



good farming practice

FOREWORD

Down through the years Irish farmers, through their farming practices earned the title "guardians of the countryside." Their natural instinct was to protect and enhance the environment, in which they worked and lived. Today we all share with them the rich ecological inheritance brought about by their endeavours.

This has given Ireland a "clean green" image abroad which has served our food industry well in promoting and marketing our produce and enhanced our reputation as a supplier of the highest quality food around the world.

I am proud to have been the Minister who secured EU recognition of the extensive and environmentally friendly farm production methods of Ireland's farmers. The CAP reform premia which were negotiated in 1992 discriminate positively in favour of our largely extensive farming system and against the intensive type systems in place in many other parts of the EU.

A new and significant element of that reform resulted in the introduction of the Rural Environment Protection Scheme (REPS). That in excess of 45,000 farmers participated in REPS I is in itself a testimony to the high environmental standard achieved by so many of our farmers.

The outcome of last year's Agenda 2000 negotiations has placed increasing emphasis on environmental concerns in agriculture. Extensive farming has received further favour in the CAP support arrangements. Significantly increased funding for REPS up to 2006 has been secured and this will facilitate the participation of as many as 70,000 farmers in the Scheme. Environmental requirements have been attached by the EU to arable aid, livestock premia and to the various schemes under the Rural Development Regulations. In response my Department has produced this booklet on Good Farming Practice in consultation with the farm organisations. The booklet sets out in clear and concise terms what farmers need to do to meet the required standards. The aim is to inform farmers of the ever-increasing importance of enhancing the countryside in which they work. It also sets out the penalties for failure to meet minimum farming requirements.

Farmers are the key to a sustainable environment in our countryside. The observance of Good Farming Practice by all farmers will enhance environmental standards and ensure a quality countryside of which we can all be proud.

I urge all farmers and their advisers to read this booklet carefully and to play their part in ensuring that Good Farming Practice is observed.

A handwritten signature in cursive script, appearing to read "Joe Walsh".

Joe Walsh TD
Minister for Agriculture, Food and Rural Development

GOOD FARMING PRACTICE (GFP)

Good farming practice is common-sense farming which cares for the environment and meets minimum hygiene and animal welfare standards. Good farming practice also involves complying with the law on the environment, hygiene, animal welfare, animal identification and registration and animal health.

If you are in any of these Schemes you must comply with Good Farming Practice.

- Arable Aid
- Disadvantaged Area Compensatory Allowances Scheme
- Installation Aid Scheme
- Livestock Premia Schemes¹
- On-Farm Investment Schemes²
- Rural Environment Protection Scheme
- Scheme of Early Retirement from Farming (transferees)

Of course, REPS participants also have to comply with additional requirements.

Read this booklet carefully. There are penalties for breaches of Good Farming Practice. You may also be penalised for not complying with mandatory legislative or regulatory requirements. Some of the penalties are substantial and you may lose all or part of your payments under the schemes listed above³. See the tables on pages 13 -16, which show what the penalties are.

¹ These are the EU Suckler Cow Premium Scheme; EU Extensification Premium Scheme; EU De-Seasonalisation Slaughter Premium Scheme, EU Ewe Premium Scheme; EU Special Beef Premium Scheme; EU Slaughter Premium Scheme.

² These are the Scheme of Investment Aid for Farm Waste Management; the Scheme of Investment Aid for the Improvement of Dairy Hygiene Standards; the Scheme of Investment Aid in Alternative Enterprises (Housing/Handling); the Scheme of Grant Aid for the Development of the Organic Sector; the Scheme of Investment Aid for the Development of the Commercial Horticulture Sector, the Scheme of Investment Aid for the Potato Sector, the Scheme for the Development of Grain Storage on Farms.

What is Good Farming Practice?

Good farming practice sets down the environmental requirements applicable to the various schemes (as detailed on page 2) operated under EC Council Regulations 1257/99 and 1259/99.

For the purposes of Council Regulation EC1257/99 on support for Rural Development "usual good farming practice" is defined, as, the standard of farming which a reasonable farmer would follow in the region concerned.

Council Regulation EC 1259/99, which deals with the direct support schemes under the CAP, provides that Member States shall take the environmental measures they consider to be appropriate in view of the situation of the agricultural land used or the production concerned and which reflect the potential environmental effects.

To achieve Good Farming Practice

- Be aware of the need to protect the environment at all times.
- Plan farming operations to protect the environment and avoid pollution.
- Ensure that storage and handling facilities for organic material and chemical waste are adequate.
- Take care to protect watercourses from silage effluent and slurry.
- Dispose of fallen animals promptly and properly.
- Keep external farm boundary fences stockproof.
- Ensure the well being of all farm animals.
- Do not use prohibited substances and use animal remedies responsibly.

DO NOT allow organic/chemical material to pollute a river, stream, lake, pond or domestic water supply.

If you cause pollution -

- you are liable to be prosecuted by the relevant authority,
- you may subsequently lose payments under the Schemes covered by Good Farming Practice, and
- you may also be liable for damages.

³ If you are a transferee under the Early Retirement Scheme and are not claiming aid under any of the other Schemes mentioned, a cash penalty may be imposed on you.

What are the key aspects of Good Farming Practice?

The following are the key aspects of Good Farming Practice

- Nutrient Management Page 5
- Grassland Management Page 6
- Protection of Watercourses and Wells Page 6
- Maintenance of Wildlife Habitats Page 7
- Maintenance of External Farm Boundaries Page 7
- Careful use of Pesticides and Chemicals Page 8
- Protection of Features of Historical and Archaeological Interest Page 8
- Maintenance of Visual Appearance of the Farm and Farmyard Page 8
- Maintenance on the Farm of Specified Records Page 9
- Animal Welfare Page 9
- Hygiene Page 9
- Non-use of Prohibited Substances and responsible use of Animal Remedies Page 10
- Knowledge of Good Farming Practice Page 10

What is required of the farmer at farm level to ensure compliance with GFP?**Nutrient Management**

It is wasteful and environmentally damaging to apply more nutrients than necessary, particularly too much nitrogen and phosphorus.

Farmers must be aware of and comply with their responsibilities under the law and in particular:

- the Local Government (Water Pollution) Act, 1977 and Amendment Act, 1990,
- the Local Government (Water Pollution) Act,1977 (Water Quality Standards for Phosphorus) Regulations, 1998,
- the Fisheries (Consolidation) Act, 1959,
- local bylaws on the regulation of agricultural practice, where they apply.
- the protection of waters against pollution caused by Nitrates from agriculture in accordance with Council Directive 91/676/EEC.

Farmers should –

- Collect and store organic material (slurry, farmyard manure, dungstead manure, soiled water, poultry manure, dairy washings, silage effluent, spent mushroom compost, non-farm organic waste, sewage sludge) and other waste such as sheep dip, farm chemicals, oils and industrial waste and residues in a manner that is not liable to cause pollution.
- Maintain adequate waste storage facilities.
- Not spread slurry, dungstead manure or chemical nitrogen in the months of November and December.
- Comply with action plans applicable to Nitrate Vulnerable Zones when these are designated.

- Comply with local bylaws on the regulation of agricultural practice in river catchment areas.
- Be aware of Teagasc recommendations on the use of organic and chemical fertilisers (nitrogen, phosphorus and potassium) and lime.
- Be aware of the recommendations for the management of, provision of adequate storage for, and spreading of organic manure and effluents as set out in the 1996 *Code of Good Practice on the Protection of Waters from Pollution by Nitrates* published by the Department of Agriculture Food and Rural Development and the Department of the Environment and Local Government.

If you are in any doubt about what you should do, it is recommended that you consult an adviser.

Grassland Management

Farmers should follow grassland management practices that avoid severe poaching, overgrazing, and soil erosion.

- Where animals are outwintered, special care should be taken to avoid damage to parts of the farm that are most sensitive to degradation.
- Supplementary feeding points should be at least 30 metres from a watercourse, lake or well.
- Feeders should be moved as often as necessary to prevent excessive damage at any one site.
- Growing vegetation on non-cultivated land must not be burned between 15 April and 31 August.

Protection of Watercourses and Wells

Chemical fertiliser and/or organic material should not be applied when heavy rain is forecast within the next 48 hours or on

- wet or waterlogged land,

- frozen or snow-covered land,
- land sloping steeply towards rivers, streams or lakes, on exposed bedrock or in situations where there is a significant risk of causing water pollution.

No chemical fertiliser should be applied within 1.5m of any watercourse.

Pollution of surface waters and wells should be avoided by leaving a buffer strip between the water source and the land on which organic materials are applied. The table below sets out general guidance on widths that may be appropriate for buffer strips.

Recommended Buffer Strips when Spreading Organic Waste	
Water Resource	Buffer Strip
Streams and Drains	Up to 10 metres
Lakes and Main River Channels	Up to 20 metres
Domestic Wells	Up to 50 metres
Public Water Supply Sources	Up to 300 metres

Maintenance of Wildlife Habitats

Farmers must comply with the requirements of Natural Heritage Areas (NHAs), Special Areas of Conservation (SACs) and Special Protected Areas (SPAs) as designated by the Department of Arts Heritage Gaeltacht and the Islands and the Wildlife Act, 1976 as amended.

Maintenance of External Farm Boundaries

All external farm boundary and roadside fences (whether walls, hedges or post and wire fences) on land occupied by livestock, excluding commonage land and unenclosed land, should be stockproof.

Careful Use of Pesticides and Chemicals

Once a pesticide or chemical has been purchased, it is the owner's responsibility to see that it is kept safely until used.

- Pesticides (including herbicides, fungicides, insecticides, and wood preservatives) and veterinary products should be stored securely and handled and used in accordance with label instructions or with any relevant statutory codes of good practice.
- Fertilisers and oil should be stored a safe distance from produce destined for human consumption and animal feeding stuffs.

Protection of Features of Historical and Archaeological Interest

Farmers must comply with the National Monuments Act, 1994.

Monuments should not be interfered with through activities such as

- ground disturbance,
- excavation,
- construction of buildings, or
- afforestation.

No material of any type should be removed from or dumped on such sites.

Maintenance of Visual Appearance of the Farm and Farmyard

The visual appearance of the farm and farmyard should reflect the standard of farming which a reasonable farmer would follow.

In any event, all farmers must comply with the Litter Pollution Act, 1997.

Maintenance on the farm of Specified Records

The Bovine Herd Register/Animal Remedies Record and Flock Register (Sheep) and supporting documentation must be maintained for inspection as required by the Department of Agriculture, Food and Rural Development.

Farmers must keep documents such as invoices and delivery dockets showing the date, type and quantity of chemical fertilisers, organic materials and pesticides brought onto or leaving the farm.

Animal Welfare

All farmers must comply with the following legislation:

- European Communities (Protection of Animals kept for Farming Purposes) Regulations, 2000;
- European Communities (Welfare of Calves) Regulations, 1998;
- European Communities (Welfare of Pigs) Regulations, 1995;
- Care and Welfare of Poultry (laying hens) Regulations, 1990;
- Diseases of Animals Act, 1966;
- Protection of Animals kept for Farming Purposes Act, 1984.

Farm animals should be properly nourished.

Good animal husbandry should be practised at all times.

Fallen animals should be disposed of in accordance with requirements as specified by the local District Veterinary Office.

Hygiene

Farmers must comply with the requirements of the European Communities (Hygienic Production and Placing on the Market of Raw Milk, Heat-Treated Milk and Milk-Based Products) Regulations, 1996.

Non-use of prohibited substances and responsible use of animal remedies (i.e. Veterinary Medicines)

Farmers must not use prohibited substances (e.g. banned growth promoters) and must ensure that they take the necessary care so that the use of lawful animal remedies does not lead to unauthorised residues, by respecting dose rates and withdrawal periods. The animal remedies records (prescribed by Regulation 42 of the Animal Remedies Regulations, 1996) must be correctly maintained.

Knowledge of Good Farming Practice

Farmers should inform themselves of the requirements of GFP before applying for aid under any of the Schemes listed at the start of this booklet.

PENALTIES

Under EU Regulations the Department is required to implement Good Farming Practice. Where a farmer is found to be in breach of GFP the Department is required to apply a penalty. The following Tables set out the infringements for which the Department will be checking and the penalties for breaches of Good Farming Practice.

These penalties are additional to any Scheme penalty. However, where a farmer is penalised for an infringement under REPS and where this infringement also results in a penalty under GFP, the REPS payments will be excluded from the total payments to which the GFP penalties will be applied.

Table 1 - Department Inspections

The provisions set out in Table 1 will apply following Good Farming Practice inspections by the Department except in the case of arable aid and livestock premia schemes. In the case of arable aid and livestock premia, non-compliance with GFP will be notified to the appropriate authority and, where the farmer is penalised by the courts or by the responsible authority, the penalties set out in Table 2 will be applied.

Table 2 - Non-compliance with mandatory legislative or regulatory requirements

Where a farmer, in his or her farming activity, does not comply with mandatory legislative or regulatory requirements, and is penalised by the courts or by the responsible authority (such as a local authority, a health board or a Government Department), the Department of Agriculture, Food and Rural Development is also required, when notified, to apply a penalty under all of the Schemes covered by Good Farming Practice.

Calculating Penalties

The penalties in the tables are expressed as a percentage of the annual payment to which the farmer is entitled for each of the schemes in which he or she is participating. In applying penalties under Farm Investment Schemes and the Installation Aid Scheme, however, the Department will treat the total amount of the grant paid as a five-year payment.

When computing the Good Farming Practice penalty to be applied in any one year under those schemes, therefore, the Department will deem one fifth of the total grant paid to be the annual payment for the year in question.

Under the Scheme of Early Retirement from Farming, a penalty under Good Farming Practice shall be applied to the farming transferee if he/she is not participating in any of the other specified schemes. The penalty to be applied shall be a percentage of the gross annual pension entitlement of the transferor.

Appeals

A farmer who has a penalty imposed for a breach of Good Farming Practice has a right of appeal to the Agriculture Appeals Office. The farmer will have the right to an oral hearing and the right to be accompanied by a person of his or her choice at the hearing.

Where a farmer is penalised by the courts or by the responsible authority for breaches of mandatory legislative or regulatory requirements, the penalties set out in Table 2 will be applied. Table 1 penalties will also apply to the schemes covered by GFP, other than arable aid and livestock premia cases, following GFP inspections by the Department.

TABLE 1 Department Inspections

What the Department will check for	The penalty that the Department will impose
Nutrient Management	<ul style="list-style-type: none"> • Visual evidence of organic material discharging into water sources, watercourses or drains. • Evidence of wastes (slurry, FYM, dungstead manure, soiled water, poultry manure, dairy washings, silage effluent, spent mushroom compost, sheep dip, farm chemicals, oil, non-farm organic waste, sewage sludge and industrial waste and residues) being collected or stored in a manner which creates a significant risk of pollution. • Visual evidence of the spreading of slurry, dungstead manure, or chemical nitrogen in the months of November/December where there is a significant risk of pollution.
Grassland Management	<ul style="list-style-type: none"> • Visual evidence of severe poaching or severe overgrazing creating significant pollution risk. • Visual evidence of burning of growing vegetation on non-cultivated Areas between 15 April and 31 August.
Protection of Watercourses and Wells	<ul style="list-style-type: none"> • Visual evidence of chemical fertiliser having been spread within 1.5m of a watercourse. • Visual evidence that organic material was spread within up to 50m of a domestic well; or within up to 300m of a public water supply; or within up to 10m of a watercourse. • Visual evidence that organic material had been spread on wet, waterlogged, frozen or on land sloping steeply towards a watercourse where there is a significant risk of pollution.
Maintenance of External Farm Boundaries	<ul style="list-style-type: none"> • Visual evidence that external boundaries (excluding commonage land) or roadside fences of fields occupied by livestock are not stockproof.
Maintenance of Records	<ul style="list-style-type: none"> • Evidence that the Herd Register, Flock Register (Sheep) and Animal Remedies Records have not been maintained. • Evidence that records of fertilisers, organic material and pesticides brought onto or leaving the farm have not been maintained.
Animal Welfare	<ul style="list-style-type: none"> • Evidence of malnutrition or suffering animals.

TABLE 2 Non-compliance with mandatory legislative or regulatory requirements

Non-compliance with mandatory legislative or regulatory requirements for which the farmer is penalised by the courts or by the responsible authority		Penalty to be imposed by the Department of Agriculture, Food and Rural Development
Nutrient Management	Non-compliance with –	
	• Action Plans applicable to Nitrate Vulnerable Zones	10%
	• local bylaws on the regulation of agricultural practice in river catchment areas.	10%
	• Fisheries Acts, 1959 to 1999	10%
	• the protection of waters against pollution caused by Nitrates from agriculture in accordance with Council Directive 676/91/EEC.	10%
Maintenance of Wildlife Habitats	• Local Government (Water Pollution) Act, 1977 and Amendment Act, 1990	10%
	• Local Government (Water Pollution) Act, 1977 (Water Quality Standards for Phosphorus) Regulations, 1998	10%
	Non-compliance with requirements of NHAs, SACs, SPAs, Commonage Land, the Wildlife Act, 1976 and European Communities (Natural Habitats) Regulations, 1997.	10%

Non-Compliance with mandatory legislative or regulatory requirements for which the farmer is penalised by the courts or by the responsible authority		Penalty to be imposed by the Department of Agriculture, Food and Rural Development
Careful use of Pesticides and Chemicals	Non-compliance with European Communities (Authorisation, Placing on the Market, Use and Control of Plant Protection Products) Regulations, 1994 to 1999	10%
Protection of Features of Historical & Archaeological Interest	Non-compliance with the National Monuments Act, 1994 which requires the protection of features of historical and archaeological interest listed on the Record of Monuments and Places.	100%
Maintenance of Visual Appearance of Farm & Farmyard	Non-compliance with the Litter Pollution Act, 1997.	Warning for first breach. 10% penalty for subsequent breaches
Maintenance on the farm of specified records	Non-compliance with the requirement to maintain the specified records relating to the Herd Register, Flock Register (Sheep), Animal Remedies Records, or other documents such as invoices and delivery dockets showing the date, type and quantity of chemical fertilisers, organic materials and pesticides brought onto or leaving the farm.	10%
Animal Welfare	Non-compliance with –	
	• Protection of Animals kept for Farming Purposes Act, 1984;	10%
	• Disease of Animals Act, 1966;	10%
	• European Communities (Protection of Animals kept for Farming Purposes) Regulations, 2000;	10%
	• European Communities (Welfare of Calves) Regulations, 1998;	10%
	• European Communities (Welfare of Pigs) Regulations, 1995;	10%
	• Care and Welfare of Poultry (laying hens) Regulations, 1990.	10%
Hygiene	Non-compliance with the requirements of the European Communities (Hygienic Production and Placing on the Market of Raw Milk, Heat-Treated Milk and Milk-Based Products) Regulations, 1996.	10%
Use of prohibited substances or illegal use of animal remedies	Non-compliance with Directives 96/22/EC and 96/23/EC and the Animal Remedies Act, 1993:	100%
	• on the use of banned growth promoters,	
	• the illegal use of authorised substances, and	
	• the illegal presence of residues.	

Non-Compliance with mandatory legislative or regulatory requirements for which the farmer is penalised by the courts or by the responsible authority		Penalty to be imposed by the Department of Agriculture, Food and Rural Development
Environment	Non-compliance with - <ul style="list-style-type: none"> • Environmental Protection Agency Act, 1992 • European Communities (Environmental Impact Assessment) Regulations, 1989 and 1999 • Air Pollution Act, 1987 • Local Government (Planning and Development) Acts, 1963 to 1998 • Waste Management Act, 1996 • Waste Management (Use of Sewage Sludge in Agriculture) Regulations, 1998 	10% 10% 10% 10% 10% 10%

"Good Farming Practice"



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