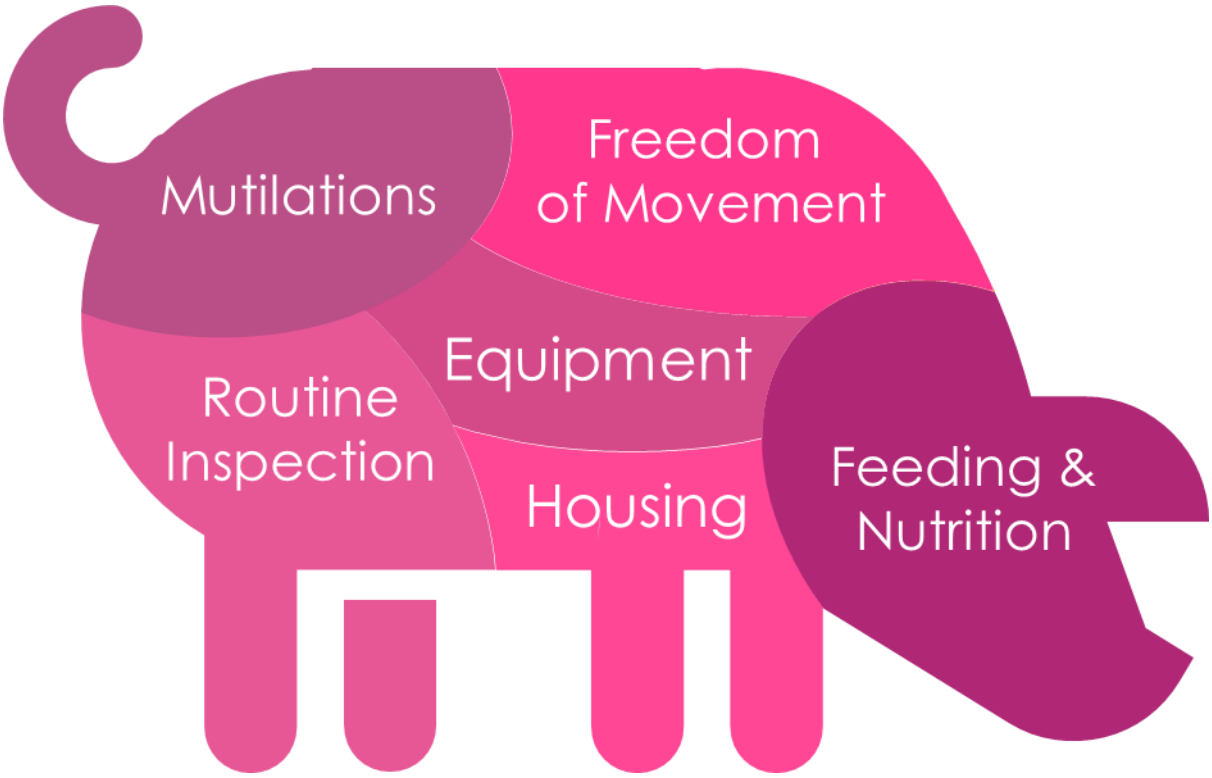


Figure 22: Key factors in pig welfare.

Routine Inspection of Pigs and Freedom of Movement

- Pigs must be inspected regularly to ensure they can move freely, stand up, lie down, and turn around easily.
- Sick/injured/bullied pigs in individual pens must be able to turn around easily.
- There must be an unobstructed area available behind the sow / gilt for the use of natural or assisted farrowing.
- Pregnant sows/gilts must be thoroughly cleaned if moved to a farrowing crate.
- Pigs must only be tethered for veterinary purposes.
- To prevent grouped pigs from fighting, you must provide a plentiful supply of straw, manipulable material or separate aggressive pigs and minimise mixing.
- Treat pigs for internal and external parasites where necessary.
- Consult with your veterinary surgeon regarding the use of tranquillising medicines and limit their use in facilitating the mixing of pigs.

Pig Accommodation/Housing

- Continuous loud noise of greater than 85 decibels is not permitted.
- You must provide a comfortable lying area, drained and clean, allowing all pigs in the group to lie at the same time and be able to see other pigs.
- You must maintain pig housing at a comfortable temperature.
- The correct measurements for individual and group pig pens must be adhered to at all times (https://www.gov.ie/en/publication/fc9b3-pigs-farming-sectors/#pig-welfare).
- If pigs are kept in artificially lit buildings, you must provide lighting of at least 40 lux for a minimum of 8 hours a day, i.e., equivalent to normal daylight hours.
- The floors of any pig housing must be smooth but not slippery, designed and maintained so as not to injure pigs and suitable for the type of pig being housed.
- If using slatted floors, the minimum width of the opening and the minimum width of the slat must be adhered to.
- You must provide suitable nesting material one week before farrowing.
- Boar pens should allow the boar to turn around, hear, smell and see other pigs (6m^2 /adult boar).
- Piglets must be able to rest at the same time and suckle without difficulty.
- Farrowing rails must be provided in the case of loose sow housing to protect piglets.
- There must be permanent access to enough manipulable material for growing pigs that does not compromise the health of the pig.
- Sows and gilts must be kept in groups during a period starting from four weeks after service to one week before expected time of farrowing (except in cases of holdings of fewer than 10 sows and for sick or injured animals).

Pig Feeding and Nutrition

- All pigs must be fed at least once a day and if in groups you must make sure they have access to feed at the same time.
- All pigs greater than two weeks old must have permanent access to freshwater.
- Dry pregnant sows and gilts must have sufficient bulky or high fibre food as well as high energy feed.

Pig Weaning

- You cannot wean a piglet at less than 28 days of age unless for health and safety reasons concerned with the dam or piglet.
- You can wean piglets that are at least 21 days of age if moved into specialised housing that is thoroughly cleansed and disinfected to minimise transmission of disease.

Mutilations

- You cannot carry out routine tail docking/teeth clipping unless there is evidence of injuries to other pigs and after other measures have firstly been taken.
- You can only castrate or tail dock after 7 days of age when it is carried out by a veterinary practitioner.

What will a farm inspector check?

The farm inspector will check that you have met the minimum pig welfare standards described above. SMR 10 inspections will involve compliance checks on:

- Adequate freedom of movement.
- Appropriate accommodation and conditions for rearing pigs.
- Feeding and nutrition procedures.
- Appropriate and well managed automated or mechanical equipment.
- Appropriate staffing and inspection of pigs.
- Evidence of routine tail docking/mutilations.

SMR 11 Protection and Welfare of Farmed Animals

What is SMR 11 about?

The aim of this requirement is to protect the welfare of farmed animals by meeting minimum standards for their care and husbandry.

These requirements apply if you keep any species of farmed animals for farming purposes.

What does the Protection and Welfare of Farmed Animals Entail?

The Five Freedoms of Animal Welfare are shown in Figure 23. Farm animals on your holding must be kept in such a manner so as to ensure that the **Five Freedoms of Animal Welfare** are met.

Figure 23: The five freedoms of animal welfare.

What does SMR 11 mean for you?

There are several aspects to be inspected for animal welfare:

Staffing

- Are animals always cared for by enough competent staff/skilled stockpersons?

Inspecting Animals

- All animals kept in husbandry systems in which their welfare depends on frequent human attention shall be inspected at least once a day. Animals in other systems shall be inspected at intervals sufficient to monitor their welfare to ensure that they avoid any suffering.
- Is any animal which appears to be ill or injured cared for appropriately without delay and, where an animal does not respond to such care, veterinary advice is obtained as soon as possible?
- Are sick or injured animals isolated in suitable accommodation with, where appropriate, dry comfortable bedding?

Record Keeping

- The owner or keeper of the animals should keep records of:
  - Any medicinal treatment given.
  - The number of mortalities found to each inspection e.g., NBAS 31D forms.
- **These records shall be retained for a period of at least three years** and shall be made available to the competent authority when carrying out an inspection or when otherwise requested.

Freedom of Movement

- You must not restrict your animals' freedom of movement if this causes unnecessary suffering or injury. Overcrowding in livestock sheds can lead to issues regarding the freedom of movement of all animals. Animals should be able to lie down at the same time and freely move about.
- If animals are regularly confined, you must give them enough space to avoid unnecessary stress.

Buildings, Accommodation and Lighting

- Materials used for the construction of accommodation, and for the construction of pens and equipment with which animals may come into contact, must not be harmful to the animals.
- Materials and equipment must be capable of being cleaned and disinfected.
- Accommodation and fittings for securing animals shall be constructed and maintained so that there are no sharp edges or protrusions likely to cause injury to the animals.
- Accommodation must be adequately ventilated in order to prevent any discomfort to animals.
- Animals kept in buildings must not be either in permanent darkness or without an appropriate period of rest from artificial lighting. Where the natural light available is insufficient to meet the physiological and ethological needs of the animals, appropriate artificial lighting must be provided.
- Animals not kept in buildings must be given protection from adverse weather, predators, and risks to their health.

Automatic or Mechanical Equipment

- Automated or mechanical equipment must be inspected daily to ensure that there are no faults which could lead to the injury of animals.
- Ensure that the backup and alarm system for artificial ventilation is tested regularly to warn of a breakdown.

Nutrition - Feed, Water and Other Substances

You must ensure:

- Animals are fed a wholesome diet which is appropriate to their age and species, and which is fed to them in sufficient quantity to maintain them in good health and satisfy their nutritional needs.
- No animal is provided with food or liquid, which may cause unnecessary suffering or injury.
- All animals have access to feed at intervals appropriate to their physiological needs.
- All animals have access to a suitable water supply or be able to satisfy their fluid intake needs by other means.
- Feeding and watering equipment is designed, constructed, and placed so that contamination of food and water and the harmful effects of competition between animals are minimised. This equipment should also be routinely inspected.
- Certain substances are not administered e.g., animal remedies etc. detrimental to the health and welfare of your animals unless on the advice of a veterinary practitioner.

Mutilations

- You cannot tail dock cattle.
- You cannot carry out the following without a local anaesthetic:
  - Dehorn/disbud calves if older than 14 days.
  - Castrate cattle if the animal is over 6 months of age.
  - Tail docking lambs if older than 7 days.
  - Castrate sheep if older than 3 months.

Tail docking of cattle is forbidden.

Breeding Procedures

- You must not carry out natural or artificial breeding or breeding procedures which cause suffering or injury to animals e.g., breeding immature heifers.
- You must not keep animals for farming purposes if, as a result of their genetic or physical characteristics will have detrimental effects on their health and welfare.

Fallen stock should be disposed of in an appropriate manner.

Further information is available at:

https://www.gov.ie/en/publication/f5c92-fallen-animals/

What will a farm inspector check?

The farm inspector will check that you have met the minimum farm animal welfare standards described above.

SMR 11 inspections will involve checks for compliance on:

- Accommodation, equipment and conditions for keeping animals.
- Adequate freedom of movement of animals.
- Feeding and nutrition practices.
- Appropriate staffing and inspection of animals.
- Appropriate record keeping.
- Mutilations and breeding procedures.

GOOD AGRICULTURAL AND ENVIRONMENTAL CONDITIONS (GAECs)

GAEC 1: Maintenance of Permanent Grassland.

GAEC 2: Protecting Peatland and Wetland.

GAEC 3: Ban on Burning of Arable Stubble Except for Plant Health Reasons.

GAEC 4: Establishment of Buffer Strips Along Water Courses.

GAEC 5: Tillage Management to Reduce the Risk of Soil Degradation and Erosion.

GAEC 6: Minimum Soil Cover to Avoid Bare Soil in Periods that are Most Sensitive.

GAEC 7: Crop Rotation in Arable Land.

GAEC 8: Minimum Share of Land devoted to Non-Productive Areas and Features on all Agricultural Area, Retention of Landscape Features, Ban on cutting Hedges and Trees during the Bird Nesting and Rearing Season and Measures for Avoiding Invasive Plant Species.

GAEC 9: Ban on Converting or Ploughing Permanent Grassland Designated as Environmentally Sensitive Permanent Grassland in Natura 2000 Sites.

GAEC 1 Maintenance of Permanent Grassland

What is GAEC 1 about?

The GAEC 1 standard is focused on safeguarding against the conversion of permanent grassland to other agricultural land use over the longer term.

Permanent grasslands are important for several reasons, some of which are summarised in Figure 24. Permanent grasslands store considerably more carbon in their soil organic matter than in their vegetation and therefore contribute to the preservation of carbon stocks and the mitigation of climate change. Maintaining high levels of permanent grassland in Ireland brings other environmental benefits too. Soil quality and structure is protected by reducing erosion and improving soil organic matter, water quality is protected because of reduced agricultural inputs that could be lost to water, and biodiversity is enhanced by providing important habitats in agricultural areas.

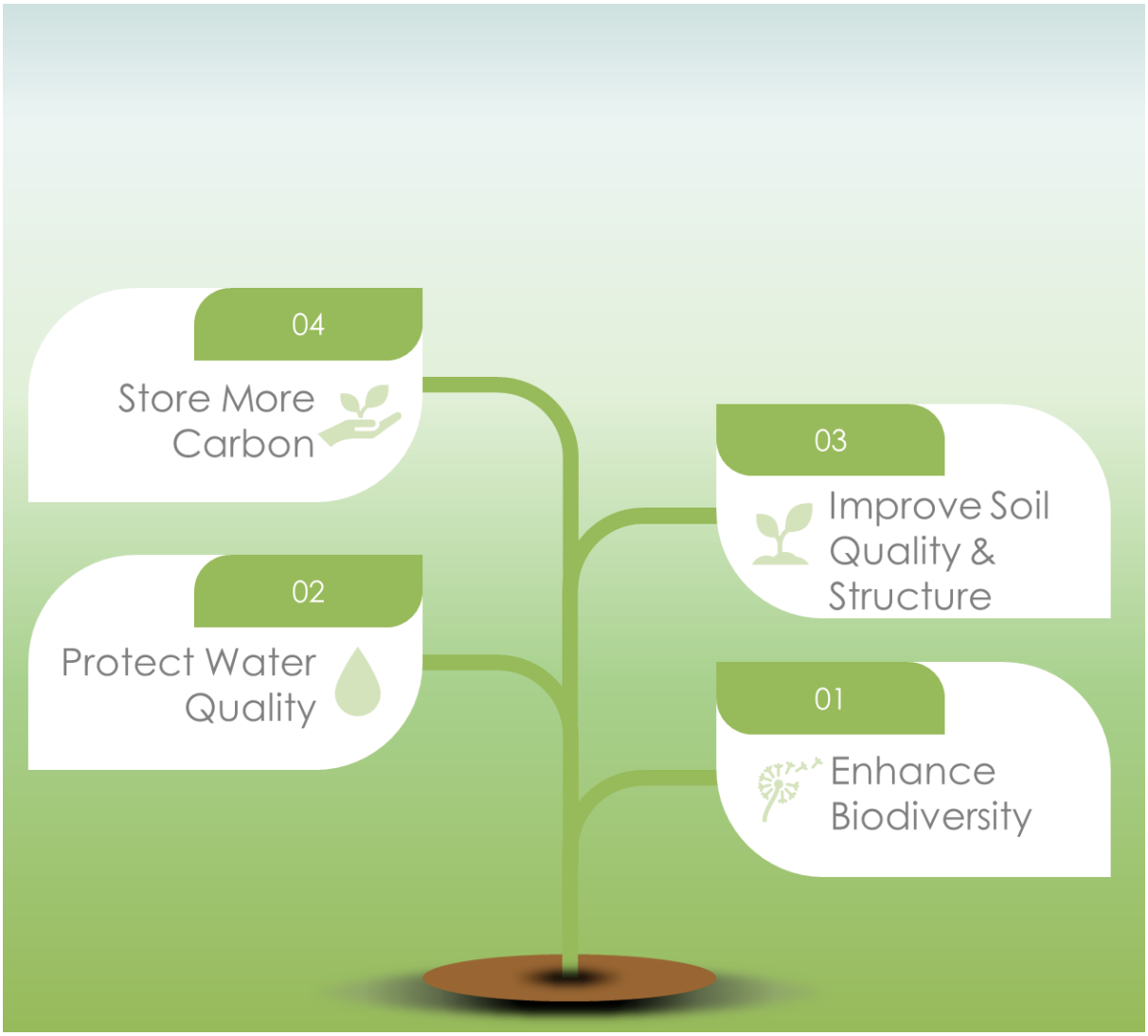


Figure 24: Benefits of permanent grassland.

A system for maintenance of permanent grassland through a ratio of permanent grassland to agricultural areas has been in place over the last two CAP periods. Ireland and other EU states must ensure that the ratio of areas of permanent grassland to the total agricultural area declared by farmers does not decrease by more than 5% compared to the reference ratio established in 2018.

The ratio of permanent grassland on agricultural areas at EU level is stable at around 30% for some years. Ireland has a ratio of circa 90% highlighting the dominance of permanent grassland in Ireland's landscape.

What will a farm inspector check?

It is not envisaged that there will be any farmer requirements under this GAEC.

The obligation to maintain permanent grassland will be tracked and managed at a national level in order to avoid the decrease in the ratio by 5%. If you wish to plough and reseed permanent grassland, you can do so without being affected by this measure. However, if the decrease in the ratio exceeds 4.8% at National level compared to the 2018 baseline area, you may be asked to seek prior authorisation if you wish to convert permanent grassland to, for example tillage in the following year. There may also be a sanctioning/re-conversion system where required.

GAEC 2 Protecting Peatland and Wetland

What is GAEC 2 about?

GAEC 2 aims to address climate change by protecting the carbon rich soils of peatlands and wetlands (Figure 25). Peatlands and wetlands are valuable ecosystems for biodiversity, water quality and soil quality. Peatlands act as the most important long-term sinks for atmospheric carbon dioxide, sequestering and storing atmospheric carbon for thousands of years.

Figure 25: Peatlands and wetlands.

A consistently high-water table is necessary for peatlands to function well, and draining of these organic soils, turns these natural stores of carbon into emitters of carbon. The cultivation or intensive use of carbon rich soils results in significant carbon dioxide emissions from the breakdown of organic material. Peatlands and wetlands are vulnerable to other damaging activities such as infilling, turf cutting, nutrient enrichment, over-grazing, agricultural improvements, afforestation, and the spread of invasive species. Peatland restoration can bring significant emissions reductions.

Recent Teagasc (2020) research outlines approximately 6% of the country or 420,000 ha is made up of cultivated peats across a wide range of farming intensities (though predominately low intensity farming).

What will a farm inspector check?

In Ireland, this GAEC standard will be applicable from 2024 onwards as a lead time is required to define and map peatlands and wetlands and to outline and notify farmers of the requirements.

Once the peatlands and wetlands are defined, the Department of Agriculture, Food and the Marine will identify those areas with GAEC 2 designation on the Land Parcel Identification System (LPIS), thereby enabling identification of peatlands and wetlands at parcel level. Requirements to meet the obligations of GAEC 2 will be published and checks will be carried out on an annual basis from 2024 by the DAFM for compliance with the requirements.

GAEC 3 Ban on Burning of Arable Stubble Except for Plant Health Reasons

What is GAEC 3 about?

GAEC 3 prohibits the burning (combustion) of crop stubbles and crop residues such as straw, and therefore prevents the direct release of carbon dioxide to the atmosphere while maintaining soil organic matter. Soil organic matter plays an important role in preserving soil structure and stability, soil nutrient availability, and water infiltration and holding capacity.

Arable stubble or straw cannot be burnt. However, as an exception it may only be burned strictly for plant health reasons only. Prior authorisation from the Department of Agriculture, Food and the Marine is required, and the prescribed burning code of practice must be followed.

Besides causing air pollution, there are several other negative effects to burning crop stubble and crop residues such as straw as outlined in Figure 26:

Figure 26: Negative effects of burning straw.

This GAEC only applies to Arable land.

Checks on burning of crop stubble and crop residues will be carried out using AMS and by ground inspections.

What will a farm inspector check?

At inspection it will be checked if:

- For evidence that you burned crop residues such as straw or straw stubble.
- You carried out burning for plant health reasons, can you provide evidence of the plant health reason, and can you provide written prior approval?

Further Information

https://www.gov.ie/en/publication/01773-fire-management/#prescribed-burning-code-of-practice-and-related-documents

GAEC 4 Establishment of Buffer Strips Along Water Courses

What is GAEC 4 about?

The aim of this GAEC standard is to protect all waters by maintaining a buffer strip or zone that safeguards these features from pollution and run-off which may result from the use of fertilisers (organic and chemical) and pesticides.

A buffer strip or zone is an area of land adjacent to a water feature in which certain agricultural activities are prohibited. A buffer strip or zone prohibits specific activities within an area, for example, the application of slurry may be prohibited within the buffer zone. As shown in Figure 27, buffer strips trap fertilisers (nutrients), pesticides, pathogens, and heavy metals. Buffer strips also slow water runoff, traps sediment, and fences infiltration within the buffer.

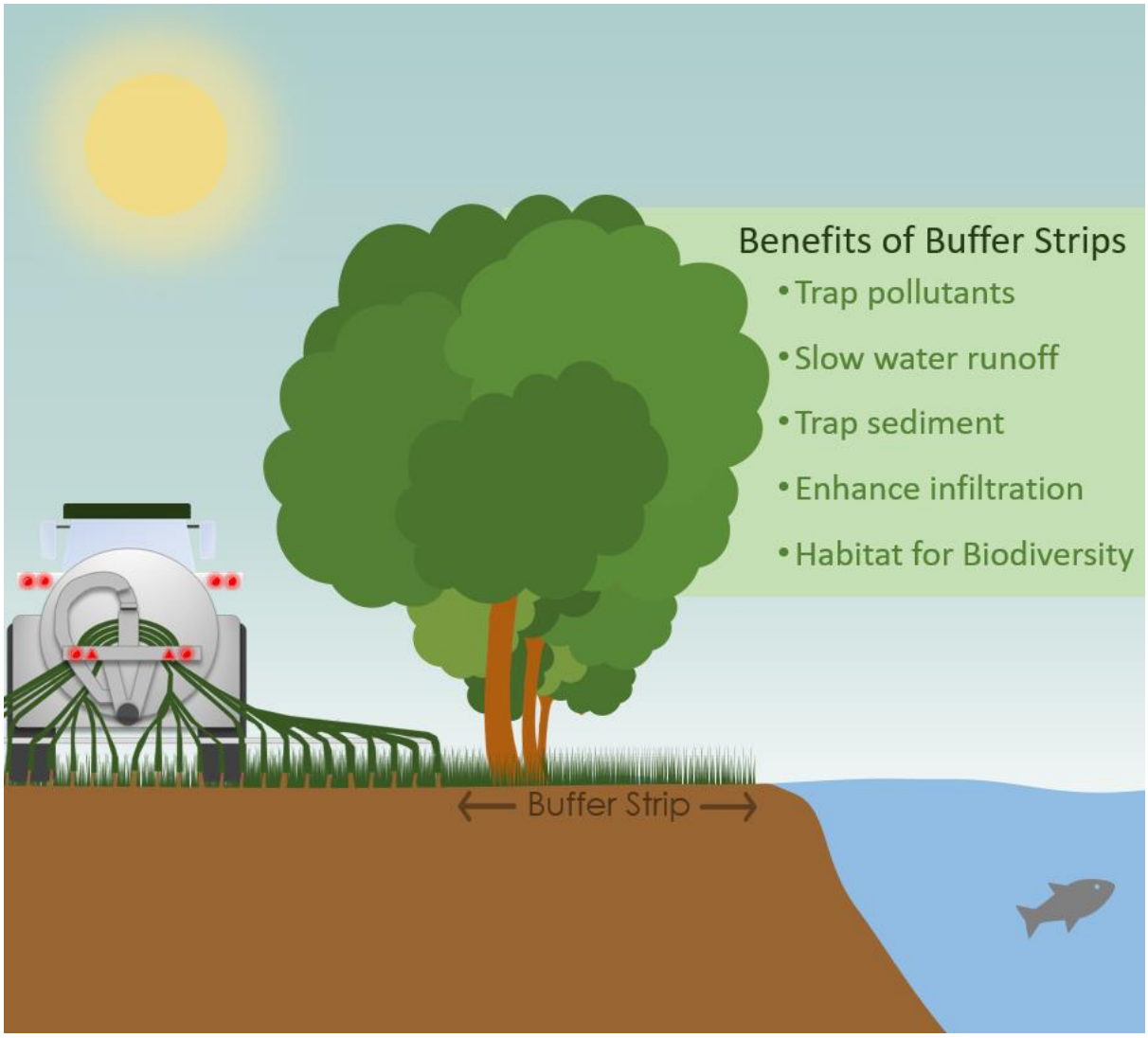


Figure 27: Benefits of buffer strips.

'Waters' are all surface waters, including coastal water, estuaries, lakes, ponds, rivers, streams, canals and watercourses such as field ditches / drains, including temporarily dry drains (dry for more than 3 months of the year).

The required buffer zones for spreading organic manure (Table 7) the storage of farmyard manure (Table 8) in a field during the permitted period and buffer strips concerning other agricultural activities (Table 9) are outlined below:

Table 7: Buffer zones for spreading organic fertiliser.

Water Abstraction Points	200m to 25m*
Lake Shoreline or Turlough likely to Flood	20m
Exposed Cavernous/ Karstified Limestone Features	15m
Surface Watercourse where Slope towards Feature Exceeds 10%	10m
Any other Surface Water	5m**
*Distance varies depending on the size of the population served by the abstraction point, or volume abstracted daily. **Increased to 10m for two weeks prior to the commencement of the prohibited spreading period, and again for two weeks after the end of the prohibited spreading period.	

Table 8: Buffer zones for storage (during the Permitted Period) of farmyard manure in a field.

Water Abstraction Points supplying $10m^3$ to $100m^3$ per day	250m
Other Water Supplies for Human Consumption	50m
Lake Shoreline	20m
Exposed Cavernous/ Karstified Limestone Features	50m
Any other Surface Water	20m

Table 9: Buffer strips concerning other agricultural activities.

Uncultivated margin required along watercourses where the adjacent crop to be established is not a grass crop	3m
Untreated margin required from the surface water edge when **chemical fertiliser products or plant protection products** are being applied to the adjacent crop	3m
Grass/ vegetated margin required from the surface water edge where the adjacent crop is a non-grass forage crop grazed in-situ[5]	4m (See GAEC 6 for additional requirements)
Uncultivated buffer required to protect any intersecting watercourses[6] where the adjacent crop is a late harvested crop[7]	6m

What does GAEC 4 mean for you?

GAEC 4 requirements restrict the application and storage of chemical and organic fertilisers along watercourses and also beside wells and boreholes.

The majority of the requirements under this GAEC standard are satisfied through the implementation of Good Agricultural Practice Regulations under the EU Nitrates Directive and SMR 2 and Proper and Safe Use of Plant Protection Products under SMR 7.

What will a farm inspector check?

Requirements under this GAEC standard are addressed through the buffer requirements set out under SMR 2 and SMR 7.

In addition, the inspector will check that buffers are being implemented correctly where non-grass forage crops are established beside surface waters.

[5] For example, kale, forage rape etc.
[6] An 'intersecting watercourse' means where a land parcel is sloped towards a watercourse and any surface water run-off would drain into that watercourse.
[7] A 'late harvested crop' includes vegetable crops harvested after 15th September as well as fodder beet, sugar beet, main crop potatoes and maize excluding cereal crops and beans.

GAEC 5 Tillage Management to Reduce the Risk of Soil Degradation and Erosion

What is GAEC 5 about?

The objective of GAEC 5 is to limit or reduce soil erosion. Soil erosion refers to the wearing away of a field's topsoil by the natural physical forces of water and wind, or through forces associated with farming activities such as tillage. Examples of soil erosion are shown in Figure 28.

Figure 28: Soil erosion.

Soil with a high nutrient status poses a significant risk where such soil becomes detached and enters water. Bare soils, particularly on sloping ground, during periods of heavy rainfall and/or poor growth are most vulnerable to erosion.

What does GAEC 5 mean for you?

Green cover will help to minimise soil erosion. If you undertake tillage operations, you must ensure the establishment of green cover following ploughing to minimise the risk of soil erosion.

Tillage Management on Grassland:

- Where grassland is ploughed between 1st July and 15th October, have the necessary measures taken place within 14 days of ploughing to provide for emergence of green cover from a sown crop (Figure 29). You must not remove sown green cover before 1st December by ploughing unless a crop is sown within 2 weeks of its removal (**as per SMR 2 requirements**).

- The ploughing of all grassland is prohibited between 16th October and 30th November (**as per SMR 2 requirements**). Furthermore, the ploughing of grassland land with a slope of 20% or more, between 1st December and 31st December, is prohibited.

Figure 29: Grassland ploughing requirements.

Tillage Management on Arable Land:

- Where arable land is ploughed between 1st July and 30th November the necessary measures, shall be taken within 14 days of ploughing to provide for emergence of green cover. You must not remove sown green cover before 1st December by ploughing unless a crop is sown within 2 weeks of its removal (**as per SMR 2 requirements**).
- The ploughing of arable land with a slope of 15% or more, between 1st December and 31st December, is prohibited.
- **As per SMR 2 requirements**, shallow cultivation of post-harvest stubble[8] must take place within 10 days of baling of straw, or where straw is chopped, within 10 days

[8] Applicable only to all Nitrates Zone A counties, and counties Louth, Meath and Westmeath

of harvest. In all circumstances, shallow cultivation must take place within 14 days of harvesting.

- Shallow cultivation is not required on certified organic holdings, after the harvesting of root crops or late harvested crops[9], where cereals are under sown with another crop, where cereals or beans harvested after 15th of September, or on lands destined for winter combinable crops which are sown before the 31st of October. However, where shallow cultivation is required, then a minimum of 20% and a maximum of 25% of **cereal land** must not be subject to shallow cultivation after harvest. This is to provide available winter foraging habitat for seed eating birds and mammals. The 20 – 25% of land that is not shallow cultivated must not have any herbicides applied until at least 1st of February the following year, unless a crop has been planted.

Other Requirements:

- Soil should not be bare (devoid of green cover) for a period greater than **4 months**.
- Avoid finely tilled soils not in the process of crop establishment. Land ploughed between the 1st of December and 15th January must be maintained with a rough surface prior to a crop being sown (**as per SMR 2 requirements**).
- Use appropriate cropping practices and cropping structures.
- Use suitable machinery, vehicles and trailers and avoid damaging the soil structure in unfavourable weather conditions which can lead to soil erosion.

What will a farm inspector check?

During the farm inspection, the inspector will check compliance with those GAEC 5 requirements which are applicable to the holding.

[9] A 'late harvested crop' includes vegetable crops harvested after 15th September as well as fodder beet, sugar beet, main crop potatoes and maize excluding cereal crops and beans.

GAEC 6 Minimum Soil Cover to Avoid Bare Soil in Periods that are Most Sensitive

What is GAEC 6 about?

The objective of GAEC 6 is to limit or reduce soil erosion by promoting minimum soil cover on grassland and arable land during sensitive periods.

This GAEC standard aims to prevent prolonged periods of exposed soils being subject to eroding forces such as rainfall. It also covers other situations where management practices can minimise the risk of soil erosion, particularly with regard to livestock management (Figure 30).

Figure 30: Soil erosion due to poor livestock management practices.

What does GAEC 6 mean for you?

Soil erosion, is in part, influenced by vegetation cover. In order to protect soils at the most sensitive period for grasslands and arable lands the following requirements (**in combination with the GAEC 5 provisions**) apply to protect soil both during and in the lead-up to this period.

Promoting Minimum Soil Cover on Grassland

- If applying a non-selective herbicide to grassland between 1st July and 30th November, take the necessary measures to provide for the emergence of green cover (either sown or natural regeneration) within 6 weeks of application (**as per SMR 2 requirements**).
- Do not remove sown green cover before 1st December using non-selective herbicides unless a crop is sown within 2 weeks of its removal (**as per SMR 2 requirements**).

Promoting Minimum Soil Cover on Arable Land

- If applying a non-selective herbicide to arable land between 1st July and 30th November, take the necessary measures to provide for the emergence of green cover (either sown or natural regeneration) within 6 weeks of application. In the case of seed crops and crops for human consumption, where a contract prohibits pre-harvest use of a non-selective herbicide, the requirement to provide green cover is reduced to 75% of the contracted area where the herbicide is applied after 15th October (**as per SMR 2 requirements**).
- Do not remove sown green cover before 1st December by the use of non-selective herbicides unless a crop is sown within 2 weeks of its removal (**as per SMR 2 requirements**).

Minimum Soil Cover and Livestock Management

Severe poaching including sacrifice paddocks are prohibited.

- Manage outwintering livestock to prevent poaching e.g., moving feeders, reduce the stocking rate and moving livestock to other parts of the farm.
- **Sacrifice paddocks are not permitted**.
- Use suitable vehicles and machinery to avoid rutting during periods of wet weather, for example, when feeding out-wintered livestock.
- Do not overgraze or otherwise use sand dunes and/or grassland resulting in erosion.
- Grazing catch crops in-situ – you must provide an adequate lie-back area which is always accessible to grazing livestock. The lie-back area can be grassland or stubble. Stubble is only deemed an acceptable lie-back area where there is sufficient green cover established in line with the stubble management requirements of the Nitrates Regulations. For both grass and stubble lie-backs there must be no repeated poaching of either the lie-back or catch crop area. The available lie back area must be at least 30% of the total land area, that is sown forage crop and lie back e.g., 3.5ha of kale will require at least 1.5ha of lie-back.
- You must maintain a grass/vegetated buffer strip of **at least 3m** around the external perimeter of the parcel/area in catch crops (excluding external water boundaries – see next point).
- As per GAEC 4, you must maintain a grass/vegetated buffer strip of **at least 4m** along water feature boundaries where non-grass forage crops are being grazed in-situ.
- Where the catch crop has been utilised, then efforts must be made to exclude livestock from repeated poaching of areas (bare soil). This can include using a backing fence.

- In addition, it is important that, where catch crops are grazed in situ, the necessary steps are taken to minimise any damage which could lead to the erosion of soil. These steps could include:
  - Choosing a well-drained, relatively flat field for forage crop establishment.
  - Moving stock during periods of wet weather.
  - Use back-fencing.
  - Provide adequate vegetated margins.
  - Fence watercourses, where appropriate, to avoid excessive bankside erosion.
  - Loosen the soil as soon as conditions allow, for example by ploughing or subsoiling to help water to penetrate the soil.

Other Requirements

- Avoid inappropriate land reclamation works, and other works, which lead to inadequate soil and ground cover.

What will a farm inspector check?

The farm inspector will check:

- If the conditions regarding the use of non-selective herbicide on grassland and arable land are being observed.
- For evidence that sand dunes and/or grassland is being overgrazed.
- For evidence of rutting or poaching damage to grassland caused by animal grazing or machinery.
- For evidence of severe poaching leading to soil erosion in grassland e.g., supplementary feeding points or sacrifice paddocks.
- For adequate lie back area where catch crops are being grazed in situ?
- If a 3m non-cultivated vegetated buffer has been provided along non-water feature boundaries (hedgerows, treelines, stone walls) where non-grass forage crops are being grazed in-situ?

GAEC 7 Crop Rotation in Arable Land

Ireland has availed of a derogation from Crop Diversification in 2023, which the European Commission has made available for 2023 as a response to the ongoing consequence of Russia's invasion of Ukraine for global food security. This means crop diversification requirements will not apply to you in 2023, however 2023 is the first year of the reference period (2023-2026) for Crop Rotation requirements.

What is GAEC 7 about?

The main objective of GAEC 7 is preserving soil potential and **it is applicable to arable land only**. This standard has two implementing aspects, **crop rotation** and **crop diversification**. Planned **crop rotations** improves soil quality and health where for example the rotation includes deep rooting crops such as brassicas (e.g., oil seed rape) and legumes (e.g., beans). Crop rotation also has advantages in terms of weed, pest and disease control and as a result can help in achieving a reduction in the use of chemical pesticides as set out in the Farm to Fork Strategy. The crop rotation element of this standard requires a change of arable crop once in a four-year cycle.

The **crop rotation** element of this standard also incentivises rotation with cover crops which may be more suitable to holdings specialising in the production of barley for the malting and distilling industry, and on smaller, arable holdings where compliance with the GAEC 7 crop rotation requirements presents various agronomic challenges.

Crop diversification, which forms the second element of this GAEC standard also has environmental benefits and as a practice, it can support a system of crop rotation.

What does GAEC 7 mean for you?

Depending on the type and size of your arable holding, you may be required to implement both the practice of crop rotation and crop diversification, or you be only required to implement the practice of crop diversification.

Crop Rotation:

- Holdings with an arable area equal to or greater than 10ha must implement a crop rotation which requires at least two different crops to be sown at parcel level over a four-year cycle. For example, the following rotation shown in Figure 31 a rotation of winter oilseed rape (year 1), followed by winter wheat (year 2), followed by

winter barley (year 3) followed by winter oats (year 4) complies with the crop rotation requirement under GAEC 7.

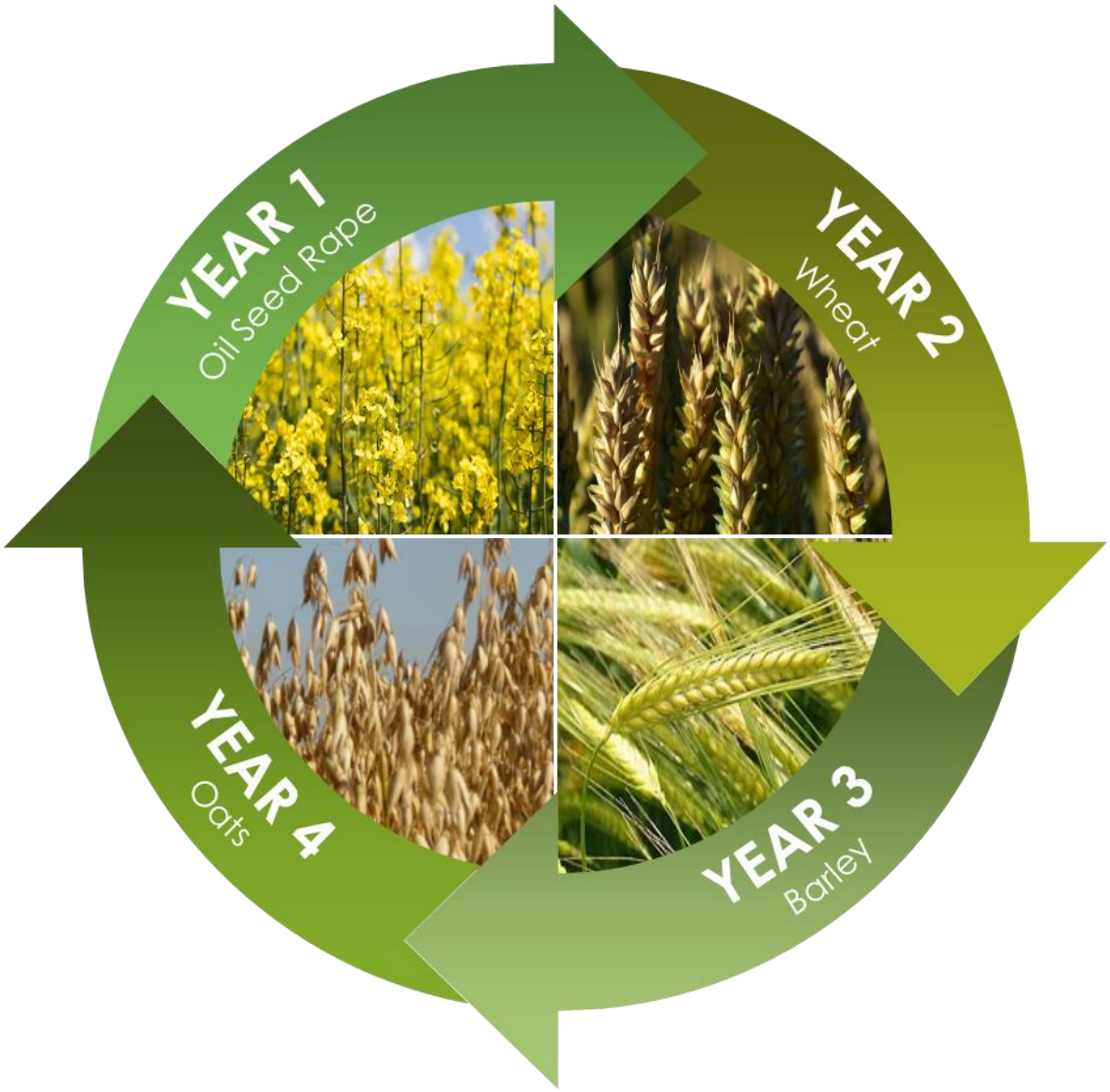


Figure 31: Example of crop rotation in a four-year cycle.

- The reference year for crop rotation is 2023, therefore there must be at least two different crops within an arable parcel over the period 2023-2026 inclusive.

Exemption from Crop Rotation

Holdings with an arable area equal to or greater than 10 ha but less than 50 ha, where at least 50% of arable area is sown in barley, are exempt from the crop rotation requirement. Please note that holdings exempt under crop rotation may however be required to comply with crop diversification requirements set out below.

- Holdings with an arable area equal to or greater than 10ha but less than 30ha, must establish/ maintain at least **two arable crops**. The **main arable crop** must occupy not more that **75%** of the arable area on the holding (Figure 32).
- Holdings with an arable area equal to or greater than 30ha, must establish/ maintain at least **three arable crops**. The **main arable crop** must occupy not more that **75%** of the arable area on the holding. The combined area of the **two main arable crops** must not occupy more than **95%** of the arable land area on the holding (Figure 32).

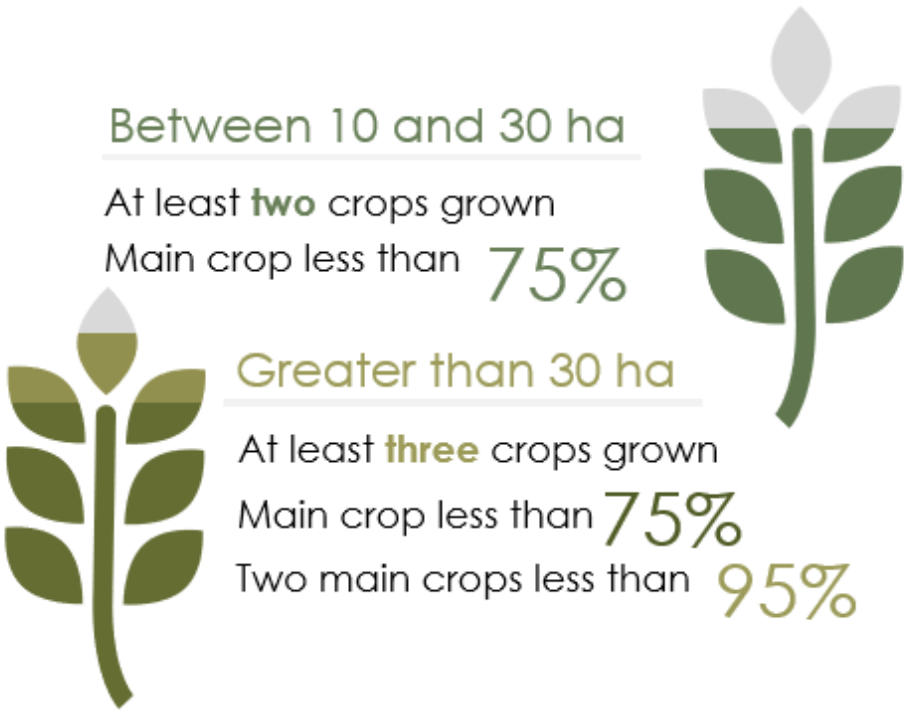


Figure 32: Crop diversification requirements.

Alternative to Crop Rotation and Crop Diversification:

In lieu of the above requirements (where applicable), holdings may choose to implement alternative crop rotation/diversification practices by growing secondary crops (catch/cover crops) within the same crop year cycle as follows:

- At least 50% of arable area at farm level is sown in catch crops annually **and** all parcels must be sown in catch crops over the 4-year cycle i.e., all parcels must be sown to a catch crop over the period 2023-2026 inclusive.
- Catch crops must be sown by the 15th September annually and must remain in place until at least the 1st December annually.
- ACRES catch crop area will **not** count towards GAEC 7 crop rotation/diversification requirements.

Exempted Holdings Under GAEC 7 (Crop Rotation and Crop Diversification):

- Holdings with up to 10 hectares of arable land.
- Farms where more than 75% of the eligible agricultural area is permanent grassland.
- Farms where more than 75% of arable land is used for land lying fallow, temporary grassland, grassland production, cultivation of leguminous crops, or is subject to a combination of those uses.
- Organic farmers certified organic land or land in conversion.

What will a farm inspector check?

As Ireland has a derogation from crop diversification these requirements will not apply in 2023. However, 2023 is the first year of the reference period (2023-2026) for Crop Rotation requirements.

Checks will be carried out on an annual basis from 2024 by the DAFM through a combination of AMS and ground inspections to check compliance with GAEC 7 requirements.

GAEC 8

Minimum Share (4%) of Land devoted to Non-Productive Areas and Features on all Agricultural Area, Retention of Landscape Features, Ban on cutting Hedges and Trees during the Bird Nesting and Rearing Season and Measures for Avoiding Invasive Plant Species

What is GAEC 8 about?

The main objective of GAEC 8 is the retention and maintenance of non-productive features and areas to improve on-farm biodiversity. GAEC 8 can assist in restoring, maintaining, and improving habitats and landscapes in order to halt biodiversity decline, including farmland birds and pollinators. The requirements under GAEC 8 will place an economic value on biodiversity across all Irish farms in receipt of CAP payments. Requirements under GAEC 8 are set out in Figure 33 below:

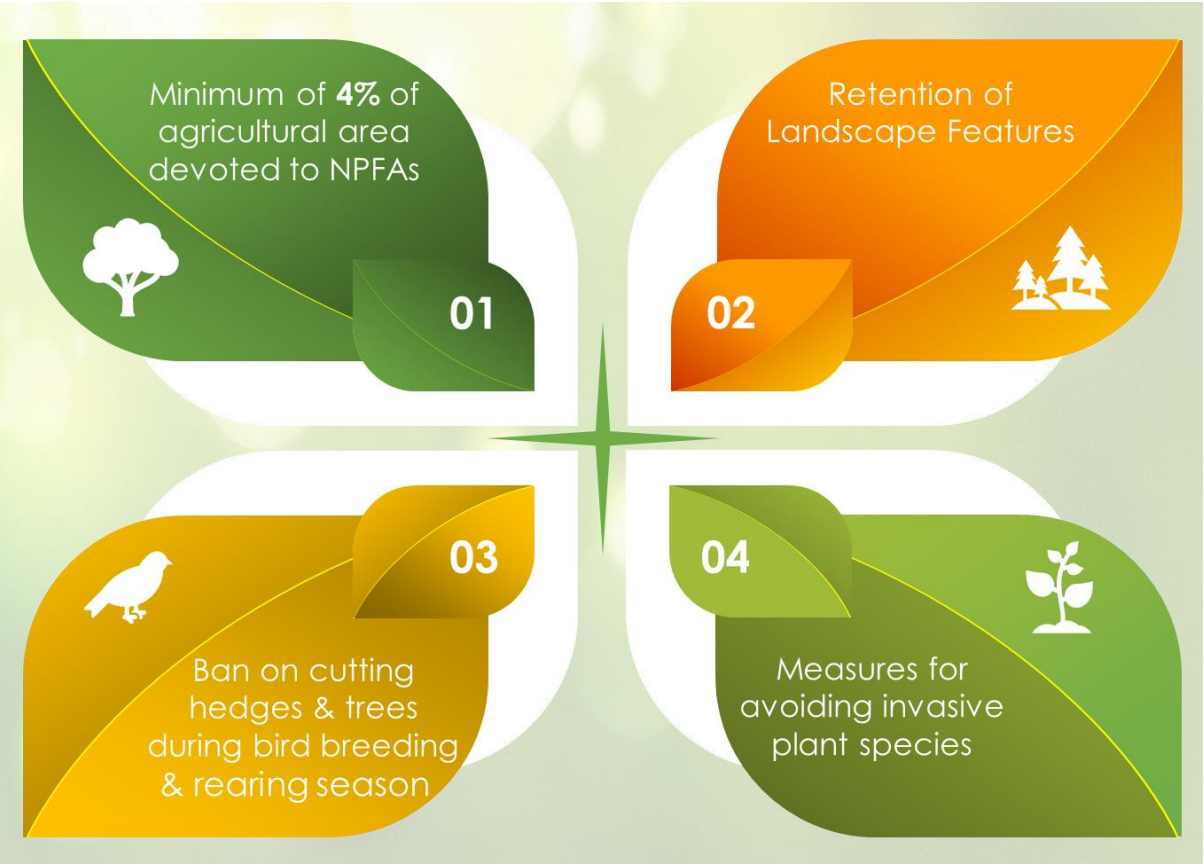


Figure 33: GAEC 8 requirements.

Minimum Share of 4% at Holding Level (agricultural area) Devoted to Non-Productive Features and Areas

Non-productive features and areas (NPFAs) are outlined in Table 10 and comprise of a range of features and areas that contribute to on-farm biodiversity. Such features also contribute significantly to the ambition of enhancing measures for carbon sequestration. **Accordingly, all BISS participants from January 2023 will be required to have a minimum share of 4% of eligible area devoted to such non-productive features and areas.** The declared NPFA will be verified by the DAFM on inspection and the maintenance of these feature areas will, where feasible, also be subject to monitoring and verification using the AMS.

Table 10: Non-productive features and areas and designation status for GAEC 8.

Non-productive Features and Areas	Non-Productive Feature	Designated Landscape Feature
Arable Land Lying Fallow	✓	X
Hedgerows/Trees in a Line	✓	✓
Forestry/Woodland (Parcel level)	✓	X
Scrub	✓	X
Group of Trees/Copse/Woodland (Sub-feature)	✓	X
Uncultivated Buffer Strips	✓	X
Ditches/Drains	✓	✓
Small Ponds	✓	✓
Traditional Stone Walls	✓	X
Rock	✓	X
Former REPS Designated habitats	✓	✓
Other Habitat Areas	✓	X
Wild Bird Cover	✓	X
ASSAP Areas	✓	X
Archaeological Features	✓	✓

It should be noted that the following are exempted areas for GAEC 8 NPFAs:

- Natura 2000 sites
- Commonage
- Forestry
- Land subject to GAEC 2 and
- Land subject to GAEC 9

Retention of Designated Landscape Features

Landscape features under GAEC 8 are set out in Table 11 and examples are also shown in Figure 34:

Table 11: Landscape features and their year of designation.

Designated in 2009	Hedgerows including gappy hedgerows. Trees in a line. Open drains and ditches. Combinations of hedge and drain.
Designated in 2012	Former REPS 3, 4 and 4A designated habitats.
Designated in 2015	Archaeological sites and monuments. These designated landscape features are protected and cannot be removed or damaged.
Designated in 2023	Small ponds (less than or equal to 0.2 hectares).

Figure 34: Landscape features.

To comply with GAEC 8 requirements you must retain and maintain all GAEC 8 landscape features on your holding since their designation.

Exceptional Circumstances under GAEC 8

Landscape features are eligible for BISS and other area related payments and cannot be removed apart from certain **limited exceptional circumstances**. The following limited exceptional circumstances that a landscape feature can be removed are detailed in Table 12. This only applies to hedges, line of trees, drains and ditches.

Table 12: Exceptional circumstances for the removal of hedges/line of trees/ditches or drains.

Exceptional Circumstance:	**Conditions:**
1) Building work	• Farmyard expansion. • Widening gaps to facilitate access for larger machinery.
2) Road Safety issues	• Where an unacceptable level of risk has been identified by the Local Authority, the National Roads Authority, or the Gardai etc., e.g., laneway is too narrow for modern machinery/commercial vehicles.
3) Farm Safety issues	• Machinery access. • A hedgerow in a field with a gradient in excess of **15% in arable land or 20% in grassland** as flagged on the BISS map layer can be demonstrated to cause an unacceptable level of risk to current farming practice e.g., farmer wants to plough a field to put into tillage for the first time and it would necessitate turning on a steep hill. This must take account of whether the hedgerow lies with or across the contour.

In all circumstances above, the exemption is limited to the minimum length necessary.

Removal of Landscape Features are not allowed apart from in defined exceptional circumstances outlined in Table 12. Where this is allowed it must be replaced in advance by twice the length in a like for like fashion, otherwise sanctions will be applied. Replacement requirements must still be met, or further sanctions will be applied.

Removing a hedge or a landscape feature between two fields is not considered exceptional circumstances. Established landscape features have a greater value in terms of providing wildlife habitats, biodiversity and carbon sequestration relative to those that are newly established. The value of some existing ancient hedgerows, both ecologically and culturally, can never be replaced. To account for this, hedgerows and landscape features removed in line with **exceptional circumstances** must be replaced

with **twice** the proposed removal length (e.g., if 10m of hedgerow is to be removed, it must be replaced with 20m of hedgerow which must be established **prior** to removal of the original hedgerow). This must be planted in the vicinity of the removal i.e., within the farm/holding where the feature was removed. You can only replace like with like i.e., hedge for a hedge and the hedgerow species used must be typical of native hedgerow species combinations found in the townland. Ideally the new hedgerow should adjoin existing hedgerows or woodland for ecological connectivity. **The replacement hedgerow cannot be for amenity purposes, e.g., around farmyard or driveway or funded under an agri-environment measures such as ACRES or Eco-Schemes**. It should also be noted that removal of hedgerow cannot take place within the bird breeding season and where in designated lands removal of hedgerows may be an ARC (Action Requiring Consent) and permission may be required from NPWS in advance. Failure to comply with these requirements **will** result in a sanction being applied and a requirement to appropriately replace the feature in order to avoid further sanctions.

Environmental Impact Assessment (EIA) screening is required under the EIA Agriculture Regulations concerning certain thresholds of hedgerow removal and land consolidation. The EIA Agriculture Regulations came into force on 8 September 2011 and apply to the types of on-farm activities outlined in Table 13 below:

Table 13: EIA screening for on-farm activity.

Type of On-Farm Activity	**Screening by DAFM Required**	**Mandatory EIA**
Restructuring of rural land holdings		
Length of field boundary to be removed	>500 metres	>4 kms
Area of lands to be restructured by removal of field boundaries	>5 hectares	>50 hectares
Recontouring (within farm holding)	>2 hectares	>5 hectares
Commencing to use uncultivated land or semi-natural areas for intensive agriculture	>5 hectares	>50 hectares
Land drainage works on lands used for agriculture	>15 hectares	>50 hectares

Table 13 above refer to areas or lengths of works undertaken in any one year **or** the sum of such areas over a 5-year period.

The National Parks and Wildlife Service may also direct you to apply to DAFM for screening in the case of sub-threshold works that have been brought to their attention (via notifiable actions system or otherwise).

Certain restrictions may also apply in Natura 2000 sites. Removing landscape features of any length may require screening for an Appropriate Assessment under Article 6 (3) of the Habitats Directive. This is likely to apply to any project within 15km of a Natura 2000 site or a project greater than 15km from a Natura 2000 site where the project has hydrological connectivity with that site and the Natura Site has aquatic conservation interests. Where screening is known to be required or a landowner is uncertain then the NPWS should be contacted.

Ensure that you are aware of the Environmental Impact Assessment (EIA) Regulations. Further information on EIA regulations and screening can be found at: https://www.gov.ie/en/service/161a7-environmental-impact-assessment-screening-service/

In summary, Figure 35 below shows the key points that must be remembered when deciding to remove landscape features:

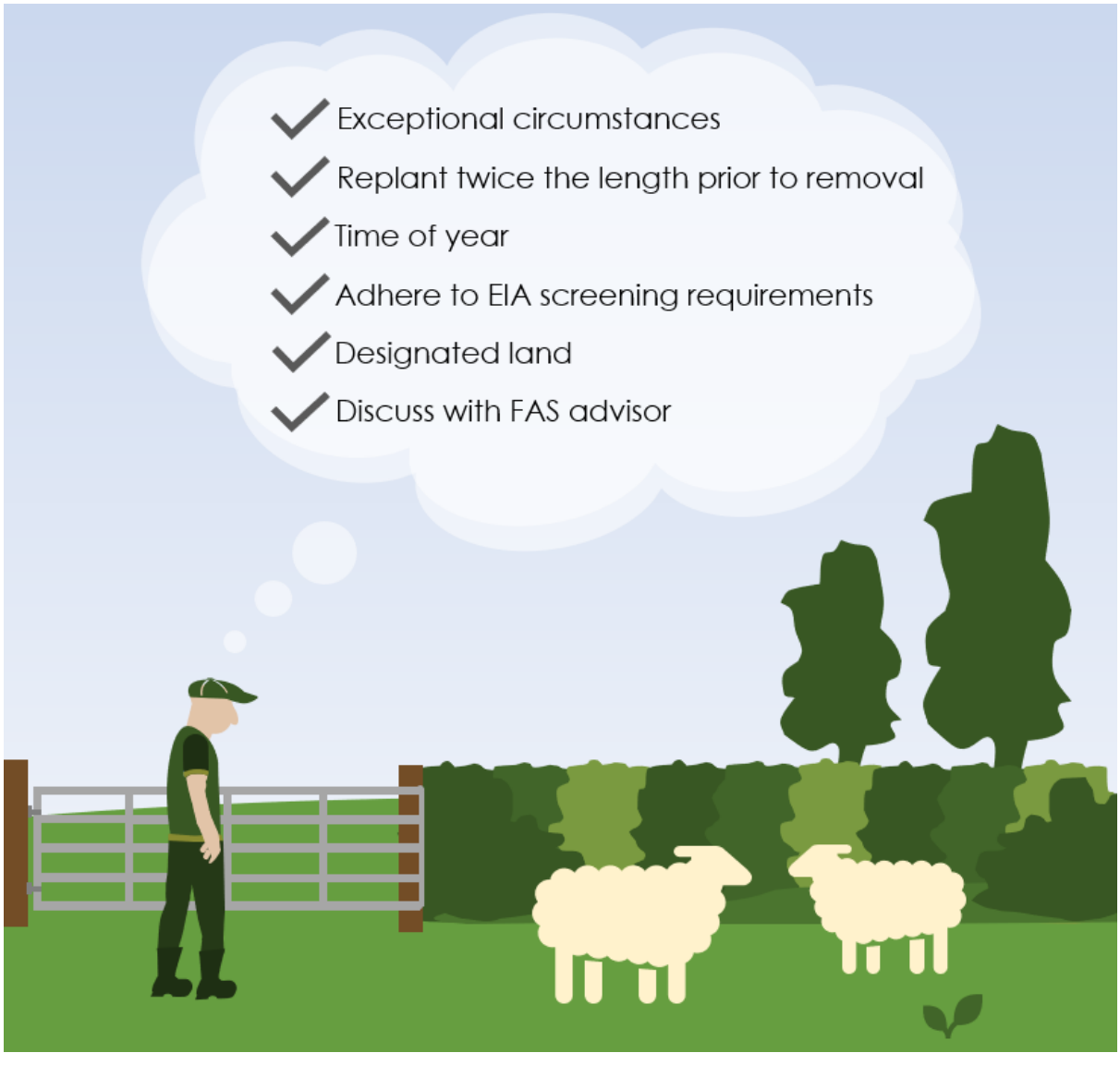


Figure 35: Key points to remember if considering removing hedgerows.

Ban on Cutting Hedges and Trees During the Bird Breeding and Rearing Season

Certain agriculture practices represent a significant threat to bird populations through loss of habitats and reduced availability of invertebrate prey. Prohibiting the destruction of scrub, hedges and trees, by cutting, burning or other means, during the nesting and breeding season serves to protect habitats which are critical to the lifecycle of a wide range of bird and other species (see also SMR 3 and SMR 4).

The bird nesting season runs from 1st March to 31st August inclusive, each year.

Under GAEC 8 the DAFM inspector will check for evidence of cutting, destruction, damage and/or removal of trees and hedgerows during the bird nesting season. The use of the Area Monitoring System (AMS) may identify landscape feature removal and also damage. DAFM also frequently receives cross reports in relation to this activity and sanctions **will** be imposed if any GAEC 8 non-compliance is detected.

Measures for Avoiding Invasive Plant Species

Invasive alien plant species present a significant risk to invaded habitats and native species. Biodiversity loss and localised extinctions will occur in the absence of adequate controls and there can also be risks to human and animal health.

As the beneficiary you are responsible for controlling invasive alien plant species and noxious weeds. Controlling the growth and spread of invasive species and noxious weeds on agricultural lands will serve to protect ecosystems. Spot treatment of noxious and invasive weeds with herbicides is allowed and invasive weeds can also be controlled by topping. The DAFM inspector will check for evidence of failing to control the proliferation and encroachment of invasive alien species and noxious weeds.

Noxious Weeds

Noxious weeds can be native or introduced. Noxious weeds are capable of multiplying aggressively and have been designated (Noxious Weeds Act 1936) as one that is damaging to agriculture, humans, or livestock. Examples of noxious weeds in Ireland, some of which are shown in Figure 36 include **Ragwort, Thistle, Dock, Common Barberry, Male Wild Hop** and **Wild Oats**.

Figure 36: Noxious weeds found in Ireland.

Invasive Plant Species

Invasive plant species are introduced species that are not native to an area. Such species have the ability to thrive and spread aggressively and may be especially invasive when first introduced to a new habitat. Invasive non-native species are seen as a major threat to biodiversity. Examples of invasive species in Ireland some of which are shown in Figure 37 and include **Rhododendron, Giant Hogweed, Japanese Knotweed** and **Himalayan Balsam.**

Figure 37: Invasive species found in Ireland.

What will a farm inspector check?

The farm inspector will check for:

- Minimum of 4% of agricultural area devoted to NPFA.
- Damage/removal of designated landscape features.
- Cutting of trees and hedges during the bird nesting and rearing season.
- Failing to take appropriate measures to prevent the encroachment/proliferation of invasive/noxious plant species onto land.

Further information on the control of Noxious Weeds and Invasive Species is available at: https://www.gov.ie/en/collection/68b24-crops/#control-of-noxious-weeds

GAEC 9 Ban on Converting or Ploughing Permanent Grassland Designated as Environmentally Sensitive Permanent Grassland in Natura 2000 Sites

What is GAEC 9 about?

The areas currently designated as environmentally sensitive permanent grassland (ESPG) in Natura 2000 sites are subject to the requirements of GAEC 9 to protect the habitats, species and soil on these lands. **These areas are in Natura 2000 sites** and are defined based on grassland habitats listed under Annex I of the Habitats Directive (Council Directive 92/43/EEC).

Extensively managed ESPG in designated Natura 2000 areas can contain diverse and stable vegetation cover, which in turn can provide a favourable habitat for terrestrial and soil fauna, leading to highly functioning ecosystems. Extensive management practices, such as grazing, can contribute to improving the organic matter content of the soil in these areas.

The restructuring of these grasslands through ploughing can affect plant composition within these areas which can have a negative impact on associated fauna. Additionally, the ploughing of these grasslands can result in a decline in soil carbon stocks. Implementing safeguards within the ecological favourable sites, such as prohibiting ploughing, can help protect and maintain their conservation status.

The total number of ESPG parcels in Ireland declared for BPS in 2022 was circa 3550 and covered a claimed area of c.30,000ha.

These requirements were previously part of Greening.

What does GAEC 9 mean for you?

Farmers **must** refrain from certain activities on ESPG as shown in Figure 38:

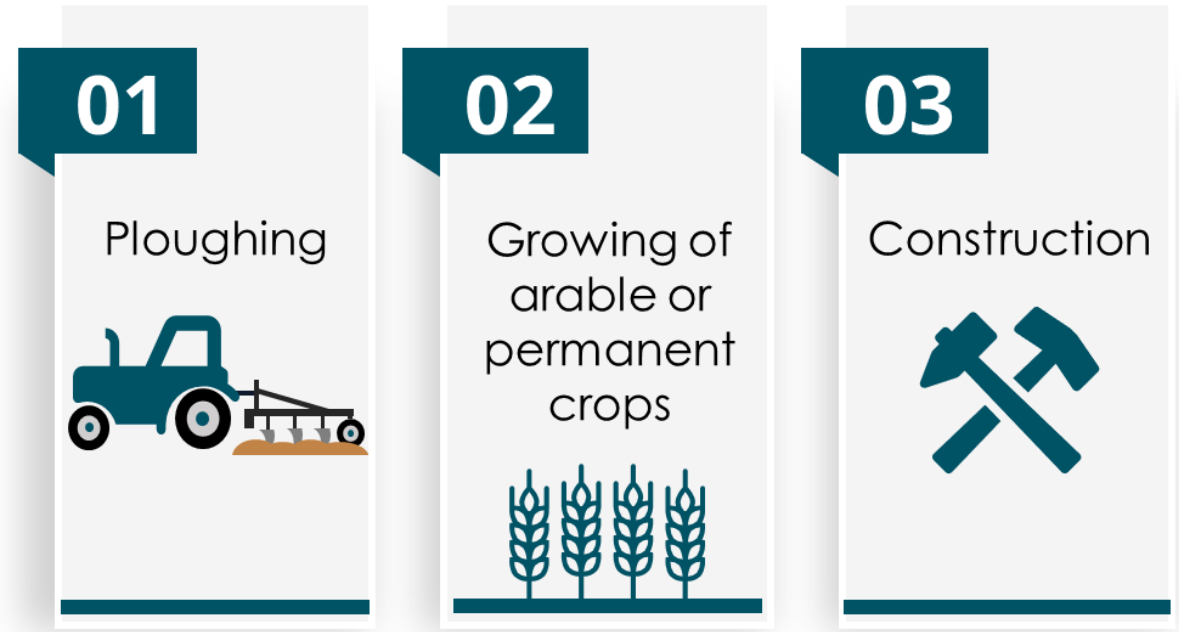


Figure 38: Activities prohibited in ESPG.

What will a farm inspector check?

The farm inspector will check if the following activities have been carried out on environmentally sensitive permanent grasslands in Natura 2000 sites:

- Ploughing.
- Growing of an arable or permanent crop, other than grassland.
- Construction.

Annex 1 Implementing Legislation/EU Regulation

REGULATION (EU) 2021/2115 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013

REGULATION (EU) 2021/2116 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013

REGULATION (EU) 2022/1172 of 4 May 2022 supplementing Regulation (EU) 2021/2116 of the European Parliament and of the Council with regard to the integrated administration and control system in the common agricultural policy and the application and calculation of administrative penalties for conditionality.

REGULATION (EU) 2022/1173 of 31 May 2022 laying down rules for the application of Regulation (EU) 2021/2116 of the European Parliament and of the Council with regard to the integrated administration and control system in the common agricultural policy.

Annex 2 Abbreviations

ACRES	Agri-Climate Rural Environment Scheme
AMS	Area Monitoring System
ANC	Areas of Natural Constraints
App	Application
ARC	Activities Requiring Consent
BISS	Basic Income Support for Sustainability
CAP	Common Agricultural Policy
CSP	CAP Strategic Plan
CIS-YF	Complementary Income Support for Young Farmers
CRISS	Complementary Redistributive Income Support for Sustainability
DAFM	Department of Agriculture, Food and the Marine
DEHLGH	Department of the Housing, Local Government and Heritage
EAFRD	European Agricultural Fund for Rural Development
EAGF	European Agricultural Guarantee Fund
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
ESPG	Environmentally Sensitive Permanent Grassland
EU	European Union
FAS	Farm Advisory System
FBO	Food and Feed Business Operators
FYM	Farmyard Manure
GAECs	Good Agricultural and Environmental Conditions
GPPP	Good Plant Protection Practice
Ha	Hectare
IPM	Integrated Pest Management
K	Potassium
Kg	Kilogram
LESS	Low Emission Slurry Spreading

LPIS	Land Parcel Identification System
N	Nitrogen
NFD	National Fertiliser Database
NPFAs	Non-Productive Features and Areas
NPWS	National Parks and Wildlife Service
P	Phosphorus
PPE	Personal Protective Equipment
PPPs	Plant Protection Products
PU	Professional User
SPA	Special Protection Area
SAC	Special Area of Conservation
SIM	Straw Incorporation Measure
SMR	Statutory Management Requirements
SUD	Sustainable Use Directive
TB	Tuberculosis
UAA	Utilisable Agricultural Area

Annex 3 Conditionality Record Forms

Nitrates Records

Record 1 Form: Estimating the annual fertiliser requirement for your holding.

Record 2 Form: Chemical fertiliser coming onto holding (importer) or being sent out of it (exporter).

Record 3 Form: Record of movement of organic fertilisers

Record 4 Form: Notification of temporary movement of cattle or sheep (other than cattle moved under AIM).

Record 5 Form: Proof of rental/grazing agreement (Nitrates Regulations)

All the above can be found at:

https://www.gov.ie/en/form/e7823-2020-nitrates-records/

Pesticides Records

Pesticide Application Record Form can be found at:

http://www.pcs.agriculture.gov.ie/sud/integratedpestmanagement/

Animal Remedy Records

Animals Remedies Record can be found at:

https://www.gov.ie/en/form/1bcb8-animal-remedies-record-forms-farmers-word-doc/

Annex 4 Schemes Impacted by Conditionality

Farmers can build on Conditionality requirements by choosing to participate in Eco-Schemes and/or Pillar II interventions (see Annex 4).

Conditionality applies to all applicants in receipt of CAP payments and is a prerequisite to the following schemes:

1. Basic Income Support for Sustainability (BISS) Scheme
2. Complementary Redistributive Income Support for Sustainability (CRISS)
3. Complementary Income Support for Young Farmers (CIS-YF)
4. Eco-Scheme comprising of eight agricultural practices over and above Conditionality Requirements
5. Coupled Income Support for Protein Aid
6. Areas of Natural Constraints (ANC)
7. Suckler Carbon Efficiency Programme (SCEP)
8. Dairy Beef Welfare Scheme
9. Sheep Improvement Scheme (SIS)
10. Agri-Climate Rural Environment Scheme (ACRES)
11. Organic Farming Scheme (OFS)

Farm Safety

Farm safety is one of the most important issues facing farming today. On average 20 fatal accidents occur on Irish farms every year. Farm fatalities account for nearly half of all fatal workplace accidents in Ireland. However, farmers only represent 6% of the Irish workforce.

Injuries and fatalities are mainly caused by tractors and machinery. Livestock, particularly cows after calving, falls from heights, lifting, slurry and hazardous substances all pose risks (Figure 39). Elderly farmers and children are particularly at risk when it comes to farm accidents. The majority of farms in Ireland are family farms that must deal with the presence of children. Adults have a huge responsibility to ensure that the risks posed to children on farm are assessed and controls put in place to prevent injury and death. Almost half of all farm fatalities involved victims aged 65 years or older. Older people are particularly vulnerable to fatal injuries involving livestock and falls. It is important to be mindful of the physical capabilities of older farmers and vulnerable adults on the farm.

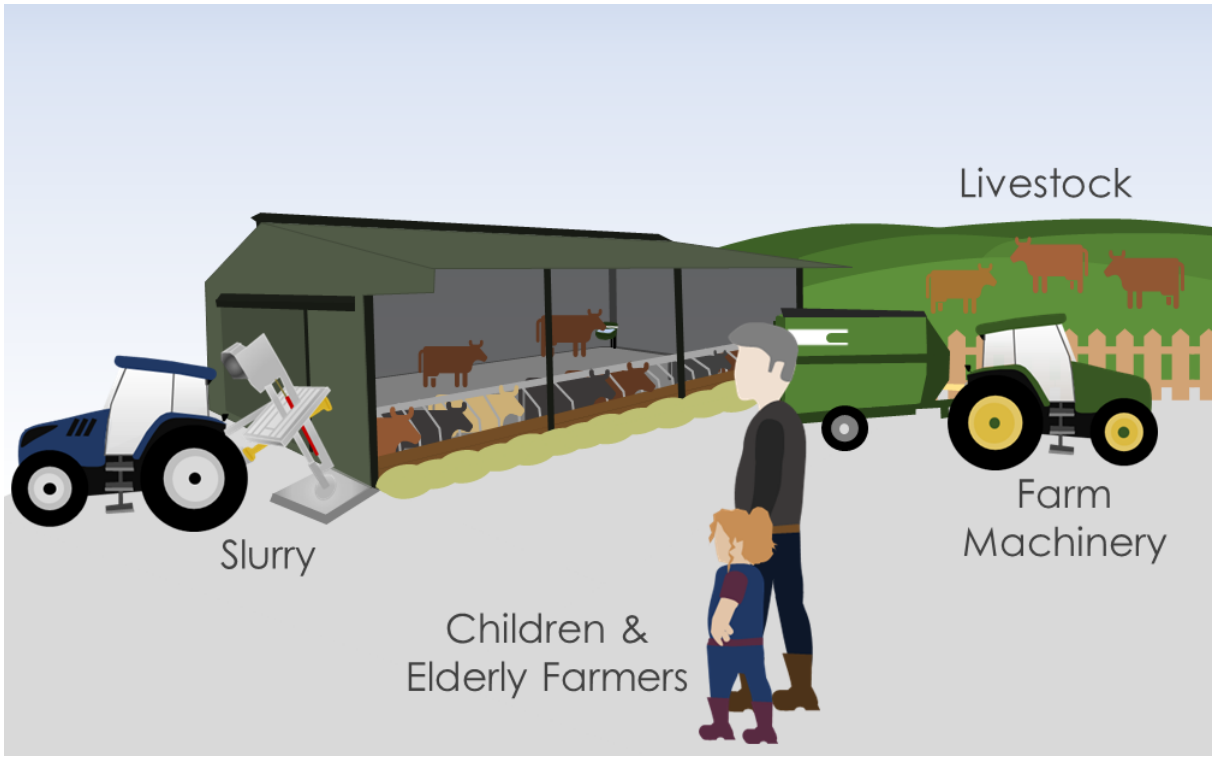


Figure 39: Examples of safety risks present on farms.

While there are many risks in farming, farming does not have to be a dangerous occupation. There are plenty of ways to reduce the danger, without spending huge money, such as using signs like the one in Figure 40 as reminders.

Figure 40: Farm safety signage.

As a Farmer you have a duty under the Safety, Health, and Welfare at Work Act 2005 to provide a safe working environment on all areas of the farm, for all people who may work on that farm, including contractors, delivery men and visitors. There is a further duty to ensure that any contractor, or person on your farm, works in a safe manner.

There is a common perception that farming is a healthy occupation. The principle causes of farmers' ill health is associated with manual handling, lung problems, infections, and noise. Half of farmers with occupational ill health suffer from chronic back pain. Irish farmers have a higher incidence of heart disease than other workers, and due to their work environment, a higher risk of developing skin diseases because of exposure to damaging ultraviolet sun rays.

For more information on farm safety visit:

- www.hsa.ie/eng/Your_Industry/Agriculture_Forestry/
- https://www.gov.ie/en/publication/4133b-farm-safety/?referrer=http://www.gov.ie/farmsafety/

For information on farm building standards visit

- http://www.agriculture.gov.ie/farmerschemespayments/tams/farmbuildingandstructuresspecificationspdfformat/

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