

The Guide to Cross Compliance in England 2014

complete edition



Department
for Environment
Food & Rural Affairs



Rural Payments
Agency

The Guide to Cross Compliance in England **2014 edition** covers:

- Single Payment Scheme
- Environmental Stewardship
- Uplands Transitional Payment
- Woodland Management Grant and Farm Woodland Payment elements of English Woodland Grant Scheme

Legal notice

This guide is our interpretation of cross compliance rules. It is not a definitive statement of the law. Only the courts can give this. We reserve the right to review our position if circumstances change, for example, if the European Commission issues new guidance or we change how we interpret the regulations. We cannot advise you or your legal representatives. You may want to get independent professional or legal advice before you change anything about the way you farm. The relevant legislation and more information are available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance.

Other existing publications and notes on cross compliance

Publication number	Title
PB 13315	<i>Cross Compliance Guidance for Soil Management (2010 edition)</i>
PB 13311	<i>Cross Compliance Soil Protection Review 2010</i>
rpa176	<i>Guidance for Cross Compliance in England: Management of Habitats and Landscape Features</i> (This is available only on the RPA website.)
December 2012 mailing	Summary of changes for 2013
rpa157a	The Guide to Cross Compliance in England July 2013 update
rpa157a	The Guide to Cross Compliance in England 2014 updates only edition

Contents

Contents	2
Key dates	4
What's new for 2014?	6
Introduction	8

GOOD AGRICULTURAL AND ENVIRONMENTAL CONDITIONS (GAECs)

Soil Protection Review (SPR)	(GAEC 1)	17
Environmental Impact Assessment (EIA)	(GAEC 5)	21
Sites of Special Scientific Interest (SSSIs)	(GAEC 6)	23
Scheduled monuments	(GAEC 7)	24
Public rights of way	(GAEC 8)	25
Overgrazing and unsuitable supplementary feeding	(GAEC 9)	26
Heather and grass burning	(GAEC 10)	27
Control of weeds	(GAEC 11)	28
Agricultural land which is not in agricultural production	(GAEC 12)	29
Stone walls	(GAEC 13)	31
Protection of hedgerows and watercourses	(GAEC 14)	32
Hedgerows	(GAEC 15)	34
Felling of trees	(GAEC 16)	36
Tree Preservation Orders (TPOs)	(GAEC 17)	37
Water abstraction	(GAEC 18)	38
No spread zones	(GAEC 19)	39
Groundwater	(GAEC 20)	41

STATUTORY MANAGEMENT REQUIREMENTS (SMRs)

Wild birds	(SMR 1)	43
Sewage sludge	(SMR 3)	45
Nitrate Vulnerable Zones (NVZs)	(SMR 4)	47
Habitats and species	(SMR 5)	53
Pig identification and registration	(SMR 6)	55
Cattle identification and registration	(SMR 7)	58
Sheep and goats identification	(SMR 8)	61
Restrictions on the use of plant protection products (PPPs)	(SMR 9)	63
Restrictions on the use of substances having hormonal or thyrostatic action and beta-agonists in farm animals	(SMR 10)	64

Food and feed law	(SMR 11)	65
Prevention and control of transmissible spongiform encephalopathies (TSEs)	(SMR 12)	69
Control of foot and mouth disease, certain animal diseases and bluetongue	(SMRs 13, 14, 15)	71
Welfare of calves	(SMR 16)	72
Welfare of pigs	(SMR 17)	74
Animal welfare	(SMR 18)	78
The inspection process		80

Key dates

January	1	You must start implementing your Soil Protection Review (SPR) if you completed one for the first time in the previous year, or start to implement any changes that you identified previously. (GAEC 1)
	1	You can apply organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land on shallow or sandy soils from this date if conditions are suitable and you adhere to the quantity restrictions for application of these manures. (SMR 4)
	1	Beginning of the year for assessing the annual amount of livestock manure applied to your land. (SMR 4)
	16	You can apply manufactured nitrogen fertilisers to grassland and tillage land from this date if conditions are suitable. (SMR 4)
February	1	You can apply organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land on all soil types from this date if conditions are suitable and you adhere to the quantity restrictions for application of these manures. (SMR 4)
	28	End of rules on post-harvest management of land. (GAEC 1)
	28	End of the quantity restrictions for application of organic manures with a high readily available nitrogen content. (SMR 4)
March	1	You must not cut or plough vegetation on agricultural land which is not in agricultural production from this date (except in a limited number of circumstances). (GAEC 12)
	1	You must not cut hedgerows from this date, but you can carry out hedge-laying and coppicing. (GAEC 15)
	31	If you hold a water abstraction licence, expect to receive your annual bill (or first part charge if you hold a two part tariff agreement) for the forthcoming financial year from 31 March. (GAEC 18)
April	1	You must not burn heather, rough grass, bracken, gorse or vaccinium on land, other than in upland areas, from this date. (GAEC 10)
	1	If you hold a winter or all year round water abstraction licence (authorising abstraction outside the period April to October), the Environment Agency will make actual abstraction return forms available to you from 1 April. You then have 28 days to send your readings to the Environment Agency. (GAEC 18)
	16	You must not burn heather, rough grass, bracken, gorse or vaccinium in upland areas from this date. (GAEC 10)
	30	You must have recorded the number of 'specified' livestock kept on your farm during the previous calendar year and calculated the amount of nitrogen they produced. You must also record the number and type of livestock in a building or hardstanding during the previous storage period. (SMR 4)

May	1	You must not carry out hedge-laying or coppicing of hedgerows from this date. (GAEC 15)
August	1	You can cut or plough vegetation on agricultural land which is not in agricultural production from this date. (GAEC 12)
	1	You can cut hedgerows from this date. (GAEC 15)
	1	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on shallow or sandy soils except where crops will be sown on or before 15 September. (SMR 4)
September	1	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland on shallow or sandy soils. (SMR 4)
	1	Start of closed period for applying manufactured nitrogen fertilisers to tillage land. (SMR 4)
	15	Start of closed period for applying manufactured nitrogen fertilisers to grassland. (SMR 4)
	16	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on shallow or sandy soils which have been sown with crops on or before 15 September. (SMR 4)
October	1	You can burn heather, rough grass, bracken, gorse or vaccinium on land in upland areas from this date. (GAEC 10)
	1	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on soils which are not shallow or sandy. (SMR 4)
	15	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland on soils which are not shallow or sandy. (SMR 4)
	31	If you hold a summer water abstraction licence (authorising abstraction wholly within the months of April to October), the Environment Agency will make actual abstraction return forms available to you from 31 October. You then have 28 days to send your readings to the Environment Agency. (GAEC 18)
November	1	You can burn heather, rough grass, bracken, gorse or vaccinium on land, other than in upland areas, from this date. (GAEC 10)
	30	If you have a two part tariff agreement for your water abstraction licence, expect to receive your second part charge after 30 November. (GAEC 18)
December	1	You need to carry out your annual inventory of sheep. (SMR 8)
	31	All new Soil Protection Reviews/annual updates to be completed. (GAEC 1)

What's new for 2014?

Key dates

Some of the closed periods for applying organic manures have been extended. The date of 16 January for applying organic manure has been changed to **1 February**. The asterisk* and its accompanying text have been deleted.

Introduction

The date in the Liability section has been updated for 2014 and now reads **in 2014 this date will be 15 May**.

The online Cross Compliance Self Assessment Tool at Defra Farm Surveys & Assessments.

This tool is shortly being taken offline. It will be reviewed in light of the Common Agricultural Policy (CAP) changes coming into force. The page has been deleted.

GAEC 1 Soil Protection Review (SPR)

The *Soil Protection Review (SPR) 2010* was designed for use between 2010 and 2013. A continuation sheet is now available for you to carry out your 2014 SPR annual review.

GAEC 7 Scheduled Monuments

The page has been reviewed to bring it into line with the legislation which underpins this GAEC. It clarifies who grants consent and also that you need to prove your actions in some circumstances.

GAEC 12 Agricultural land which is not in agricultural production

The SPS application deadline date in the first paragraph has been updated for 2014 and now reads **15 May 2014**.

GAEC 20 (former SMR 2) Groundwater

The European Groundwater Directive on which SMR 2 was based has been repealed. As a result, the Groundwater rules are now covered by a new GAEC (20). The GAEC rules are exactly the same as the previous SMR 2 rules and only the titles and numbering of the pages have changed.

SMR 3 Sewage Sludge

We have clarified the scope of the exemption relating to septic tank sludge. The sentence under A7 now reads: **Rules A1 to A4, the first bullet point of A5 and rule A7 do not apply to septic tank sludge.**

SMR 4 Nitrate Vulnerable Zones (NVZ)

The sixth bullet point of A1 has been amended to explain that locations of field sites must be recorded. Recent changes to the domestic legislation on which the SMR 4 rules are based, has resulted in minor changes to rules A3 and A7. New SMR 4 rules covering silage making and storage of silage and slurries have also been introduced.

SMR 9 Restrictions on the use of plant protection products (PPPs)

The rules of this SMR remain the same for agreement holders under the Rural Development Programme for England.

However, the European legislation covering cross compliance has changed and some rules no longer apply to direct payment claimants (i.e. if you claim under the Single Payment Scheme). These are the sustainable use rules, which cover for example; permits for aerial spraying, correct certification, checking and use of equipment and handling and storage of pesticides.

This amendment only relates to the cross compliance rules and you are reminded that this does not alter your underlying obligations in respect of the domestic legislation covering the sustainable use rules.

SMR 11 Food and feed law

We have clarified the scope of rule D11 and this now reads: **source and use feed, for food producing animals, from establishments that are registered or approved by your local authority. In the case of feed containing specified feed additives, source the feedingstuffs from establishments that are approved by the Veterinary Medicines Directorate.**

A new footnote defines specified feed additives as coccidiostats, histomonostats and additives authorised to promote growth.

SMR 12 Prevention and control of transmissible spongiform encephalopathies (TSEs)

European legislation now lets you feed pig and poultry processed animal protein (PAP) to farmed fish. Footnotes 2 and 3 now read:

2 'Prohibited proteins' are processed animal protein (with specific exemptions – see footnote 3 and gelatine from ruminants e.g. beef gelatine (including when in surplus food)).

3 'Restricted proteins' are animal proteins restricted to non-ruminant feed production: fishmeal, blood products of non-ruminant origin, dicalcium phosphate and tricalcium phosphate of animal origin. Also included are processed animal proteins of non-ruminant origin, including pig and poultry meal, for aquaculture animals.

Inspection process

The pages have been updated to include details on the checks for the new SMR 4 rules covering silage making and storage of silage and slurries.

In the physical inspections for nitrates rules section, the first bullet point now reads: **silage and slurry storage structures**. A new bullet point has been added which reads: **field silage sites**.

In the records checks section for farms in a Nitrate Vulnerable Zone, a new bullet point has been added which reads: **documents covering new, substantially enlarged, or substantially reconstructed silos, slurry stores and field silage sites**.

Introduction

Overview

Cross compliance rules apply to you if you receive direct payments under Common Agricultural Policy (CAP) support schemes or if you receive payments under certain Rural Development Programme for England (RDPE) schemes. We may reduce your payments if you do not meet these rules.

There are 3 aspects to cross compliance:

- specific European legal requirements, known as Statutory Management Requirements (SMRs). These relate to the areas of public, animal and plant health, environment and animal welfare;
- standards, based on a European legal framework, which require you to keep your land in Good Agricultural and Environmental Condition (GAEC). These relate to soil erosion, soil organic matter and soil structure, a minimum level of maintenance to avoid the deterioration of habitats and protection and management of water; and
- an obligation to maintain a level of permanent pasture not included in the crop rotation for 5 years or more. This is not a cross compliance obligation for individual farmers, but may become one in future years (read the Permanent Pasture section for more information).

Cross compliance rules apply in addition to your underlying obligations under European and UK legislation. Cross compliance reductions will be applied independently of any other sanctions you may face under this legislation.

Many agricultural activities are covered by cross compliance and you must meet the rules across the whole agricultural area of your holding, regardless of the amount of land you entered into the schemes. This includes common land which you exercise or hold rights of common over, including rights in gross. It also includes forestry land which is subject to support under the elements of the English Woodland Grant Scheme listed in the following paragraph.

Schemes which are covered by cross compliance

You must meet the cross compliance rules to receive your full payments under the following schemes. (For the rural development schemes listed below, cross compliance rules apply only to farmers who entered into new commitments under these schemes from 1 January 2007.)

- Single Payment Scheme (SPS)
- Entry Level Stewardship (including Organic Entry Level Stewardship and Uplands Entry Level Stewardship)
- Higher Level Stewardship (including Organic Higher Level Stewardship and Uplands Higher Level Stewardship)
- Uplands Transitional Payment
- Woodland Management Grant and Farm Woodland Payment elements of English Woodland Grant Scheme

Permanent Pasture

Permanent pasture is land that:

- is used to grow grasses or other herbaceous forage, either self-seeded or sown and has not been included in the crop rotation for 5 years or longer;
- has not been set-aside during this 5 year period under the SPS options; and
- has not been taken out of production under certain environmental schemes.

We are required under European legislation to maintain the level of permanent pasture in England and the European Commission has proposed that this requirement continues beyond the next CAP Reform. If permanent pasture reduces beyond a certain level in England, we may have to introduce new cross compliance rules to control the level of pasture. This could mean that in the future we may be obliged to require all farmers who ploughed up permanent pasture in the prior 24 months (from the latest SPS application) to reconvert land back to permanent pasture.

It is important that all of your land parcels that meet the definition of permanent pasture are declared on your SPS application using the appropriate permanent pasture land use code. This is because we use this information to show the European Commission how much pasture there is in England and this determines whether we are required to introduce the rules referred to above to stop or reverse any decline in pasture levels.

Payment Reductions

If you do not meet all of the cross compliance rules, we may reduce your payments for applications submitted in the calendar year the non-compliance was found.

If you break more than one rule within the same broad area (for example, animal welfare), we will treat this as one single case of non-compliance.

If you break the rules in different areas (for example, animal welfare and the environment), we will treat these as separate cases of non-compliance and will add the separate percentage reductions together.

We will not make a payment to anyone who artificially creates the conditions required to receive payment.

Negligent non-compliance

Negligent is defined for cross compliance purposes as failing to take reasonable care, or failing to exercise reasonable skill and/or foresight.

If you do not meet a cross compliance rule through negligence, we will generally reduce your payments by 3% for each non-compliance. This may be reduced to 1% or increased to 5% depending on the extent, severity and permanence of the non-compliance. In limited circumstances a warning letter may be issued. You can read guidance on how we decide upon the extent, severity and permanence of a non-compliance in the *Cross Compliance Verifiable Standards For England* document on our website at www.rpa.defra.gov.uk/crosscompliance/inspectionprocess.

As stated above, if you don't meet the rules in different areas, we will make separate reductions for each non-compliance. We will add the percentage reductions together, but the maximum reduction will be 5% of your overall payment.

If you don't meet the same rule more than once during a period of 3 consecutive calendar years, the reduction which applies to the repeated non-compliance will be 3 times that for a first time non-compliance. Reductions for further repetitions will continue to be multiplied by 3, up to a maximum of 15% of your overall payments.

If you continue not to meet the rules and the reduction has reached 15%, we will treat any further cases of non-compliance as intentional. We will multiply the earlier reduction by 3. We will work this out on the original amount and before we applied the 15% maximum.

Example 1

If in 2013 you did not meet the cattle identification rules (SMR 7) as you did not report movements of your cattle, this would have resulted in a 3% reduction to your 2013 payments. If in 2014 you again did not report movements of your cattle, but not as many as in 2013, this would normally have resulted in a 1% reduction. However, as this is a repeat non-compliance, we multiply the 1% reduction by 3. We would then make a 3% reduction to your 2014 payments.

Example 2

If in 2013 you did not meet the protection of hedgerows and watercourses rules (GAEC 14) as you did not maintain a green cover within 2 metres of a number of your hedgerows, we would have reduced your 2013 payment by 3%. If in 2014 you again did not maintain a green cover within 2 metres of even more of your hedgerows, we would normally have reduced your payments by 5%. However, as this is a repeat non-compliance, we multiply the 5% reduction by 3. We would then reduce your 2014 payments by 15%.

Example 3

If in 2011 you did not meet the cattle identification rules (SMR 7) as you did not report the deaths of your cattle and then in 2012, 2013 and 2014 you also did not meet the rules for reporting the deaths of your cattle, we would reduce your payments as follows:

Scheme year	Reduction	Reason for reductions
2011	3%	
2012	9%	This is a repeat non-compliance and we multiply the result of the 2012 inspection (3%) by 3.
2013	15%	This is a repeat non-compliance and we multiply the previous 9% reduction by 3 to give a 27% reduction. However, this is capped at 15%. Any future non-compliances are considered to be intentional.
2014	81%	This would be deemed an intentional non-compliance. Also, this is a repeat non-compliance and we multiply the previous pre-capped 27% reduction by 3.

Intentional non-compliance

Intentional non-compliance for cross compliance has been defined as being the same as its legal meaning within criminal and civil law. Very broadly, an intentional non-compliance would be considered as occurring in cases where you have knowingly committed an act which breached the relevant measures imposed and should have had an understanding of what you were doing and the likely consequences of your actions.

If you intentionally do not meet a cross compliance rule, we will generally reduce your payments by 20%. This may be reduced down to 15% or increased up to 100% depending on the extent, severity and permanence of the non-compliance. More information can be found in the *Cross Compliance Verifiable Standards for England* document which is available on our website at www.rpa.defra.gov.uk/crosscompliance/inspectionprocess.

Refused inspections

We will not pay your claim and we may have to take action restricting the movement of animals on your holding if you:

- refuse to give access;
- intentionally obstruct; or
- refuse to give reasonable assistance to the inspector.

Our people are here to help, and are committed to providing good customer service. We will treat you with respect, and expect you to do the same.

We will not tolerate threatening or abusive behaviour towards our people, either:

- verbally;
- physically; or
- in writing.

We will take whatever action is necessary (including legal action) against any person who is involved in threatening or abusive behaviour.

Liability

Although land used to activate entitlements needs only to be at a claimant's disposal on a single day which is the SPS application deadline (in 2014 this will be 15 May), you must meet the cross compliance rules for the whole calendar year. This applies even if you do not occupy the land for the whole year. There is one exception to this rule which is when land is transferred from or to someone who has also submitted an SPS application in that calendar year.

The same rules apply to rural development schemes also.

Example 1

You take on some agricultural land on 10 April 2014 and it is part of your holding on the SPS application deadline as declared on your SPS application. The person you took the land from does not submit an SPS application in 2014 for the rest of their agricultural land. You would be liable for cross compliance on the transferred land for the whole of the calendar year, including the period between 1 January 2014 and 9 April 2014 when you did not occupy the land.

However, if the person you took the land from submits an SPS application in 2014 for the rest of their agricultural land, they would be liable for cross compliance on the transferred land from 1 January 2014 until 9 April 2014. You would be liable for cross compliance on the transferred land from 10 April 2014 for the remainder of the calendar year.

Example 2

You give up some agricultural land on 14 July 2014 which was part of your holding on the SPS application deadline. The person you transferred the land to has not submitted an SPS application

in 2014 for the rest of their agricultural land. You would be liable for cross compliance on the transferred land for the whole of the calendar year, including the period between 14 July 2014 and 31 December 2014 when you did not occupy the land.

However, if the person you transferred the land to has submitted an SPS application in 2014 for the rest of their agricultural land, they would be liable for cross compliance on the transferred land from 14 July 2014 until 31 December 2014. You would be liable for cross compliance on the transferred land from 1 January 2014 until 13 July 2014.

Therefore, if you are transferring land (either in or out) during the year, you should carefully consider the terms of any contractual arrangements between you and the other person(s). This is so you can make sure that your interests are protected if any cross compliance rules are not met, or access to inspectors is refused, before or after the land transfer. Also, you should bear in mind the risks of not having contractual arrangements agreed and in place. You may want to get professional or legal advice.

General

For cross compliance, you will be held responsible for actions or omissions which do not meet the cross compliance rules, whether they were committed by you or someone acting for you or under your control or, where they were caused by someone with access to your holding under the terms of any agreement you have in place. This means that you will be held responsible not only for your own actions and omissions, but also for those of other people who have access to your holding including, for example, contractors, employees, agents and family members.

Responsibility for making sure that the rules relating to the identification and traceability of cattle, sheep, goats and pigs are met lies with the keeper – the person with day to day responsibility for the animals. This applies regardless of who owns the animals and whose land they are grazing. Responsibility for welfare of all farmed animals lies with both the keeper, again, the person who has day to day responsibility for the animals, and the owner of the animals.

Relationship between GAEC and other environmental schemes

The GAEC standards give a baseline of environmental protection for soils, habitats and landscape features, and protection and management of water. If your obligations under the rural development schemes conflict with GAEC standards, the rural development scheme rules will generally take precedence. If you are unsure, you should contact the RPA's Customer Service Centre.

We've given guidance on GAEC standards in a separate booklet, *Guidance for Cross Compliance in England: Management of Habitats and Landscape Features*. It should help you identify habitats and landscape features on your land, and it recommends areas of best practice, and gives more information and advice. It is available only on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance.

Exemptions and derogations

In exceptional circumstances, you may be able to apply for an exemption from certain cross compliance standards. Examples include:

- issues of human or animal health or safety;
- when you need to control or treat serious causes of harm to plant health; or
- serious pest or weed infestations.

Ideally, you should not go ahead with the activity until you have received written permission but in emergency situations, where it may not be possible for you to make an advance request, we would not expect you to do so. If, however, you find the work conflicts with a standard, we would advise you to write to RPA as soon as possible to safeguard your position.

You may also be exempt from a cross compliance standard in relation to, or in connection with, any power or authorisation conferred by, or under, any enactment provided that following the completion of the action the agricultural land will be in GAEC. This would include where, for example, the laying, construction or maintenance of a pipeline, cable or pylon, or the carrying out of railway or highway works, under statutory authority conflicts with meeting a standard. If you think this applies to you, ideally you should request an exemption from RPA in advance of the work being carried out. This should safeguard your position. Again, however, in emergency situations, where it may not be possible for you to make an advance request, we would not expect you to do so. If, however, you find the work conflicts with a standard, we would advise you to write to RPA as soon as possible to safeguard your position.

We would not expect statutory bodies to have to carry out the process of using their statutory powers to get the permission needed for access, or to carry out work, where voluntary consent exists and where statutory consent would be given if needed.

We can also give derogations from certain GAEC standards in limited circumstances. These can be granted for the following reasons:

- where the environment would benefit;
- for livestock or crop production; or
- improving public or agricultural access.

We have highlighted within the text of the individual standards where derogations may be available. You must apply to RPA in writing for this derogation and wait for written permission before carrying out any work.

You can apply for an exemption or derogation by writing to RPA's Customer Service Centre. Please make sure that any application is supported by adequate evidence, such as advice from an agronomist. Give all of the land parcel numbers for any affected fields for which you want an exemption or derogation. You can support your application with photographic evidence or explanatory diagrams. All letters and emails requesting exemptions and derogations should be clearly headed 'Cross Compliance Derogation'.

Force majeure and exceptional circumstances

In limited circumstances, we may accept that you are prevented from meeting the cross compliance rules due to force majeure or exceptional circumstances. In such cases, we may not have to reduce your payment. Force majeure is defined as 'unusual circumstances, outside your control, the consequences of which, in spite of all due care, could not be avoided except at the cost of excessive sacrifice on your part'. All cases will be considered individually.

For further information on force majeure and exceptional circumstances and how to apply, please read the current SPS Handbook.

Common failures under cross compliance rules



Throughout this guide we have highlighted key areas of non-compliance with a warning sign. For more information about failures to meet cross compliance rules, please read the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/inspectionstatistics.

Complaints and Appeals

We are committed to giving good customer service and we welcome your feedback because it helps us to improve.

If you are not satisfied with the service you have received or a decision we have made and you would like to complain, you can:

- call us on 0845 603 7777:
- email us at csc@rpa.gsi.gov.uk: or
- write to us at:
Rural Payments Agency
PO Box 300
Sheffield
S95 1AA

You can also complain face to face with anyone representing RPA.

Complaints about our service

If you are not satisfied with the service you have received because of something we have, or have not done and you would like to complain, please let us know as soon as possible.

You should set out the facts as fully as possible including:

- what went wrong;
- when it happened;
- who you dealt with; and
- what you would like to happen next.

The more details we have, the better equipped we are to deal with your complaint.

Always remember to tell us your unique customer reference number which could be one of the following:

- Single Business Identifier (SBI);
- Personal Identifier (PI); or
- County/Parish/Holding number (CPH).

Also make sure you put it on all documents you send to us.

You also need to tell us:

- your daytime telephone number; and
- your preferred method of contact.

We will acknowledge receipt of your complaint by telephone. If we are not able to contact you we will send you an email or letter. We will aim to resolve your complaint within 15 working days. If this is not possible, the person dealing with your complaint will contact you.

If you are not satisfied with the outcome, you can ask your Member of Parliament (MP) to refer your complaint to the Parliamentary and Health Service Ombudsman.

Complaints about our decisions

If you are not happy with a decision we have made or you think a decision is wrong, you can ask us to review it.

You should set out the facts as fully as possible including:

- what decision you want to be explained or re-considered;
- the date of the decision;
- what you do not understand or why you disagree with a decision; and
- what outcome you are seeking.

If you want us to review a decision, you need to submit all the evidence you want to be considered so that we are equipped with all the facts. But you can still introduce new evidence at any point in the process.

Always remember to tell us your unique customer reference number which could be one of the following:

- Single Business Identifier (SBI);
- Personal Identifier (PI); or
- County/Parish/Holding number (CPH).

Also make sure you put it on all documents you send to us.

You also need to tell us:

- your daytime telephone number; and
- your preferred method of contact.

We will acknowledge receipt of your request by telephone. If we are not able to contact you we will send an email or letter. We will aim to give you an explanation of the decision or the outcome of our review within 15 working days. If this is not possible, the person dealing with your request will contact you to agree a proposed plan to resolve your complaint, which may include passing it on for further consideration.

Appeals against a review decision

You can appeal against any decision we make that affects your entitlement to, or liability for, payments or your ability to participate in a particular scheme.

After the decision review process outlined above, if you are still not satisfied with the outcome and you want to appeal, you will need to fill in an Appeal Form (CA1). You can request one from our Customer Service Centre by calling us on 0845 603 7777, emailing us at csc@rpa.gsi.gov.uk or you can fill one in electronically at our website at www.rpa.defra.gov.uk

You need to enclose a cheque payable to the Rural Payments Agency for £100 when you send your appeal form to us. We will refund this money if your appeal is fully or partly successful.

For more information read the *Complaints and Appeals Guidance* on our website at www.rpa.defra.gov.uk or request a copy from our Customer Service Centre by calling us on 0845 603 7777.

Farming Advice Service

The Farming Advice Service (FAS) includes and replaces the former Cross Compliance Advice Programme and provides advice on other subjects to help you improve the economic and environmental performance of your farm.

FAS provides advice on the following subjects:

- Cross Compliance;
- Nutrient Management;
- Competitiveness; and
- Climate Change Adaptation and Mitigation.

Free expert advice on cross compliance is provided through events such as farm workshops, farm walks, drop in clinics, newsletters and text messages. A helpline number is also available, where cross compliance experts will answer technical questions and offer advice, on 0845 345 1302.

Further details on the FAS can be found at www.defra.gov.uk/farming-advice

RPA Customer Service Centre and other useful contact details

You can contact our Customer Service Centre, which is open from 8.30am to 5.00pm Monday to Friday (closed weekends and public holidays). We will ask you for your SBI when you call. If you write to us please give us your SBI, the name of your business and the scheme year relating to your query.

Customer Service Centre: 0845 603 7777

Email address: csc@rpa.gsi.gov.uk

Address:

Rural Payments Agency
PO Box 300
Sheffield
S95 1AA

Defra helpline: 08459 33 55 77

Farming Advice Service : 0845 345 1302

You can find more contact details in the useful contacts appendix of this booklet, on our website at www.rpa.defra.gov.uk/crosscompliance/appendices.

Soil Protection Review (SPR)

The aim of these rules is to maintain soil structure and organic matter, and to prevent erosion, compaction and damage to landscape features.

The *Soil Protection Review 2010*¹ now includes a continuation sheet for 2014. This sheet must be kept with the Soil Protection Review 2010

If you were required to complete a Soil Protection Review (SPR) 2010 by 31 December 2013:

A. You must



1. be carrying out the measures you have earlier identified in your SPR 2010;
2. keep your SPR 2010, including the continuation sheet for 2014, available for inspection.

B. You must update your SPR 2010

1. at least once every year (including the year in which you began implementing it) by completing the annual review. Use the continuation sheet which goes with the *Soil Protection Review 2010* to complete your 2014 annual review;
2. as soon as is practical if it becomes clear that the measures you chose are not working or if you change or adopt new measures;
3. as soon as is practical if you transfer land in or out, or when soil conditions change on your land which result in a change in risk or where your management systems or cropping practices change.

If you are required to complete an SPR 2010 for the first time in 2014:

C. You must

1. complete your SPR 2010 by 31 December 2014, with the exception of Part 4, Access to Waterlogged Land, which you must start completing from 1 January 2014;
2. keep your SPR 2010, including the continuation sheet for 2014, available for inspection.



¹ PB 13311 *Soil Protection Review 2010*. Any reference to the Soil Protection Review 2010 should be read to include the continuation sheet for 2014. Please see Further advice and guidance section for more information on how to obtain a copy of the continuation sheet.

When completing, updating and implementing your SPR 2010:

D. You must

1. use the continuation sheet for your 2014 annual review;
2. do so in accordance with the instructions given in the SPR 2010 and the *Cross Compliance Guidance for Soil Management 2010* edition. Use either the SPR 2010 template, including the continuation sheet for 2014, or give the same information in a similar format;
3. take into account any specific guidance that the Secretary of State may give you;
4. comply with any written directions that the Secretary of State may give you about the management of your soils.

Post-harvest management of land

If your land has carried a crop of oil-seeds, grain legumes or cereals (other than maize) which has been harvested by either combine harvester or mower, then:

E. You must

1. meet one of the following conditions on that land from the first day after harvest until the last day of February in the following year (dates inclusive):
 - the stubble of the harvested crop remains in the land;
 - the land is left with a rough surface following operations such as ploughing, discing or tine cultivation;
 - the land is under cultivation sequences used to create stale seedbeds;
 - the land is sown with a temporary cover crop. If this becomes grazed out or cultivated out during the post-harvest period, a rough surface must be left as soon as conditions permit;
 - the land is sown with a crop within 10 days of having been prepared as a seedbed.

You will not break the post-harvest management of land rule if you have prepared the land as a seedbed but are unable to sow the crop within 10 days because the land is too waterlogged to access or because severe weather conditions make this impractical. In either case, the land must be sown as soon as practical.

Waterlogged² land

F. You must

1. record any activity on waterlogged land when you carry out any mechanical field operations such as harvesting crops, or using motorised vehicles, except:
 - where the area of waterlogged land is within 20 metres of a gateway or other access point;
 - access is required to an area of land that is not waterlogged;
 - the area is an established track to land that is not waterlogged;
2. take action to remediate any damage caused by accessing waterlogged land, if appropriate, as soon as possible within 12 months of the first month of access to the waterlogged land. You must also record access as soon as possible after the event in the Access to Waterlogged Land section of the SPR 2010 and record any action you have taken to remediate damage from the access.

2 Normal common sense definitions of 'waterlogged' apply. For example, soil will be considered to be waterlogged where the whole of the plough layer is saturated/filled with water by virtue of a high water table or water collected (perched) above a compacted soil.

The rules A to F do not apply:

- for any agricultural land which is common land unless you own or occupy the land and rights of common are not exercised by anyone else; or
- if your holding, excluding land subject to rights of common (unless you are the sole occupier of that common land), is less than 1 hectare. However, if you acquire additional land which means your holding becomes greater than 1 hectare, you must complete an SPR 2010 by 31 December of that year.

Crop residue burning restrictions

G. You must not

1. burn any of these crop residues:

- cereal straw;
- cereal stubble;
- residues of oilseed rape;
- residues of field beans harvested dry;
- residues of peas harvested dry.

You will not break this rule if the burning is for:

- education or research;
- disease control or the elimination of plant pests where a notice has been served³;
- the disposal of straw stack remains or broken bales.

H. You must

1. comply with certain restrictions⁴ if you are burning linseed residues;
2. comply with certain restrictions⁴ if you are burning residues under the exemption for education or research, disease control or the elimination of plant pests.

³ Under the Plant Health (England) Order 2005.

⁴ These restrictions are set out in Schedule 2 to the Crop Residues (Burning) Regulations 1993.



Further advice and guidance

A copy of the continuation sheet for 2014 is available at www.rpa.defra.gov.uk/crosscompliance/farmerguidance. Or you can contact the RPA Customer Service Centre on 0845 603 7777 or email csc@rpa.gsi.gov.uk.

You can also access the SPR online through Defra Farm Surveys & Assessments service at www.gov.uk/soil-protection-review. Completing your SPR online brings additional benefits: the online SPR is quicker and easier to complete than paper forms and it remembers information about your farm, making your annual review and any in-year updates faster to complete. The SPR online now includes the continuation sheet for 2014.

Cross Compliance Guidance for Soil Management 2010 edition (PB 13315) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance or from the RPA Customer Service Centre on 0845 603 7777 or email csc@rpa.gsi.gov.uk.

The following guides are available from the Environment Agency by contacting the helpline on 08708 506 506 or email: enquiries@environment-agency.gov.uk

- *ThinkSoils – Soil assessment to avoid erosion and runoff*
- *Best Farming Practices – profit from a good environment*

A soil protection review (SPR) training video is available at www.defra.gov.uk/farming-advice. The video gives advice on completing your SPR. You can also email the Farming Advice Service at advice@farmingadvice.service.org.uk

Environmental Impact Assessment (EIA)

The aim of these rules is to take into account the environmental importance of uncultivated land and semi-natural areas and also the impact of forestry-related projects.

Agriculture

A. You must not

1. begin or carry out any uncultivated land project¹ (on uncultivated land² or semi-natural areas³) which affects an area of 2 or more hectares, unless you have obtained permission from Natural England;
2. begin or carry out any uncultivated land project if a screening notice applies to that land, unless you have obtained permission from Natural England;
3. breach a stop notice that has been served on you⁴.

B. You must

1. meet any requirement of a remediation notice served on you⁴, unless you have a reasonable excuse.

Although, in general, rules A1 to A3 and B1 apply to land of 2 or more hectares, Natural England has the power to serve screening notices on areas of land smaller than 2 hectares.



- 1 This is a project to increase the productivity for agriculture of uncultivated land or a semi-natural area, and includes those to increase the productivity for agriculture of such land to below the norm.
- 2 Uncultivated land: land which has not been cultivated in the last 15 years, involving either physical cultivation such as ploughing and sub-surface harrowing or chemical cultivation such as application of fertilisers.
- 3 These include bracken; species-rich hay meadow; fen, marsh and swamp; bog; semi-natural scrub; dwarf shrub heath; wet grassland in coastal and river flood plains; unimproved grassland; and standing water.
- 4 Under the Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations 2006.

Forestry

C. You must not

1. begin or carry out any afforestation⁵ on agricultural land or any deforestation⁶ project on existing woodland, regardless of area⁷, unless you have obtained permission from the Forestry Commission;
2. continue any work on a project if you have received an enforcement notice⁸ that requires you to stop work.

D. You must

1. carry out any work as set out in the consent given by the Forestry Commission;
2. carry out any work required by an enforcement notice⁸ within the given time period.



Further advice and guidance

To get details of your local Forestry Commission office call the Forestry Commission helpline on 0117 372 1070 or visit the website at www.forestry.gov.uk

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

Natural England - Environmental Impact Assessment Unit: 0800 028 2140

Natural England general enquiries: 0845 600 3078

Email: eia.england@naturalengland.org.uk

www.naturalengland.org.uk/ourwork/regulation/eia/default.aspx

5 Afforestation is the creation of new woodland on agricultural land.
 6 Deforestation is the removal of woodland and conversion to an alternative land use.
 7 Some thresholds do exist (see Schedule 2 of the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999), but there may be some sites where, even though the proposed work is below these thresholds, the work may have a significant effect on the environment and require the agreement of the Forestry Commission.
 8 Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999.

Sites of Special Scientific Interest (SSSIs)

The aim of these rules is to help protect, manage and maintain Sites of Special Scientific Interest (SSSIs) because they are important for rare species, habitats, geology and landscapes.

A. You must

1. get Natural England's consent in writing before carrying out, causing or permitting any specified operation¹ listed in an SSSI's legal documents (unless that operation is already covered by a management agreement, scheme or notice²);
2. comply with all management notices³ served by Natural England or the terms of any restoration order served by a court⁴.

B. You must not

1. intentionally or recklessly destroy or damage any of the SSSI's special interest features, or disturb any fauna that are a special interest feature. This rule can apply to actions that take place outside the SSSI itself but which have the same consequences.

You will not break any of these rules if you have reasonable excuse⁵ to carry out certain operations. These rules apply to all SSSIs. Where the land is also classified as a European site (Special Protection Area or Special Area of Conservation) and there is a breach we will also consider the non-compliance under the relevant requirement (SMR 1) or (SMR 5).



Further advice and guidance

For general information, to find out whether your land is an SSSI, to find out why an SSSI is of special interest, and to get a copy of the operations requiring Natural England's consent on an SSSI visit the Natural England website at www.naturalengland.org.uk, and click on the link 'Information for > SSSI owners and occupiers'. To find out why an SSSI is of special interest, follow the above link and click on 'Search for SSSI details' and enter the name of the SSSI into the search box and read the 'citation'. Alternatively, call Natural England on 0845 600 3078.

Guidance for *Cross Compliance in England: Management of Habitats and Landscape Features* (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

Natural England general enquiries: 0845 600 3078

Website: www.naturalengland.org.uk

1. A 'specified operation' means one which has been identified as likely to damage the special interest features of the area. This information forms part of the notification package for Sites of Special Scientific Interest.
2. If you have a management agreement, such as a Higher Level Stewardship agreement, you already have consent for the operations outlined in that document.
3. A management notice is different from a management agreement as it legally obliges the recipient to carry out certain activities.
4. This applies where the purpose of the notice or restoration order is to protect or restore the special interest features of the area or otherwise restore the land to its former condition as may be so specified.
5. A 'reasonable excuse' may include: you have planning permission to carry out the work; you have consent from a public body or statutory authority that has complied with its duty to consult Natural England before giving the consent; it is an emergency operation (provided that Natural England is told as soon as possible after the emergency).

Scheduled monuments

The aim of these rules is to help preserve scheduled monuments because they are important landscape features.

A. You must not

1. carry out any of the following works without the written consent of the Secretary of State for Culture, Media and Sport¹:
 - those resulting in the demolition or destruction of, or damage to, a scheduled monument;
 - those for the purpose of the removal or repair of a scheduled monument (or any part of one);
 - those for the purpose of making alterations or additions to a scheduled monument (or part of one);
 - any flooding or tipping operations on land in, on or under which there is a scheduled monument.

You will not have broken these rules if any of the points below apply:

- you took all reasonable precautions, and exercised all due diligence, to avoid or prevent any damage to the monument (applies to first bullet point, above);
- you can prove you did not know, and you had no reason to believe, that the monument was in the area affected by the works, or that the monument was scheduled (applies to first and fourth bullet points, above);
- you can prove the works were urgently necessary in the interests of health or safety and that written notice for the works was given to the Secretary of State for Culture, Media and Sport as soon as reasonably possible.

B. You must

1. comply with the conditions attached to any consent you have received from the Secretary of State for Culture, Media and Sport.



Further advice and guidance

You can get information on the location of scheduled monuments from the Historic Environment Record held by your local authority (Local Government Archaeological Officers), the English Heritage website at <http://list.english-heritage.org.uk/advancedsearch.aspx> or the Multi-Agency Geographic Information for the Countryside (MAGIC) website at www.magic.gov.uk

English Heritage, Scheduled Monuments – A guide for owners and occupiers

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

An application for Scheduled Monument Consent can be downloaded from www.english-heritage.org.uk/smc. Or, you can request a form and guidance notes from English Heritage on 0870 333 1181

The Association of Local Government Archaeological Officers: 01904 671417

¹ Or satisfying yourself that you have consent under the Ancient Monuments (Class Consents) Order 1994. Further information on Class Consents is given in the advice leaflet *Scheduled Monuments – A guide for owners and occupiers*.

Public rights of way

The aim of these rules is to keep public rights of way open and accessible because they are important landscape features.

A. You must not

1. disturb the surface of a public right of way¹ so that it becomes inconvenient to use;
2. wilfully obstruct free passage along a public right of way for example, by locking gates, growing crops, allowing overhanging vegetation, or blocking the route with electric or barbed wire fences.

You will not break these rules if you have lawful authority or excuse. This includes times when you need to disturb the surface of a footpath or bridleway across a field to plough the land or to bring it into agricultural use and it would be inconvenient and difficult to avoid disturbing the surface of the path. In this case there are rules for making good the surface, detailed below.

B. You must

1. maintain any stile, gate or similar structure across a footpath or bridleway in a condition that makes it safe and reasonably easy to use (this applies where maintenance is your responsibility);
2. make good the surface of a disturbed cross-field footpath or bridleway to not less than the minimum width² within 14 days of the first disturbance if you are sowing a crop, or within 24 hours in all other circumstances;
3. indicate the route of a reinstated cross-field footpath or bridleway to members of the public.

These cross compliance rules apply only to visible³ public rights of way. This includes any rights of way which would be visible were it not for breaches of the Highways Act 1980.

Public rights of way may form part of the 1 metre or 2 metre 'protection zone' margins along hedges and watercourses. If so, the rules of that GAEC standard (GAEC 14) will apply as far as practical.



Further advice and guidance

Public rights of way are regulated by local highway authorities who can advise you about the maintenance of stiles and gates, ploughing restrictions and unlawful obstructions.

Detailed advice on all aspects of managing public access is in *Managing Public Access – A Guide for Land Managers CA210*, which is available at www.naturalengland.org.uk/publications

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

Advice on cattle and public access is available from the Health and Safety Executive at: www.hse.gov.uk/agriculture/articles/cattle-public-access.htm

1 'Public right of way' is a term that includes: footpaths, bridleways, restricted byways and byways open to all traffic.
 2 The minimum width is 1 metre for a footpath and 2 metres for a bridleway.
 3 'Visible' means visible as a route to a person with normal eyesight walking or riding along it.

Overgrazing and unsuitable supplementary feeding

The aim of these rules is to help protect important habitats that contain natural or semi-natural vegetation by preventing overgrazing and unsuitable supplementary feeding.

A. You must not

1. overgraze¹, or allow to be overgrazed, the natural and semi-natural vegetation² on your holding;
2. carry out unsuitable supplementary feeding³, except where it is necessary for the purpose of animal welfare during periods of extreme weather conditions.

B. You must

1. have regard to any notification, of appropriate measures to prevent overgrazing and/or unsuitable supplementary feeding, sent to you on behalf of the Secretary of State;
2. comply with any written directions, in relation to land subject to overgrazing and/or unsuitable supplementary feeding, sent to you on behalf of the Secretary of State.

Where damage has been caused by trampling or supplementary feeding in the winter, it should be minimal enough to allow for the vegetation to recover to its original condition through natural regeneration by the end of the next growing season.

The rules of this GAEC standard (GAEC 9) do not apply if a derogation has been granted. Information on under what circumstances RPA can grant derogations can be found in the introduction to this guide. You must apply to RPA in writing for this derogation and wait for written permission before carrying out any work.



Further advice and guidance

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmguidance

Natural England general enquiries: 0845 600 3078

Grazing your landscape – A guide to grazing under cross-compliance and keeping your land in Good Agricultural and Environmental Condition is available to download from the Natural England website at: www.naturalengland.org.uk/publications

- 1 'Overgraze' means grazing land with so many livestock that the growth, quality or diversity of natural or semi-natural vegetation is adversely affected.
- 2 'Natural and semi-natural vegetation' is defined as self-seeded or self-propagated vegetation characteristic of the area. This land includes but is not restricted to: moorland, unimproved grassland, grazed woodland or forest, heathland and sand dunes.
- 3 'Unsuitable supplementary feeding' means providing supplementary feed for livestock in a way that adversely affects the quality or diversity of natural and semi-natural vegetation through the trampling or poaching of land by livestock, or by ruts caused by vehicles used to transport feed.

Heather and grass burning

The aim of these rules is to maintain moorland and heathland landscapes and habitats.

A. You must not

1. burn heather, rough grass, bracken, gorse or vaccinium (a range of shrub species including bilberry and blueberry) outside the burning season except under, and in accordance with, a licence to do so, issued by Natural England.

The burning season is 1 November to 31 March (inclusive) for all land other than that in upland areas and 1 October to 15 April (inclusive) for land in upland areas.

B. You must

1. take all reasonable precautions to prevent human injury or damage to adjacent land or anything on it before you start burning and during the entire period of the burn;
2. make sure you have sufficient people and equipment in place to control and regulate the burning during the entire period of the burn.



Further advice and guidance

To find out if your land is in an 'upland area' (severely disadvantaged area, within the less-favoured areas) visit the Multi-Agency Geographic Information for the Countryside (MAGIC) website at www.magic.gov.uk. Or you can look at the 4 volumes of maps, each marked 'Less Favoured Map of England 2009' dated 29 January 2010 at the Department for Environment, Food and Rural Affairs at Ergon House, Horseferry Road, London SW1P 2AL.

The Heather and Grass Burning Code: 2007 version (PB12650) available from the Defra website at www.gov.uk/heather-and-grass-burning or from Natural England at www.naturalengland.org.uk

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

Natural England: 0845 600 3078

www.naturalengland.org.uk/ourwork/regulation/burning/default.aspx

Control of weeds

The aim of these rules is to control the spread of specified invasive non-native weeds and injurious weeds that can damage habitats, agricultural land and in some cases can pose a risk to the welfare of horses and other grazing animals and to people.

A. You must

1. take all reasonable steps to prevent the spread of specified invasive non-native weeds¹ and injurious weeds² on your land and onto adjoining land.

B. You must not

1. unreasonably fail to comply with a notice³ served on you.

The taking all reasonable steps rules of this GAEC standard (GAEC 11) do not apply if a derogation has been granted. Information on under what circumstances RPA can grant derogations can be found in the introduction to this guide. You must apply to RPA in writing for this derogation and wait for written permission before carrying out any work.



Further advice and guidance

Code of Practice on How to Prevent the Spread of Ragwort (PB9840).

Identification of Injurious Weeds (PB4192).

Guidance note on the methods that can be used to control harmful weeds (PB7190).

Guidance on the disposal options for common ragwort (PB11050).

These publications are available on the Defra website at www.gov.uk/defra

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

Information on managing invasive non-native weeds is available from the Environment Agency at: www.environment-agency.gov.uk

Information and identification sheets on invasive non-native weeds is available from the GB non-native species Secretariat website at: www.nonnativespecies.org

Weeds Helpline: 0300 060 1112 or email iss.reading@naturalengland.org.uk

Environment Agency: 03708 506 506

1 'Specified invasive non-native weeds': rhododendron (*Rhododendron ponticum*), Japanese knotweed (*Fallopia japonica*), giant hogweed (*Heracleum mantegazzianum*) and Himalayan balsam (*Impatiens glandulifera*).
 2 'Injurious weeds': common ragwort (*Senecio jacobaea*), spear thistle (*Cirsium vulgare*), creeping or field thistle (*Cirsium arvense*), broad-leaved dock (*Rumex obtusifolius*) and curled dock (*Rumex crispus*).
 3 Under the Weeds Act 1959.

Agricultural land which is not in agricultural production

The aim of these rules is to avoid encroachment of unwanted vegetation, to protect habitats and to maintain land not in production in good agricultural and environmental condition.

If the land is, or will be, in production on the SPS application deadline (15 May 2014) then the rules of this standard (GAEC 12) will not apply in that calendar year. If land is not, or will not be, in production on the SPS application deadline then the rules of this standard (GAEC 12) will apply either from 1 January or from the day after the land comes out of production until the day it is returned to production. For the purpose of this standard (GAEC 12), land is considered as being used for agricultural production when:

- a crop has been planted in the ground;
- preparatory work for a following crop has commenced on the land, for example, ploughing or spraying off;
- animals are grazing;
- land is used for growing of grass to be cut as silage, hay or other feed, or to be grazed in the future on the basis that these operations are undertaken.

A. You must

1. cut scrub and cut or graze rank vegetation on the whole area of your agricultural land that you do not use for agricultural production at least once every 5 years, in order to prevent encroachment of scrub (but read B1 and B2 below).

B. You must not

1. cut down or plough vegetation on the land between 1 March and 31 July (inclusive);
2. in any 12 month period, cut or graze scrub or rank vegetation on more than 50% of the agricultural land not in agricultural production.

Rules B1 and B2 apply unless:

- you need to cut to meet the GAEC rules on the control of weeds (GAEC 11);
- you are managing the land to control an infestation of blackgrass (*Alopecurus myosuroides*), couch (*Agropyron repens*), creeping thistle (*Cirsium arvense*) or dock (*Rumex* species) for the first 15 months from the date of harvest;
- cutting is needed for you to establish grassy areas to prevent erosion and run-off, or to cut pollen and nectar mixtures sown to provide food resources for wildlife, such as required by certain voluntary environmental management options under the Campaign for the Farmed Environment (CFE)¹ or to establish a buffer strip alongside a watercourse for water resource protection;
- you are creating a bare surface to establish plots of up to approximately 2 hectares to accommodate ground nesting birds such as stone-curlews or lapwings;
- you are actively bringing the land back into production;

¹ Certain CFE options (including C1, C2 and C12a/b in the current list) and newly established buffer strips may require cutting between 1 March and 31 July. The cutting restriction for GAEC 12 does not apply to the land being used for these measures when you are cutting for the purpose of carrying out one of these measures. You do not need to be part of the CFE to use these exemptions. You should avoid disturbing ground nesting birds if they are known to be present.

3. apply inorganic fertiliser to the land, unless the land is known to be used as, and is managed as, a geese feeding area in winter;
4. apply manure or slurry to the land, unless the land is known to be used as, and is managed as, a geese feeding area in winter.

The rules of this standard (GAEC 12) do not apply if the land is a Site of Special Scientific Interest (SSSI) and your obligations under your SSSI designation conflict with the rules of this GAEC.

The individual rules of this standard (GAEC 12) relating to cutting or grazing scrub and vegetation (rules A1, B1 and B2) do not apply if they conflict with those of the GAEC standard to protect scheduled monuments (GAEC 7).

The rules of this GAEC standard (GAEC 12) do not apply if a derogation has been granted. Information on under what circumstances RPA can grant derogations can be found in the introduction to this guide. You must apply to RPA in writing for this derogation and wait for written permission before carrying out any work.



Further advice and guidance

You must record the land as being not in agricultural production in your Soil Protection Review (GAEC 1) with appropriate soil protection measures identified and carried out.

Agricultural land not in agricultural production may be used for storage and non-agricultural activities in line with the conditions for all SPS eligible land set out in the SPS Handbook. You must record any resulting risk to soils and remedial action in your Soil Protection Review 2010.

You can find out more information on the Campaign for the Farmed Environment by visiting their website at www.cfeonline.org.uk

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

Campaign for the Farmed Environment (CFE): 024 7685 8536 or email CFE@nfu.org.uk

Natural England: 0845 600 3078

Stone walls

The aim of these rules is to encourage the retention of stone walls because they are an important landscape feature.

A. You must not

1. remove a stone wall¹ or remove stone from a stone wall.

You will not break these rules if you have removed a stone wall or stone from a wall for one of the following reasons:

- to widen an existing gateway in a wall to allow machinery or livestock access. In this case the gateway should be no wider than 10 metres and the newly created wall-ends finished to a vertical face;
- to repair another stone wall on your land which is in a better condition than the one from which stone is removed;
- to make minor repairs to a public footpath on your land.

The rules of this GAEC standard (GAEC 13) do not apply if a derogation has been granted. Information on under what circumstances RPA can grant derogations can be found in the introduction to this guide. You must apply to RPA in writing for the derogation and wait for written permission before carrying out any work.



Further advice and guidance

The *Defining stone walls of historic and landscape importance* final report is available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance.

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance.

¹ 'Stone wall' means a stone wall that is or was used as a field boundary, which has: a continuous length of at least 10 metres, or a continuous length of less than 10 metres where it meets (at an intersection or junction) another field boundary at each end, or a continuous length of less than 10 metres and forms an enclosure.

Protection of hedgerows and watercourses

The aim of these rules is to protect sensitive field boundaries and their associated habitats. They apply to you if you have hedgerows or watercourses on, or adjoining, your land.



A. You must not

1. cultivate or apply fertilisers¹ or pesticides² to land within 2 metres of the centre of a hedgerow³, watercourse⁴ or field ditch;
2. cultivate or apply fertilisers or pesticides to land between the edge of the watercourse or field ditch and 1 metre on the landward side of the top of the bank.

You will not break these rules if you have used pesticides for spot application only so that you can meet the GAEC standard on the control of weeds (GAEC 11), or you have cultivated land for one of the following reasons:

- to establish a green cover where one does not exist and the land is part of a field which is being newly created (whether by merger or division);
- to establish a green cover where one does not exist and the land was previously outside the scope of cross compliance.



(photo credit: Nigel Adams, Countryside Management)

- 1 'Fertilisers' includes: inorganic fertiliser, organic fertiliser, organic manures, lime, slurry, sewage sludge, slag, trace elements, calcified seaweed and human waste. (This is not an exhaustive list.)
- 2 'Pesticides' means anything used for destroying pests and includes herbicides, fungicides, insecticides and other biocides.
- 3 For the purposes of this requirement, 'hedgerow' means any hedgerow growing in, or adjacent to, any land that forms part of your holding and that has: a continuous length of at least 20 metres, or is part of any such length, or a continuous length of less than 20 metres where it meets (at an intersection or junction) another hedgerow at each end. Any gap resulting from a breach of the Hedgerows Regulations 1997, and any gap of 20 metres or less, will be treated as part of the hedgerow. Traditional hedgebanks (earth banks faced with turf or stone) fall within the scope of GAEC 14 if topped with a hedgerow.
- 4 'Watercourses' are defined within the Code of Good Agricultural Practice as all surface waters, including coastal water, estuaries, lakes, ponds, rivers, streams, canals and field ditches. Temporarily dry watercourses are included.

B. You must

1. take all reasonable steps to maintain a green cover on land within 2 metres of the centre of a hedgerow, watercourse or field ditch;
2. take all reasonable steps to maintain a green cover on land between the edge of the watercourse or field ditch and 1 metre on the landward side of the top of the bank.

The rules of this standard (GAEC 14) do not apply in any of the following circumstances:

- to land either side of a hedgerow which was planted on or after 1 January 2005 and which is less than 5 years old (you will need to keep documentary evidence to prove this);
- to land forming part of a parcel of 2 hectares or less;
- to hedgerows within the curtilage of a dwelling-house;
- to the side of any hedgerow facing a dwelling-house when the hedgerow marks the boundary of the curtilage of the dwelling-house;
- to casting up a traditional hedgebank between 1 August and the last day of February.

Public rights of way may form part of the 1 metre or 2 metre 'protection zone' margins along hedges and watercourses. When they do, the rules of this GAEC standard (GAEC 14) will apply as far as practical but should not restrict public access.

The rules of this GAEC standard (GAEC 14) do not apply if a derogation has been granted. Information on under what circumstances RPA can grant derogations can be found in the introduction to this guide. You must apply to RPA in writing for this derogation and wait for written permission before carrying out any work.



Further advice and guidance

The Hedgerows Regulations 1997: A Guide to the Law and Good Practice is published by Defra and you can get a copy, free of charge, by emailing farmland.conservaion@defra.gsi.gov.uk

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance
www.hedgeline.org.uk

Hedgerows

The aim of these rules is to protect the habitat, particularly for nesting birds, as well as the landscape feature provided by hedgerows¹. They apply to hedgerows growing in, or adjacent to, any of your land.

Hedgerow removal

A. You must not

1. remove² part of a hedgerow unless you have met both of the following conditions³:
 - notified your local authority in writing (or National Park Authority if your land is in a National Park) of your proposal;
 - received written permission to carry out the removal or have received no reply from the authority within 42 days of your notification (this counts as permission).

B. You must

1. carry out any hedgerow removal in accordance with the written permission granted by the authority, or in accordance with the proposal in your notification where the authority has not responded within 42 days.



(photo credit: Nigel Adams, Hedgelink)

- 1 For the purposes of this rule 'hedgerow' means any hedgerow growing in, or adjacent to, any land which forms part of your holding and which has: a continuous length of at least 20 metres, or is part of any such length, or a continuous length of less than 20 metres where it meets (at an intersection or junction) another hedgerow at each end. Any gap resulting from a breach of the Hedgerows Regulations 1997, and any gap of 20 metres or less, will be treated as part of the hedgerow.
- 2 'Remove' includes any operation which uproots or otherwise destroys a hedgerow, either directly or indirectly.
- 3 The full obligations with which you must comply are contained in Regulation 5(1) and (9) of the Hedgerows Regulations 1997.

Hedgerow cutting or trimming

C. You must not

1. cut or trim any hedgerow on your farm between 1 March and 31 July (inclusive) each year (the main breeding season for birds) unless this work is necessary because any of the following apply:
 - the hedgerow overhangs a highway, road or footpath over which there is a public or private right of way and the overhanging hedgerow obstructs the passage of, or is a danger to, vehicles, pedestrians or horse riders;
 - the hedgerow is dead, diseased, damaged or insecurely rooted and is likely to cause danger by falling on to a highway, road or footpath; or obstructs the view of drivers or the light from a public lamp, for example, a street lamp;
 - to carry out hedge-laying or coppicing during the period 1 March to 30 April (inclusive);
 - to trim a newly laid hedgerow by hand, within 6 months of it being laid.

In some very limited circumstances⁴ you do not have to seek permission to remove a hedgerow. Permission to carry out hedgerow removal lasts for 2 years. Therefore, if you want to carry out the hedgerow removal for which you have sought permission, you need to do so within 2 years of the date of the written permission granted by the authority, or the date of your notification where the authority has not responded within 42 days.

The rules of this standard (GAEC 15) do not apply in either of the following circumstances:

- to hedgerows within the curtilage of a dwelling-house;
- to the side of any hedgerow facing a dwelling-house when the hedgerow marks the boundary of the curtilage of the dwelling-house.

The cutting/trimming rules of this GAEC standard (GAEC 15) do not apply if a derogation has been granted. Information on under what circumstances RPA can grant derogations can be found in the introduction to this guide. You must apply to RPA in writing for this derogation and wait for written permission before carrying out any work.



Further advice and guidance

Hedgerow Regulations: Your Questions Answered is published by Defra and you can get a free copy by emailing: farmland.conservation@defra.gsi.gov.uk

The Hedgerows Regulations 1997: A Guide to the Law and Good Practice is published by Defra and you can get a copy, free of charge, by emailing: farmland.conservation@defra.gsi.gov.uk

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

⁴ Refer to regulation 6 of the Hedgerows Regulations 1997. Chapter 4 of *The Hedgerows Regulations 1997: A Guide to the Law and Good Practice* explains the activities for which permission is not required.

Felling of trees

The aim of these rules is to protect trees because they are important habitat and landscape features.

A. You must not

1. fell a tree without a felling licence, where a licence is required¹;
2. fail to comply with licence conditions, a restocking notice, enforcement notice or directions served on you².



Further advice and guidance

You can get felling licences and further guidance, including when licences are needed, from your local Forestry Commission office.

A Quick Start Guide is available at: www.forestry.gov.uk/forestry/INFD-6DFKUS

Tree Felling - Getting Permission can be found at [www.forestry.gov.uk/pdf/treefellingaugust.pdf/\\$FILE/treefellingaugust.pdf](http://www.forestry.gov.uk/pdf/treefellingaugust.pdf/$FILE/treefellingaugust.pdf)

You can get details of your local Forestry Commission office from the Forestry Commission helpline or website at www.forestry.gov.uk.

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmguidance

Forestry Commission helpline: 0117 372 1070

¹ Under section 9(1) of the Forestry Act 1967.

² Under section 24 of the Forestry Act 1967.

Tree Preservation Orders (TPOs)

The aim of these rules is to protect trees because they are important landscape features.

A. You must not

1. cut down, wilfully damage or destroy, uproot, top or lop any tree protected by a TPO without the written consent of your local planning authority;
2. cut down, wilfully damage or destroy, uproot, top or lop any tree located in a conservation area without giving 42 days written notice to your local planning authority.



Further advice and guidance

Tree Preservation Orders are made by local planning authorities to protect trees, groups of trees and woodlands in the interest of amenity under the Town and Country Planning Act 1990.

To get details of your local Forestry Commission office call the Forestry Commission helpline on 0117 372 1070 or visit the website at www.forestry.gov.uk

Tree Preservation Orders: A Guide to the Law and Good Practice is available for download, free of charge, from www.gov.uk/government/publications/tree-preservation-orders-guidance

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

Department for Communities and Local Government (CLG): 0303 444 0000

Forestry Commission helpline: 0117 372 1070

Water abstraction

The aim of these rules is to protect water resources by licensing abstraction of water for irrigation. They apply to you if you abstract more than 20 cubic metres (4,400 gallons) of water in a period of 24 hours from inland water (such as a river or stream) or an underground source (such as a well or borehole) for irrigation.

If you hold a water abstraction licence for irrigation purposes:

A. You must

1. meet the conditions within any water abstraction licence you hold for irrigation purposes.

If you do not hold a water abstraction licence for irrigation purposes:

B. You must

1. contact the Environment Agency at the earliest opportunity if you want to start abstracting more than 20 cubic metres (4,400 gallons) of water for irrigation in a period of 24 hours, or change your existing abstraction licence to authorise irrigation.

If you abstract 20 cubic metres (4,400 gallons) or less in a period of 24 hours you do not need an abstraction licence.



Further advice and guidance

To help you comply with your water abstraction licence, the Environment Agency has published a short list of tips on their website called *Top tips for complying with your water abstraction licence*.

A guide to getting your licence is produced by the Environment Agency and is available at www.environment-agency.gov.uk

You can view and make representations on abstraction licence applications in your area through the Environment Agency website.

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmguidance

Environment Agency: 03708 506 506 (Mon to Fri 8am to 6pm)

No spread zones

The aim of these rules is to protect water against pollution and run-off from agricultural sources.

A. You must not

1. apply manufactured nitrogen (inorganic) fertiliser within 2 metres of surface water¹;
2. apply organic manure² within 10 metres of surface water, except on land managed for breeding wader birds or as species-rich semi-natural grassland and under certain other restrictions³. The limit is reduced to 6 metres if you apply slurry, sewage sludge or anaerobic digestate⁴ using precision equipment⁵;
3. apply organic manure within 50 metres of a spring, well or borehole.

If you apply organic manure:

B. You must

1. produce and keep a map⁶ of your holding showing:
 - all surface waters on your holding and land within 10 metres of them;
 - all springs, wells and boreholes on your holding, and within 50 metres of the boundary of your holding, and land within 50 metres of them;
2. update the map with any changes within 3 months from the date of the change.

If you have land under Nitrate Vulnerable Zones (SMR 4) and follow those requirements, you will also meet the rules under this standard in respect of that land.

To protect water quality Defra is strongly encouraging farmers to consider placing 6-metre buffer strips next to vulnerable watercourses. Buffer strips can contribute to the reduction of pollution from farming activities. Details of the use of these can be found at section 6 of the *Cross Compliance Guidance for Soil Management 2010* edition.

- 1 'Surface waters' include lakes, rivers, streams and ditches which contain free water and also temporarily dry ditches and blind ditches.
- 2 'Organic manure' means any nitrogen fertiliser or phosphate fertiliser derived from animal, plant or human sources and includes livestock manure.
- 3 The restrictions are: the land must be in an agri-environment scheme or an SSSI and livestock manure only (other than slurry and poultry manure) is spread between 1 June and 31 October inclusive, it is not spread directly on to surface water and the total amount does not exceed 12.5 tonnes per hectare.
- 4 'Anaerobic digestate' means the product of anaerobic digestion other than from the anaerobic digestion of sewage or material in a landfill.
- 5 Trailing hose band spreader or a trailing shoe band spreader; an injector which injects the organic manure no deeper than 10cm below the surface of the soil; or a dribble bar applicator.
- 6 This may be the risk map produced for regulation 18 of the Nitrate Pollution Prevention Regulations 2008, that is, your NVZ map.



Further advice and guidance

Cross Compliance Guidance for Soil Management 2010 edition (PB 13315) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance or from the RPA Customer Service Centre on 0845 603 7777.

Advice on locating and managing buffer strips is available from Catchment Sensitive Farming Officers, Natural England advisers, Campaign for the Farmed Environment and other farm advisers.

Payments for buffer strips are available under Entry Level Stewardship (ELS).

Detailed information on the creation and establishment of buffer strips is in the ELS handbooks at www.naturalengland.org.uk/ourwork/farming/funding/es/els/default.aspx

To understand the threats to the aquatic environment on and around your farm, including the main threats to water quality in your area, you can check available information on the Environment Agency website. The 'What's in your backyard' pages give local information based on your postcode. www.environment-agency.gov.uk/homeandleisure/37793.aspx

You can find more information on soil management and assessment in relation to diffuse pollution in the *Thinksoils* handbook which you can order from the Environment Agency website at www.environment-agency.gov.uk/business/sectors/soils.aspx

Fertiliser Manual (RB209) helps farmers and land managers better assess the fertiliser required for the range of crops they plan to grow. The manual helps to make sure that proper account is taken of both mineral fertilisers and other sources of nutrients such as manures and slurries. To get a copy visit www.gov.uk/government/publications/fertiliser-manual-rb209

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at www.rpa.defra.gov.uk/crosscompliance/farmerguidance

Environment Agency: 03708 506 506

www.nutrientmanagement.org

Groundwater

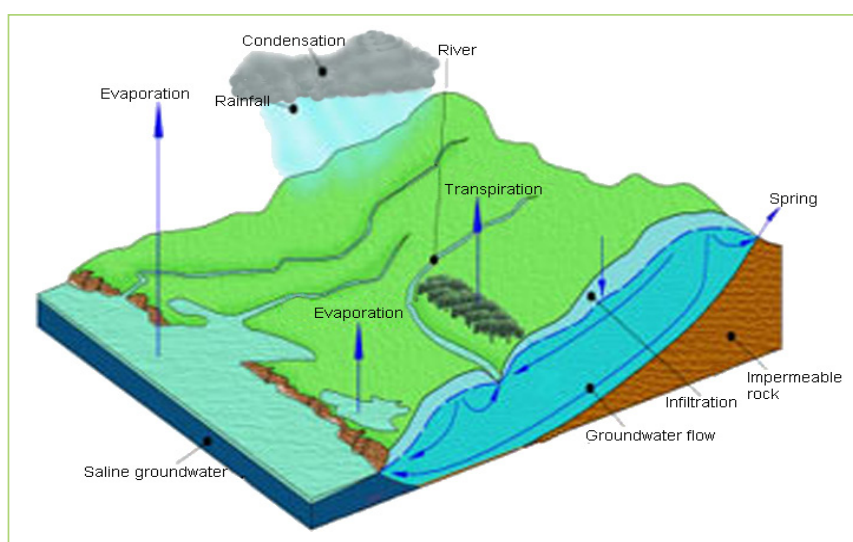
The aim of these rules is to protect groundwater¹ by controlling the discharge of potentially harmful and polluting substances.

A. You must

1. obtain a permit² from the Environment Agency before carrying out, causing or knowingly permitting the discharge³ of any hazardous substances⁴ (for example, used/waste sheep dip, pesticide washings, solvents, mineral oil and diesel) or non-hazardous pollutants⁵ (for example, sewage, trade effluent, certain biocides).

Certain exclusions⁶ from the requirement to hold a permit can apply. These may include; accidental and exceptional circumstances, for example, pollution resulting from extreme weather events outside of normal bounds of prediction; discharges of pollutants at small quantities and concentrations, for example, discharges of disinfectant footbaths for human use and for certain disinfectant footbaths for animal use.

2. meet the conditions of any permit or notice issued by the Environment Agency in relation to the protection of groundwater.



BGS (c) NERC 1998
Groundwater in the Hydrological Cycle
 (provided courtesy of the UK Groundwater Forum)

1. 'Groundwater' means all water below the surface of the ground in the saturation zone, that is, below the water table, and in direct contact with the ground or subsoil.
2. A permit is an environmental permit under the Environmental Permitting (England and Wales) Regulations 2010. Permits are only required where discharges meet the definition of a 'groundwater activity'.
3. This SMR covers all 'groundwater activity' discharges. 'Groundwater activity' means the discharge 'directly or indirectly' of a pollutant to groundwater, any other discharge that might lead to the direct or indirect input of a pollutant to groundwater, an activity in respect of which a notice for an environmental permit has been served or an activity that might lead to a discharge where that activity is carried on as part of an operation of a regulated facility of another class. (Paragraph 3 of Schedule 22 to the Environmental Permitting Regulations 2010.) More information is available in Section 5 of the *How to comply with your environmental permit guidance* and the Environment Agency's website groundwater pages.
4. Further information on 'hazardous substances' is available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices, or on the Environment Agency website at www.environment-agency.gov.uk.
5. Further information on 'non-hazardous pollutants' is available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices, or on the Environment Agency website at www.environment-agency.gov.uk.
6. Information on exclusions from the need to get a permit are available in the publication *Groundwater Protection: Principles and Practice (GP 3) Part 5: Interpreting groundwater activity exclusions*.



Further advice and guidance

The appendix for groundwater (GAEC 20) is available on our website at www.rpa.defra.gov.uk/crosscompliance/appendices

Pollutants include both hazardous substances and non-hazardous pollutants. Take particular care with hazardous substances, they are highly toxic and polluting, and even very small quantities cause serious damage to groundwater and other receptors.

Non-hazardous pollutants are less dangerous but must not be allowed to cause pollution of groundwater. Some non-hazardous pollutants, such as ammonia and nitrates, can be applied to land to realise fertiliser value. This is a legitimate use, not a disposal operation, and does not require a permit, provided applications are not excessive (for example, you meet crop requirements), and you do not cause pollution. You should contact the Environment Agency if you are unsure.

For further information on groundwater visit the 'Water' section of the Environment Agency website (under Business & Industry > Environmental topics) at www.environment-agency.gov.uk

How to comply with your environmental permit (EPR 1.00) guidance produced by the Environment Agency which contains both technical guidance, guidance on complying with permit conditions and describes the basic standards and measures that standard permit holders need to know. Section 5 deals with groundwater activities.

How to comply with your Environmental Permit for Water Discharge and Groundwater (from point source) Activity Permits (EPR 7.01) provides additional guidance from the Environment Agency on groundwater activities.

Groundwater Protection: Principles and Practice (GP 3) Part 5: Interpreting groundwater activity exclusions provides guidance on when discharges may be allowed without a permit.

The Joint Agencies Groundwater Directive Action Group (JAGDAG) advises on the determination of the status of hazardous substances and non-hazardous pollutants <http://www.wfduk.org/stakeholders/jagdag-work-area-0>

Environment Agency: 03708 506 506

Wild birds

The aim of these rules is to protect wild birds, their eggs and nests. They apply to all wild birds. Extra rules apply if you have land classified as a Special Protection Area (SPA).

A. You must not

1. intentionally kill, injure or take any wild bird¹;
2. intentionally damage, destroy or take the nest of any wild bird while it is in use or being built (nests of golden eagle, white tailed eagle and osprey are protected all year round);
3. intentionally destroy an egg of any wild bird;
4. intentionally or recklessly disturb certain wild birds² or their dependent young while they are nesting (including disturbance of nesting young);
5. kill or take huntable birds during the close season for that species³. Game birds also must not be killed or taken on any Sunday or Christmas Day.

You will not break these rules if you are operating under a licence issued by Natural England to undertake authorised action, or can rely on one of the legal defences or exceptions⁴.



- 1 Any bird shown to have been bred in captivity is not classed as a 'wild bird' unless it has been lawfully released into the wild as part of a repopulation or reintroduction programme.
- 2 The list of wild birds that you must not disturb while nesting is available from the cross compliance section of our website www.rpa.defra.gov.uk/crosscompliance/appendices; contained in Schedule 1 to the Wildlife and Countryside Act 1981.
- 3 The list of huntable birds and their close seasons is available from the cross compliance section of our website www.rpa.defra.gov.uk/crosscompliance/appendices; contained in Part I Schedule 2 to the Wildlife and Countryside Act 1981 and section 3 of the Game Act 1831.
- 4 These are contained in sections 1, 2, 4 and 16 of the Wildlife and Countryside Act 1981.

For land classified as a Special Protection Area (SPA):

B. You must

1. get Natural England's consent in writing before carrying out, causing or permitting any specified operation⁵ listed in an SSSI's legal documents, or listed within a special nature conservation order (unless that operation is already covered by a management agreement, scheme or notice⁶);
2. comply with all management notices⁷ served by Natural England or the terms of any restoration order served by a court⁸.

C. You must not

1. intentionally or recklessly destroy or damage the special interest features of the area⁹ or disturb any fauna that are a special interest feature. (This requirement can apply to actions that take place other than on the SPA itself but which have the same consequences.)

You will not break the rules for a SPA (B1, B2 and C 1) if you have reasonable excuse¹⁰.



Further advice and guidance

The appendix for wild birds (SMR 1) is available on our website at www.rpa.defra.gov.uk/crosscompliance/appendices

You can find out if your land is in a SPA by contacting Natural England, or by searching the Nature on the Map website at www.natureonthemap.org.uk

Natural England: 0845 600 3078

RSPB UK HQ: 01767 680 541

- 5 A 'specified operation' means one which has been identified as likely to damage the special interest features of the area. This information forms part of the notification package for Sites of Special Scientific Interest.
- 6 If you have a management agreement, such as a Higher Level Stewardship agreement you already have consent for the operations outlined in that document.
- 7 A management notice is different from a management agreement as it legally obliges the recipient to carry out certain activities.
- 8 This applies where the purpose of the notice or restoration order is to protect or restore the special interest features of the area or otherwise restore the land to its former condition as may be so specified.
- 9 'Special interest features' of an area are interpreted as the notified interest features of the Site of Special Scientific Interest that are also relevant to the Special Protection Area.
- 10 A 'reasonable excuse' may include: you have planning permission to carry out the work; you have consent from a public body or statutory authority that has complied with its duty to consult Natural England before giving the consent; it is an emergency operation (provided that Natural England is told as soon as possible after the emergency).

Sewage sludge

The aim of these rules is to make sure that when sewage sludge is used in agriculture there is no risk to human, animal or plant health and no harmful effects on soil.

A. You must

1. take account of the nutrient needs of plants when applying sewage sludge;
2. make sure soil quality is not impaired when applying sewage sludge by not:
 - using sewage sludge unless it has been properly sampled and analysed;
 - using sewage sludge on soil which has not been properly sampled and analysed;
 - exceeding the limits for the average annual rate of addition to land through sewage sludge of the specified elements¹;
 - using sewage sludge on land where the limits for specified elements² are exceeded, or where using sewage sludge would cause them to be exceeded;
 - using sewage sludge on soil which has a pH value of less than 5;
3. make sure that the quality of surface water is not impaired when applying sewage sludge;
4. make sure that the quality of groundwater is not impaired when applying sewage sludge;



(photo credit: Environment Agency)

- 1 As detailed in the sludge table in Schedule 1 of the Sludge (Use in Agriculture) Regulations 1989 and available from the cross compliance section of our website www.rpa.defra.gov.uk/crosscompliance/appendices.
- 2 As detailed in the soil table in Schedule 2 of the Sludge (Use in Agriculture) Regulations 1989 and available from the cross compliance section of our website www.rpa.defra.gov.uk/crosscompliance/appendices.

5. follow the cropping and grazing restrictions and not:
 - use sewage sludge on land where fruit or vegetable crops, other than fruit trees, are being grown or harvested at the time of use of the sludge;
 - harvest fruit and vegetable crops that are grown in direct contact with the soil and normally eaten raw, for 10 months from the date the sewage sludge or septic tank sludge is used;
 - graze animals or harvest forage crops for 3 weeks from the date the sewage sludge or septic tank sludge is used;
6. work into the soil, as soon as possible, any untreated sludge³, including untreated septic tank sludge, that has been used on land without being injected into the soil;
7. give the sludge producer the following information (where sludge has been used on any land, other than by or on behalf of the sludge producer):
 - the address and area of the agricultural unit concerned;
 - the date on which the sludge was used;
 - the quantity of sludge used; and
 - the name and address of that supplier and the quantity supplied (when you have used sludge supplied by another sludge producer).

Rules A1 to A4, the first bullet point of A5 and rule A7 do not apply to septic tank sludge.

The third and fourth bullet points of rule A2 not to exceed limits of elements (as listed in the sludge and soil tables) do not apply if you farm a dedicated site⁴.



Further advice and guidance

The appendix for sewage sludge (SMR 3) is available on our website at www.rpa.defra.gov.uk/crosscompliance/appendices

Environment Agency: 03708 506 506

Biosolids Nutrient Management Matrix which can be found at http://www.adas.co.uk/Downloads/Biosolids_Nutrient_Management_Matrix.pdf

³ 'Untreated sludge' has not undergone biological, chemical or heat treatment, long-term storage or any suitable process to reduce its fermentability and health hazards.

⁴ A 'dedicated site' is one that was dedicated to the disposal of sludge in 1986, and has been notified to the Environment Agency.

Nitrate Vulnerable Zones (NVZs)

The aim of these rules is to reduce the pollution of waters caused by nitrates from agricultural sources and to prevent such pollution occurring in the future.

If your farm is in a Nitrate Vulnerable Zone;

Use and storage of fertiliser and manure



A. You must

1. keep up to date records which show the following:
 - a calculation showing your existing manure storage capacity;
 - the area of your holding;
 - by the 30 April each year, the number and type of specified livestock¹ kept on your holding, and the amount of time the livestock spent on the holding, during the previous calendar year;
 - by the 30 April each year, a calculation of the total amount of nitrogen produced by specified livestock kept on your holding during the previous calendar year²;
 - any livestock manure moved onto or off the holding including quantities, dates and details of recipients;
 - sites used for the temporary storage of manure (poultry and solid), and the dates of use;
 - your nitrogen fertiliser³ plan showing for each crop in each field, calculated soil nitrogen supply (SNS), the anticipated month the crop will be planted, calculated crop nitrogen requirement and calculated nitrogen supply from any planned application of organic manure⁴, and the calculated amount of manufactured nitrogen fertiliser required;
 - if you intend to spread nitrogen fertiliser, field records of your crop planting dates and a copy of any advice received from a FACTS qualified adviser;
 - field records of arable yields and grassland management;
 - field records of your actual applications⁵ of manufactured nitrogen fertiliser and organic manure including dates of application, quantities applied and type. This rule does not apply if you are a low intensity farmer⁶;
 - if you spread organic manure, a risk map of the holding⁷;
 - by the 30 April each year, for holdings with livestock, a record for the previous storage period⁸ of the number and type of livestock in a building or on hardstanding during the storage period;

1 For further information please read *Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016*, Annex 6, Part A, Tables 30 to 33.

2 In the case of permanently housed pigs and poultry where ENCASH software or solid manure sampling and analysis has been used to calculate the amount of nitrogen produced by the livestock kept on your farm, a printout of the results or copies of the analyses must be kept.

3 'Nitrogen fertiliser' means any substance containing a nitrogen compound used on land to enhance growth of vegetation. This includes manufactured nitrogen fertilisers and organic manures.

4 'Organic manure' means any nitrogen fertiliser or phosphate fertiliser derived from animal, plant or human sources and includes livestock manure.

5 If your actual applications were the same as planned, rather than re-record this information, you just need to confirm this and record actual planting and application dates.

6 To be classed as a low intensity farmer, 80% or more of the holding's agricultural area must be sown with grass; the total amount of nitrogen in organic manure applied to the holding, whether directly by an animal or by spreading, must not exceed 100 kilograms multiplied by the area of the holding in hectares; the total amount of nitrogen from manufactured nitrogen fertiliser applied to the holding must not exceed 90 kilograms multiplied by the area of the holding in hectares; and the occupier must not bring organic manure onto the holding. The calculation of the area of a holding excludes land on which the occupier does not spread fertiliser or work the soil. If you wish to benefit from this exemption, you must record appropriate information that demonstrates your eligibility.

7 For further information please read *Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016*, Chapter 8 and Annex 4, Part A.

8 1 October to 1 April (6 months) in the case of pigs and poultry. 1 October to 1 March (5 months) in the case of other livestock.

2. keep all records for at least 5 years and make them available to an inspector on request;
3. for each specified crop type or group of specified crop types⁹, make sure that the holding average nitrogen application rate (manufactured nitrogen fertiliser plus crop available nitrogen from livestock manure) does not exceed the maximum nitrogen limit for that crop type or group of crop types. From 1 January 2014 you can only apply organic manure to specified crop types, groups of specified crop types or grass grown for production of chlorophyll or high protein fodder, if you know how much crop-available nitrogen it contains.

From 1 January 2014, this limit will apply to manufactured nitrogen fertilisers plus crop available nitrogen from all organic manures;

4. limit the rate of application of organic manure (excluding manure deposited by grazing animals) in any 12-month period to any individual field to an amount that contains no more than 250 kilograms of total nitrogen per hectare. However, you can:
 - in any four year period¹⁰, apply up to 1000 kilograms of total nitrogen per hectare in the form of certified green compost or certified green/food compost to orchard land¹¹. Compost must be applied as mulch;
 - in any two year period¹², you can apply up to 500 kilograms of total nitrogen per hectare in the form of certified green compost or certified green/food compost to soil every two years. Compost may be applied as mulch or incorporated into the soil.

The rules at A4 do not apply if you are a low intensity farmer;

5. limit the livestock manure that is applied to land on your holding (including manure deposited by grazing animals and any imported livestock manures) to 170 kilograms of total nitrogen per hectare in each calendar year averaged over the area of your holding (unless you have been granted a derogation¹³);
6. apply nitrogen fertiliser in as accurate a way as possible;
7. only spread slurry with low trajectory equipment (less than 4 metres from the ground) or other techniques such as band-spreading or injection (unless using equipment which can achieve a maximum slurry application rate of 1 millimetre per hour when it is operating continuously);
8. when applying organic manure on to the surface of bare soil or stubble, make sure it is incorporated into the soil. For:
 - poultry manure, it must be incorporated as soon as practicable, and within 24 hours at the latest;
 - slurry and liquid digested sewage sludge, it must be incorporated as soon as practicable, and within 24 hours at the latest unless it is applied by precision equipment¹⁴;
 - any other organic manure (other than organic manure spread as a mulch on sandy soil), it must be incorporated as soon as practicable, and within 24 hours at the latest, if the land is sloping and within 50 metres of surface water that could receive run-off from that land;

9 For further information please read *Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016*, Chapter 7, Table 4.

10 Compost applied under these provisions still counts towards the 250 kilograms of total nitrogen per hectare in any 12 month period limit. So, if you apply 1000 kilograms of nitrogen as compost in year 1, you would not be able to apply any further organic manure until year 5.

11 'Orchard land' means land on which fruit of the genus *Malus*, *Pyrus* or *Prunus* is grown.

12 Compost applied under these provisions still counts towards the 250 kilograms of total nitrogen per hectare in any 12 month period limit. So, if you apply 500 kilograms of nitrogen as compost in year 1, you would not be able to apply any further organic manure until year 3.

13 Farms with grazing livestock and more than 80% of their area under grass can apply on an annual basis and, if the application is successful, work to a higher limit of up to 250 kilograms of nitrogen per hectare, where certain conditions are met.

14 Trailing hose band spreader or a trailing shoe band spreader, an injector or a dribble bar applicator.

9. provide sufficient storage¹⁵ for all slurry produced on the holding by specified livestock and all poultry manure produced whilst in a yard or building during the following storage periods;

- 1 October to 1 April (6 months) for pigs and poultry;
- 1 October to 1 March (5 months) for other livestock;

Storage capacity is not required for slurry or poultry manure sent off the holding during the storage period or spread on land that has a low run-off risk after the end of the closed period (as long as this does not breach other spreading rules). Where the intention is to spread on land with a low run-off risk, storage facilities for an additional one week's manure must be provided as a contingency measure;

10. store poultry manure and other types of solid manure (including any bedding contaminated with organic manure) either:
 - in a vessel;
 - on an impermeable surface;
 - in a roofed building (this includes greenhouses); or
 - in temporary field heaps as long as they are solid enough to be stacked in a freestanding heap and do not give rise to free drainage from within the stacked material. With effect from 16 May 2014, they must also occupy as small a surface area as is required to support the mass and prevent it from collapse;
11. cover with an impermeable material any solid poultry manure that does not have bedding material or litter mixed into it and is stored on a temporary field site.

B. You must not

1. apply organic manures with a high readily available nitrogen content¹⁶ (for example, slurry, poultry manure) to land during the following closed periods (unless you are a registered organic farmer¹⁷):
 - 1 September to 31 December for grassland with sandy or shallow soils;
 - 15 October to 31 January for grassland on all other soils;
 - 1 August to 31 December for tillage land with sandy or shallow soils (application is allowed between 1 August and 15 September as long as a crop is sown on or before 15 September);
 - 1 October to 31 January for tillage land on all other soils;
2. apply manufactured nitrogen (inorganic) fertilisers to any soil type during the following closed periods (unless exemptions apply¹⁸):
 - 15 September to 15 January for grassland;
 - 1 September to 15 January for tillage land;
3. apply more than 30 cubic metres per hectare of slurry or 8 tonnes per hectare of poultry manure to land at any one time, from the end of the above closed periods until the last day in February, and you must allow at least 3 weeks between each individual application;

¹⁵ A slurry store must have the capacity to store, in addition to the manure, any rainfall, washings or other liquid that enters the vessel (either directly or indirectly) during the storage period.

¹⁶ Where more than 30% of the total nitrogen content is in a form that can be readily used by the crop.

¹⁷ You may apply organic manure with a high readily available nitrogen content during the closed period if you are a registered organic producer (the applications are subject to certain conditions).

¹⁸ Application is allowed during closed periods to specified crops (please read *Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016*, Annex 6, Part A, Table 34) or if written advice is received from a FACTS Qualified Advisor.

4. apply any nitrogen fertiliser before you have carried out a field inspection to assess the risk of run-off to surface water¹⁹ and not apply nitrogen fertiliser if there is a significant risk. The inspection must take into account:
 - the slope of the land, particularly if the slope is more than 12 degrees (1 in 5);
 - any land drains (other than a sealed impermeable pipe); and
 - ground cover, closeness to surface water, weather conditions and soil type;
5. apply any nitrogen fertiliser when the soil is waterlogged, flooded, has been frozen for 12 hours or more in the last 24 hours or is snow covered;
6. apply manufactured nitrogen (inorganic) fertiliser within 2 metres of surface water;
7. apply organic manure within 10 metres of surface water, except on land managed for breeding wader birds or as species-rich semi-natural grassland and under certain other restrictions²⁰. The limit is reduced to 6 metres if you apply slurry, sewage sludge or anaerobic digestate²¹ using precision equipment²²;
8. apply organic manure within 50 metres of a spring, well or borehole;
9. locate temporary field heaps:
 - within 10 metres of a surface water or land drain;
 - within 50 metres of a spring, well or borehole;
 - on land likely to become waterlogged;
 - on land likely to flood;
 - in a single position for more than 12 successive months;
 - in the same place as an earlier heap constructed within the last two years;

With effect from 16 May 2014, the following additional rule applies:

- on land with a slope of 12 degrees or more which is within 30 metres of surface water;
10. carry out separation of slurry into its solid and liquid fractions unless it is done mechanically or on an impermeable surface where the liquid fraction drains into a suitable container.

19 'Surface waters' include lakes, rivers, streams and ditches which contain free water and also temporarily dry ditches and blind ditches.

20 The restrictions are: the land must be in an agri-environment scheme or an SSSI and livestock manure only (other than slurry and poultry manure) is spread between 1 June and 31 October inclusive, it is not spread directly on to surface water and the total amount does not exceed 12.5 tonnes per hectare.

21 'Anaerobic digestate' means the product of anaerobic digestion other than from the anaerobic digestion of sewage or material in a landfill.

22 Trailing hose band spreader or a trailing shoe band spreader; an injector which injects the organic manure no deeper than 10cm below the surface of the soil; or a dribble bar applicator.

For greenhouse²³ crops, the rules apply as follows:

The fifth and eleventh bullet points of A1 do not apply to holdings on which organic manure is spread exclusively in a greenhouse.

The seventh and eighth bullet points of A1 and rule A3 do not apply to nitrogen fertiliser that is spread or to be spread on crops growing in a greenhouse. Any calculations required under those rules in respect of crops should not include crops growing in a greenhouse.

The ninth and tenth bullet points of A1, rules A6 to A8, and B1 to B3 do not apply in relation to nitrogen fertiliser spread in a greenhouse.

Rules A4 and A5, any land which is covered by a greenhouse should not be included in the holding calculations.

Rules B4 to B8 do not apply to land which is covered by a greenhouse.

For newly designated holdings (those designated in 2013), the rules apply as follows:

The eleventh bullet point of A1, rules A2, B2 and B4 to B8 apply from 17 May 2013.

The seventh, eighth and tenth bullet points of A1 apply from 1 July 2013, except for permanent grassland for which they apply from 1 January 2014.

The first to sixth, ninth and twelfth bullet points of A1, rules A3 to A5, A8, A10, A11 and B9 apply from 1 January 2014.

Rules B1 and B3 apply from 31 July 2015.

Rules A9 and B10 apply from the start of the earliest relevant organic manure closed period after July 2015.

Rules A6 and A7 apply from 1 January 2016.

²³ 'Greenhouse' means any structure such as a glasshouse or polytunnel in which crops are grown under cover in an enclosed space, but excludes any such structure in which livestock are kept.

Silage making and storage of silage²⁴ and slurries²⁵

C. You must

1. notify your local Environment Agency office in writing about a new, substantially enlarged, or substantially reconstructed installation²⁶ at least 14 days before work constructing the new or improved installation is to begin;
2. notify your local Environment Agency office of the place where field silage²⁷ is to be made at least 14 days before that site is first used;
3. make sure that installations meet requirements for capacity, durability, maintenance and safety zones, are built in accordance with the relevant construction standards, and field silage site rules are met²⁸;
4. comply with any notices served by the Environment Agency that require improvements to be made to an installation or field silage site if the Agency does not consider them to be suitable;
5. carry out regular inspections of installations and make timely repairs where necessary²⁹.



Further advice and guidance

Detailed NVZ 'field boundary' maps can be viewed on the Whats in your backyard? section on the Environment Agency website at www.environment-agency.gov.uk/nvzmaps

You can find more information about NVZ rules, and a link to *Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016* at <https://www.gov.uk/nitrates-vulnerable-zones>

The application of organic manures or manufactured nitrogen fertilisers on uncultivated land or semi-natural areas may form a project under the Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations 2006 and you may need to obtain a screening decision. If this is the case, the rules of the cross compliance standard on Environmental Impact Assessment (GAEC 5) will apply.

Environment Agency: 03708 506 506.

The SSAFO Regulations Guidance Notes for Farmers which can be found at <http://www.environment-agency.gov.uk/business/sectors/118798.aspx>

24 This covers silage effluent, crops being made into silage, silage made in clamps, baled silage (bagged or wrapped) and field silage (field heaps, or non-baled, bagged silage, such as Ag-Bags).

25 Slurry is defined as 'liquid or semi-liquid matter composed of excreta produced by livestock while in a yard or building (including that held in wood chip corrals); or a mixture wholly or mainly consisting of livestock excreta, livestock bedding, rainwater and washings from a building or yard used by livestock, and of a consistency that allows it to be pumped or discharged by gravity at any stage in the handling process.'

26 For the purposes of this guidance, 'installation' means a silo or slurry storage system. Slurry storage systems include; any pit, tank or lagoon, and associated pipes and channels used to store slurry, but not to slurry while it is stored temporarily in a tanker that is used for transporting slurry on roads or about a farm. The Regulations apply to all installations used, constructed, substantially reconstructed, or substantially enlarged, since September 1991. Installations that were in use prior to this are 'exempt structures' (that is, they do not have to comply with durability, maintenance capacity or construction standards), although they should still be fit for purpose i.e. they should be soundly constructed and well maintained. The Environment Agency can serve notices in respect of exempt structures if it does not consider them to be suitable.

27 Field silage means silage made on open ground, where there is no form of excavation, or floors, or walls on the site. The making and storage of non-baled silage in 'bulk bags' on open ground is also field silage. This rule does not apply to silage that is compressed into bales that are wrapped and sealed into impermeable membranes or enclosed in impermeable bags.

28 Details are available in *The SSAFO Regulations Guidance Notes for Farmers*.

29 For details of required checks and repairs, please refer to paragraphs 179, 180, 193 and 194 of *Protecting our Water, Soil and Air - A Code of Good Agricultural Practice for farmers, growers and land managers (CoGAP)*.

Habitats and species

The aim of these rules is to protect species of flora and fauna. Extra rules apply if you have land designated as a Special Area of Conservation (SAC).

A. You must not

1. deliberately pick, collect, cut, uproot or destroy a wild plant of a 'European protected species'¹.

You will not break this rule if you are operating under a licence issued by Natural England to undertake authorised action, or can rely on a legal defence provided in this legislation.

On land designated as a Special Area of Conservation:

B. You must

1. get Natural England's consent in writing before carrying out, causing or permitting any specified operation² listed in an SSSI's legal documents or listed within a special nature conservation order (unless that operation is already covered by a management agreement, scheme or notice³);
2. comply with all management notices⁴ served by Natural England or the terms of any restoration order served by a court⁵.



- 1 For a list of European protected species visit the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices; contained in Schedule 5 to the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').
2. A 'specified operation' is one which has been identified as likely to damage the special interest features of the area. This information forms part of the notification package for Sites of Special Scientific Interest.
3. If you have a management agreement, such as a Higher Level Stewardship agreement, you already have consent for the operations outlined in that document.
4. A management notice is different from a management agreement as it legally obliges the recipient to carry out certain activities.
5. This applies where the purpose of the notice or restoration order is to protect or restore the special interest features of the area or otherwise restore the land to its former condition as may be so specified.

C. You must not

1. intentionally or recklessly destroy or damage the special interest features⁶ of the area or disturb any protected fauna that are a special interest feature. (This rule can apply to actions that take place other than on the SAC itself but which have the same consequences.)

You will not break the rules for a SAC (B1, B2 and C1) if you have reasonable excuse⁷.



Further advice and guidance

The appendix for habitats and species (SMR 5) is available on our website at www.rpa.defra.gov.uk/crosscompliance/appendices

You can find out if your land is in a SAC by contacting Natural England, or you can visit the Nature on the Map website at www.natureonthemap.org.uk

Natural England: 0845 600 3078

6 'Special interest features' of an area are interpreted as the notified interest features of the Site of Special Scientific Interest that are also relevant to the Special Area of Conservation.

7 A 'reasonable excuse' may include: you have planning permission to carry out the work; you have consent from a public body or statutory authority that has complied with its duty to consult Natural England before giving the consent; it is an emergency operation (provided that Natural England is told as soon as possible after the emergency).

Pig identification and registration

The aim of these rules is to reduce the risk of pig diseases spreading, by controlling movements and improving traceability.

A. You must

Registration and identification

1. register your details with Defra, through your Local Animal Health and Veterinary Laboratories Agency office, within 1 month of establishing your holding. Notify them of any change to your details (including if you stop keeping pigs) within 1 month of the change;
2. correctly identify your pigs (depending on their age and destination) before they leave your holding:
 - for pigs aged 1 year or over moving to any type of market, to slaughter or between holdings – use eartags, tattoos or double slapmarks bearing your Defra herdmark;
 - for pigs aged under 1 year moving to any type of market or to slaughter – use eartags, tattoos or double slapmarks bearing your Defra herdmark; or
 - for pigs aged under 1 year moving between holdings – use eartags, tattoos or double slapmarks bearing your Defra herdmark or a temporary mark (paintmark);

Movements

3. notify the eAML2 system¹ online before you move pigs from your holding unless one of the following exemptions applies:
 - you are moving any pigs to a market or collection centre which agrees to notify the eAML2 system online on the day that the pigs arrive;
 - you are moving any pigs to a veterinary practice for emergency treatment;
 - you are moving any pigs to a show without knowing which holding they will move the pigs to after the show (in this case you must notify the eAML2 system online or the eAML2 Bureau Service operated by the Meat and Livestock Commercial Services Limited (MLCSL) within 3 days of the move from the show).

Unless you are moving any pigs for emergency veterinary treatment, for all of the above you must always give the following information:

- full addresses, including postcodes and CPH numbers, of both the origin and destination of the pigs;
- date of the movement;
- number of pigs being moved;
- identification marks of the pigs; and
- lot numbers of the pigs (if the movement is from a market);

¹ 'eAML2 system' is the electronic recording system used to notify Defra when pigs are moved.

If you do not notify the eAML2 system online and the exemptions do not apply, you must give the required information to the eAML2 Bureau Service by telephone or in writing (that you would otherwise pre-notify on the system) and you must not move any pigs until you have received a haulier summary/movement document from the eAML2 Bureau Service recording that same information;

4. when transporting pigs, carry a haulier summary/movement document that accompanies pigs during moves, and where the moves have not been reported online this must be signed by the keeper. If the keeper receiving the animals is not able to notify the eAML2 system online, you must give the keeper two copies of the haulier summary/movement document;
5. notify movements of pigs onto your holding within 3 days by:
 - confirming online on the eAML2 system that the pigs have arrived (noting any changes); or
 - sending a copy of the haulier summary/movement document (noting any changes) to the eAML2 Bureau Service or confirming the changes to them by telephone or fax;
6. keep a copy of the haulier summary sheet/movement documents for 6 months after any pigs arrive on your holding (unless you have notified the eAML2 system online that they have arrived);
7. if you are sending any pigs to a port for consignment outside Great Britain, either notify the eAML2 system online or send a copy of the haulier summary or movement documents to the eAML2 Bureau Service within 3 days of the pigs leaving the holding;



On-farm records

8. once a year, record the maximum number of pigs you normally keep on the holding and the actual number of pigs on the holding on that date;
9. record all movements of pigs on and off your holding within 36 hours. Always record the:
 - name and address of the person keeping the record;
 - date of the movement;
 - identification number² or temporary mark;
 - number of pigs;
 - holding you moved the pigs from;
 - holding you moved the pigs to;
10. make sure that these on-farm records are up to date, kept for at least 3 years and are available on request to an inspector.

B. You must not

Registration and identification

1. remove or replace identification without permission from your local authority unless it is lost, illegible or removed for welfare reasons. In all cases you must replace the identification appropriately.



Further advice and guidance

To get a copy of *Guidance for Pig Keepers* telephone the Defra helpline on 08459 33 55 77 or visit the Defra website at www.gov.uk/animal-welfare

RPA Livestock Identification Helpline – 0845 050 9876

eAML2 Bureau Service, Stoneleigh Park, Kenilworth, Warwickshire, CV8 2TL –
Helpline 0844 335 8400, Fax 0247 669 2405

To access the eAML2 system visit the website at www.eaml2.org.uk and select 'Producer Registration'.

² For moves to shows or exhibitions, for breeding purposes (if the pigs are returning to the holding), to semen collection centres, or for export to the EU or to other countries, this must include a unique identification number.

Cattle identification and registration

The aim of these rules is to maintain a system for the identification and registration of cattle to make possible their traceability, in particular in the event of a disease outbreak.

A. You must

Tagging

1. tag all calves born on your holding, or cattle imported from outside the European Union (EU)¹, with Defra approved eartags² within the following timescales:
 - dairy calves – with one eartag within 36 hours of birth and with the second eartag within 20 days of birth;
 - bison calves – within 9 months of birth or when they are separated from their mother if this is earlier;
 - other calves – within 20 days of birth;
 - all animals leaving your holding – with both tags before they leave;
 - cattle imported from outside the EU – within 20 days of release from import checks;
2. replace illegible or lost eartags within 28 days of noticing the damage or loss³;



Passports and registration

3. register cattle born on your holding no later than 27 days after birth (7 days for bison) by making an application for a passport from the British Cattle Movement Service (BCMS) through an approved channel⁴;
4. register cattle imported from within the EU, but outside Great Britain, within 15 days of its arrival on your holding by sending the foreign passport/movement document to BCMS and making an application for a passport;
5. register cattle imported from outside the EU within 15 days of tagging the animal and no later than 35 days from its release from import checks by making an application for a passport from BCMS;
6. produce a signed and valid passport for every animal in your care on request;
7. make sure that when cattle are moved off your holding⁵ they are accompanied with their valid passport, properly completed and signed;

1 Cattle imported from within the EU must keep their original identification.
 2 Eartags should be applied one in each ear and bear the same unique identification code. You can get these from the manufacturers listed on our website.
 3 Replacement eartags should bear the same number if cattle were born after 1 January 1998. For older cattle a new tag number may be used and a new passport requested.
 4 Approved channels are, a pre-printed application form, CTS online, CTS Web Services or CTS Self Service Line.
 5 This includes (but not exclusively) moving to another farm, market, collection centre, export assembly centre, abattoir or showground.

Notification of movements and deaths



8. notify BCMS through an approved channel⁶; of any movements of cattle on to and off your holding within 3 days of the movement;



9. notify BCMS through an approved channel⁷; of any cattle deaths on your holding within 7 days of the date of death⁸. If your chosen method is to complete the Death details section of the passport, you must return the passport within 7 days of the date of the death⁹;

10. notify BCMS by returning the passport of any lost or stolen animal within 7 days of becoming aware of the loss or theft.

On-farm records (herd register)



11. keep on-farm records for your holding, which include the following appropriate details for each animal:

- official eartag number;
- dam's official eartag number;
- date of birth;
- sex;
- date of movements on and off your holding;
- details of where the animal has moved to or from;
- breed;
- date of death;

12. complete the herd register within the following timescales:

- movements – 36 hours of them taking place;
- birth of a dairy calf – 7 days;
- birth of any other calf – 30 days;
- a death – 7 days;
- eartag replacement where the eartag number is changed – 36 hours of the replacement;

13. make sure that these on-farm records are up to date, kept for at least 10 years from the date of the last entry and are available on request to an inspector.

6 Approved channels are CTS Online, CTS Web Services, CTS Self Service Line, through an Agent or by Movement Card (if applicable).

7 Approved channels are CTS Online, CTS Web Services, CTS Self Service Line, through an Agent or Death details section of the passport.

8 If an animal is slaughtered outside a slaughterhouse but sent to a slaughterhouse for dressing, you must complete the Death details section in the passport and send it with the animal to the slaughterhouse. Responsibility then lies with the occupier of the slaughterhouse to return the passport to BCMS within 7 days of the death.

9 If the other methods are chosen, the Cattle Identification Regulations 2007 (as amended) require you to return the passport within 7 days of the date of death. This is not a cross compliance rule, but failure to do so is an offence under the Cattle Identification Regulations.

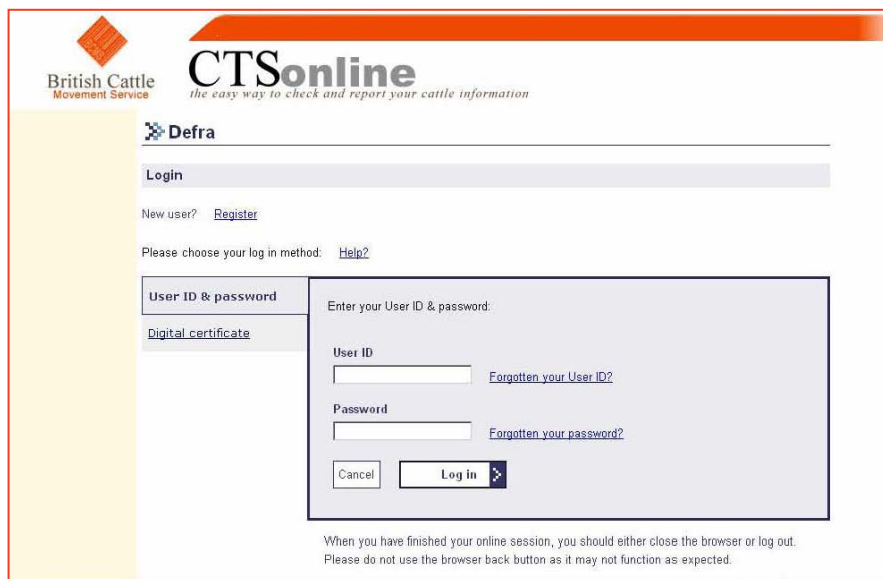
B. You must not

Tagging

1. remove or replace eartags without permission from Defra (obtained through BCMS), except when replacing lost or illegible tags;
2. alter, obliterate or deface an eartag;

Passports and registration

3. alter or deface a cattle passport.




Further advice and guidance

The *Cattle Keeper's Handbook* published by BCMS gives full guidance on how to comply with the cattle identification rules.

BCMS email: bcms-enquiries@bcms.rpa.gsi.gov.uk

BCMS Helpline: 0845 050 1234

RPA Livestock Identification Helpline: 0845 050 9876

Sheep and goats identification

The aim of these rules is to maintain a system for the identification and registration of sheep and goats to make possible their traceability, in particular in the event of a disease outbreak.



A. You must

Identification

1. identify all sheep and goats with the correct means of identification within 6 months of birth for intensively farmed animals and 9 months for extensively farmed animals, or before they leave the holding of birth, whichever is sooner;
2. for intra-community trade, identify sheep and goats with two identically numbered eartags; and if identified on or after 31 December 2009, one identifier must be electronic;
3. replace any lost or illegible means of identification within 28 days of noticing their loss or illegibility or before the animal leaves the holding, whichever is the earlier;
4. only keep sheep or goats identified with a single slaughter tag beyond the age of 12 months if the animals are completely traceable, and you must then replace the single means of identification with two new identifiers. For sheep, one of the identifiers must be electronic;



(photo credit: Symtag)



Record keeping

5. for animals born and identified before 31 December 2009 keep on-farm records with the required information, including:
 - details of the movement of sheep and goats on and off your holding, including:
 - the date of the movement;
 - the number of animals moved;
 - the destination or origin of the animals moved;
 - the transport details for the animals leaving your holding;

and additionally, for animals born or identified on or after 31 December 2009 these details must include:

 - the individual identification numbers of individually identified animals and in the case of batches of animals identified with a single slaughter tag which originate from different holdings of birth, the number of animals with each different flock/herd mark;
 - in the holding of birth, the year of birth and date of identification;
 - the month and year of death of the animal on the holding;
 - the breed and, if known, the genotype;
 - for all animals:
 - an annual inventory of the animals kept at 1 December;
6. make sure that these on-farm records are up to date, kept for at least 3 years from the date of the last entry and are available on request to an inspector.

B. You must not

Identification

1. alter, obliterate or deface any means of identification attached to an animal. However you may apply additional management information provided the legibility of the UK flock mark or UK individual ID number is not affected.



Further advice and guidance

The Guidance for Keepers in England – Rules for identifying sheep and goats gives full guidance on how to comply with the sheep and goat identification rules.

Defra website: www.gov.uk/animal-welfare

RPA Livestock Identification helpline: 0845 050 9876

Restrictions on the use of plant protection products (PPPs)

The aim of these rules is to make sure that plant protection products are used properly and to minimise their risk to humans, animals and the environment.

A. You must not

1. use any plant protection product unless it is authorised or has a valid parallel trade permit.

B. You must

1. use authorised or permitted plant protection products in accordance with any requirement or condition which is:
 - specified in the authorisation, permit or in any extension of use;
 - on the label of the product as required by the authorisation, permit or extension of use;
2. use plant protection products in accordance with good plant protection practice¹, details of which can be found in the *Code of Practice for Using Plant Protection Products*;
3. use plant protection products in accordance with the sustainable use rules² (This rule only applies to you if you hold an agreement that was entered into since 1 January 2007 under one of the rural development schemes listed in the Introduction section of this guide).



Further advice and guidance

There are record keeping requirements for plant protection products; these fall within the cross compliance rules for Food and Feed Law (SMR 11).

The Code of practice for using plant protection products which is available at www.pesticides.gov.uk/guidance/industries/pesticides/topics/using-pesticides/codes-of-practice/code-of-practice-for-using-plant-protection-products

You can get a list of authorised and permitted products from the Chemicals Regulation Directorate website at www.pesticides.gov.uk/guidance/industries/pesticides/topics/databases

Defra helpline 0845 933 557

1 The meaning of 'good plant protection practice' as used here is taken from the definition as set out under Article 3 of Regulation (EC) 1107/2009, i.e. a practice whereby the treatments with plant protection products applied to given plants or plant products, in conformity with the conditions of their authorised uses, are selected, dosed and timed to ensure acceptable efficiency with the minimum quantity necessary, taking due account of local conditions and of the possibilities for cultural and biological control.

2. These rules cover for example, permits for aerial spraying, correct certification, checking and use of equipment and handling and storage of pesticides, as established under the Plant Protection Products (Sustainable Use) Regulations 2012. Further guidance on this regulation can be found on the Chemicals Regulation Directorate website at www.pesticides.gov.uk/guidance/industries/pesticides/topics/using-pesticides/codes-of-practice/Guidance_Sustainable_Use_PPP_Regs_2012.htm

Restrictions on the use of substances having hormonal or thyrostatic action and beta-agonists in farm animals

The aim of these rules is to stop the illegal use in stock farming of substances that have a hormonal or thyrostatic action and beta-agonists, and to prevent the residues that these substances leave in meat and other foodstuffs from entering the human or animal food chain.

A. You must not

1. give food producing animals restricted substances¹ (unless in line with any permitted exceptions²);
2. have substances on your farm that contain beta-agonists to induce tocolysis in cows when calving (for example, clenbuterol hydrochloride);
3. have food producing animals on your farm to which a restricted substance has been administered (unless given in line with any permitted exceptions);
4. place on the market or send to slaughter for human consumption any animal to which a restricted substance has been administered (unless given in line with any permitted exceptions);
5. place on the market meat, or any other animal product, derived from an animal to which any restricted substance has been administered (unless given in line with any permitted exceptions).

B. You must

1. observe the relevant withdrawal period if your food producing animals have been given any of the restricted substances in line with the permitted exceptions;
2. make veterinary medicinal records relating to restricted substances available to the competent authority, or anyone acting on behalf of the competent authority, on request.



Further advice and guidance

The Product Information Database on the Veterinary Medicines Directorate website at www.vmd.defra.gov.uk contains the most up to date information on medicines authorised for use in farm animals in the UK. The database includes any withdrawal periods.

Veterinary Medicines Directorate: 01932 336911

www.vmd.defra.gov.uk/ProductInformationDatabase

1 'Restricted substances' means thyrostatic substances, stilbenes, stilbene derivatives, their salts and esters, oestradiol 17 β and its ester-like derivatives and substances having oestrogenic, androgenic or gestogenic action and beta-agonists.

2. Exceptions exist for the use in certain circumstances of veterinary medicines containing testosterone, progesterone, allyl trenbolone and beta-agonists, and having oestrogenic, androgenic or gestagenic action.

Food and feed law

The aim of these rules is to make sure that the production of food for human consumption and food or feed that is fed to food producing animals is safe.

Food and feed safety, withdrawal and recall:

A. You must not

1. place unsafe food¹ or unsafe feed² on the market;
2. feed unsafe feed to food producing animals.

B. You must

1. arrange for unsafe food or unsafe feed to be withdrawn from the market if you believe you have supplied it, and inform both your local authority and the Food Standards Agency (FSA);
2. destroy any unsafe feed unless the competent authority tells you not to do so;
3. tell consumers of food, or the users of the feed, of the reason for any withdrawal if it may have reached them;
4. arrange for unsafe food or unsafe feed to be recalled if there is no other way of achieving a sufficiently high level of health protection;
5. immediately tell both your local authority and the FSA if food which you have supplied, or is in your possession and you intend to sell, could be harmful to health and of the actions you have taken to prevent risks to the final consumer. In the case of feedstuffs containing veterinary medicinal products (medicated feedstuffs) and/or specified feed additives (coccidiostats or histomonostats) at levels greater than their prescribed or authorised levels, or feedstuffs which are contaminated with such products, which may be harmful to health, the Veterinary Medicines Directorate (VMD) should also be informed.

Traceability

C. You must

1. put in place systems and procedures for the traceability of inputs³ to your farm, which identify:
 - the name and address of your supplier;
 - the type and quantity of inputs that were supplied to you;
 - the date of the delivery of these inputs to your farm;
2. put in place systems and procedures for the traceability of products when they leave your farm, which identify:
 - the name and address of the businesses you supplied;
 - the nature and quantity of the products that were supplied to those businesses;
 - the date on which the products left your farm;

1 'Unsafe food' is food which is harmful to human health or unfit for human consumption.

2 'Unsafe feed' is feed deemed to have an adverse effect on human or animal health or it makes the food that comes from food producing animals unsafe for human consumption.

3 'Inputs' are: food, feed, food producing animals and any other substance intended or expected to be incorporated into a feed.

3. store this information in a format which is readily available and produce it when requested.

Hygiene of foodstuffs and feed hygiene

D. You must

1. store and handle waste and hazardous substances⁴ separately and securely, in order to prevent contamination of your food products or feed products;
2. take account of the results of any relevant analysis carried out on samples taken from primary products or other samples relevant to feed safety;
3. store feed away from chemicals or any other products banned for use as animal feed;
4. keep storage areas and containers clean and dry and implement appropriate pest-control measures where necessary. Take particular care when cleaning storage areas and containers which are used to contain medicated and non-medicated feed;
5. store seed properly and in such a way that it is not accessible to animals;
6. handle medicated and non-medicated feeds separately to prevent cross-contamination and store medicated feeds in such a way so they can't be fed by mistake to animals for which they're not intended;
7. make sure the on-farm feed distribution system ensures that the right feed is sent to the right destination. During distribution and feeding, feed must be handled in such a way as to ensure that contamination does not occur from contaminated storage areas and equipment;
8. periodically clean on-farm feed transport vehicles and feeding equipment, in particular when used to deliver and distribute medicated feed;
9. use feed additives, veterinary medicinal products and biocides correctly (if you use them on your farm) with dosage, application and storage as stated on the label or as prescribed. This includes making sure that food you produce does not contain residues of pesticides or veterinary medicinal products that are higher than the permitted maximum residue level for the pesticide used or the maximum residue limit for the medicine used⁵;
10. take adequate measures⁶ to prevent the introduction and spread of contagious diseases transmissible to humans through food;
11. source and use feed, for food producing animals, from establishments that are registered or approved by your local authority. In the case of feed containing specified feed additives⁷, source the feedingstuffs from establishments that are approved by the Veterinary Medicines Directorate;
12. take appropriate remedial action when informed of problems identified during official controls;

4. There is no definitive list of 'hazardous substances'; they are any substances that have the potential to cause an adverse effect on human health or animal health.
5. For pesticides, residues within food you produce must not exceed the maximum residue level at the time the food is placed on the market as food. For veterinary medicinal products, residues within food producing animals must not exceed the maximum residue limit at the time the animal is sold or supplied for slaughter.
6. 'Adequate measures' include: abiding by the statutory herd testing for bovine tuberculosis (bTB) and pre-movement TB testing of animals; compliance with any notice and instruction; not moving animals subject to movement restrictions; taking precautionary measures when introducing new animals; reporting suspected disease outbreaks to the competent authority.
7. 'Specified feed additives' are coccidiostats, histomonostats and additives authorised to promote growth.



13. keep up to date records on all of the following, if they are relevant to your business and make them available on request to an inspector:

- veterinary medicinal products, or other treatments, given to your animals (including the dates of the treatment and the withdrawal period);
- the use of plant protection products and biocides;
- the results of any analyses carried out on samples taken from food producing animals, plants, animal feed or other samples taken for diagnostic purposes that have importance for human and animal health;
- any relevant reports on checks carried out on animals or products of animal origin;
- any use of genetically modified seeds in feed production.

Rules D1 to D13 do not apply to the direct supply by the producer of small quantities of primary products to the final consumer (for example, farm gate sales) or to local retail establishments which then directly supply the final consumer.

If you are a producer of raw milk⁸ (from any species), or handle raw milk or produce colostrum, the following extra rules apply:

E. You must

1. make sure that raw milk and colostrum comes from animals that:
 - are in a good general state of health;
 - show no sign of disease that might result in the contamination of milk or colostrum⁹;
 - do not have any udder wound likely to affect the milk or colostrum;
 - are not within the prescribed withdrawal period following the administration of authorised products or substances;
 - have not been given any unauthorised substances or products;
2. make sure that raw milk and colostrum comes from animals belonging to herds/holdings which have disease-free status for tuberculosis and brucellosis. If your herd or holding is not disease-free you may sell raw milk from your non-reactor animals if you are selling to a wholesaler who will heat treat the milk before marketing it for human consumption, or the raw milk is from sheep or goats¹⁰ and is intended to be made into cheese that has a maturation period of at least two months. Make sure that raw milk and colostrum from any animal not complying with these requirements is not placed on the market for human consumption;
3. effectively isolate animals that are infected, or suspected of being infected, with brucellosis or tuberculosis so that there is no adverse effect on other animals' milk;
4. make sure that milking equipment and the premises where raw milk and colostrum are stored, handled or cooled are located and constructed to limit the risk of contamination of milk and colostrum;

8. 'Raw milk' means milk produced by the secretion of the mammary gland of farmed animals that has not been heated to more than 40°C or undergone any treatment that has an equivalent effect.
9. In particular, that animals are not suffering from any infection of the genital tract with discharge, enteritis with diarrhoea and fever, or a recognisable inflammation of the udder.
10. From sheep and goats that do not show a positive reaction to tests for brucellosis or which have been vaccinated against it.

5. make sure that premises used for the storage of raw milk and colostrum:
 - are protected against vermin, including birds and birds' nests, and adequately separated from premises where animals are housed;
 - have suitable refrigeration equipment in order to meet the post-milking cooling rules;
6. make sure the surfaces of equipment that come into contact with raw milk or colostrum are easy to clean and disinfect (where this is necessary);
7. clean (and disinfect where necessary) the surfaces of equipment that come into contact with raw milk or colostrum after each use, and maintain in a sound condition;
8. 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 is likely to transfer residues to the milk or colostrum;
 - raw milk or colostrum from any animals that are still within the withdrawal period after receiving medication is not used for human consumption;
9. hold raw milk in a clean place, designed and equipped to avoid contamination, immediately after milking. The milk must be cooled immediately to:
 - not more than 8°C if it is collected daily;
 - not more than 6°C if it is not collected daily.

You will not break the rule to cool raw milk immediately after milking if the milk is going to be processed within 2 hours of milking or you have received permission from the competent authority because of the dairy products that will be made from this milk.

10. hold colostrum in a clean place, designed and equipped to avoid contamination, immediately after milking. Colostrum must be stored separately and be cooled immediately to:
 - not more than 8°C if it is collected daily;
 - not more than 6°C if it is not collected daily
 or it must be frozen.

If you are an egg producer the following additional rules apply:

F. You must

1. keep eggs clean and dry, free of strong odour, effectively protected from shocks and out of direct sunshine.



Further advice and guidance

You can get information about food and feed safety, including reporting of incidents, from the Food Standards Agency by calling 020 7276 8829 or visiting their website at www.food.gov.uk

The Code of practice for using plant protection products which is available at www.pesticides.gov.uk

Milk Hygiene on the Dairy Farm – A Practical Guide for Milk Producers, available from the Animal Health and Veterinary Laboratories Agency.

Food Standards Agency: 020 7276 8829

Prevention and control of transmissible spongiform encephalopathies (TSEs)

The aim of these rules is to minimise the risk posed to human and animal health by certain transmissible spongiform encephalopathies (TSEs).

A. You must not

1. feed animal protein, or any feeding stuff that contains animal protein, to ruminants¹, with the exception of the following (subject to required sourcing and processing, for example, it cannot be catering waste):
 - milk, milk-based products and colostrums;
 - eggs and egg products;
 - gelatine from non-ruminants;
 - hydrolysed proteins derived from non-ruminants or from ruminant hides and skins;
 - liquid milk replacers for unweaned ruminants containing fishmeal, if registered by Defra.
2. feed products containing prohibited proteins² to any farmed animals, or mix prohibited proteins with feedstuffs;
3. use restricted proteins³ to produce feed for non-ruminants unless you have received authorisation from Defra;
4. use feed products containing restricted proteins on a farm where there are ruminants present unless you are registered with Defra;
5. export from the UK any bovine animal born or reared in the United Kingdom before 1 August 1996;
6. place on the market or export any products consisting of or incorporating any material (other than milk) derived from a bovine animal born or reared in the United Kingdom before 1 August 1996;
7. place on the market or export first generation offspring, the semen, ova or embryos of cattle, sheep or goats (of any age) without fully complying with the documentation requirements and restrictions applying to the sale or export of such products;
8. move any cattle born or reared in the UK before 1 August 1996 from their registered premises unless you have obtained a movement licence from the Animal Health and Veterinary Laboratories Agency Specialist Service Centre in Worcester.

1 'Ruminant' includes: cattle, sheep, goats, camelids, bison, buffalo, deer, antelope and wildebeest.

2 'Prohibited proteins' are processed animal protein (with specific exemptions – see footnote 3) and gelatine from ruminants e.g. beef gelatine (including in surplus food).

3 'Restricted proteins' are animal proteins restricted to non-ruminant feed production: fishmeal, blood products of non-ruminant origin, dicalcium phosphate and tricalcium phosphate of animal origin. Also included are processed animal proteins of non-ruminant origin, including pig and poultry meal, for aquaculture animals.

B. You must

1. notify the duty veterinary officer of your local Animal Health and Veterinary Laboratories Agency office immediately if you know or suspect that an animal or carcass in your possession, or under your charge, is infected with a transmissible spongiform encephalopathy (TSE);
2. fully comply with any movement restrictions imposed;
3. fully comply with any order to slaughter and destroy any animal;
4. fully comply with any other notices served by an inspector;
5. fully comply with the inquiry carried out by an inspector to identify all animals at risk.

**Further advice and guidance**

For additional information on TSEs, please visit the Animal Health and Veterinary Laboratories Agency website at www.animalhealth.defra.gov.uk/managing-disease/notifiable-disease/bse.html and www.animalhealth.defra.gov.uk/managing-disease/notifiable-disease/scrapie/index.htm

Mineral-derived versions of dicalcium phosphate and tricalcium phosphate are permitted for all livestock and are most commonly used. Feed labels which do not specify 'animal origin' can be taken to be mineral.

Animal Health and Veterinary Laboratories Agency Specialist Service Centre:
0845 601 4858

Control of foot and mouth disease, certain animal diseases and bluetongue

The aim of these rules is to control and eradicate foot and mouth disease, certain animal diseases and bluetongue.

A. You must

1. notify the duty veterinary officer of your local Animal Health and Veterinary Laboratories Agency office immediately if you know or suspect that an animal or carcass in your possession, or under your charge, is infected with:
 - foot and mouth disease;
 - bluetongue;
 - any of the following diseases:
 - rinderpest;
 - peste des petits ruminants;
 - swine vesicular disease;
 - epizootic haemorrhagic virus disease of deer;
 - sheep and goat pox (capripox);
 - vesicular stomatitis;
 - African swine fever;
 - lumpy skin disease;
 - rift valley fever.



Further advice and guidance

Your local Animal Health and Veterinary Laboratories Agency office at www.animalhealth.defra.gov.uk

Defra website: www.defra.gov.uk/animal-diseases/notifiable

Defra helpline: 08459 33 55 77

Welfare of calves

The aim of these rules is to protect the welfare of calves¹ by setting minimum standards for their care and husbandry. These rules apply as well as the rules for the welfare of farmed animals (SMR 18).

A. You must

1. inspect all housed calves at least twice a day, and those kept outside at least once a day;
2. make sure that each of your calves can stand up, turn around, lie down, rest and groom itself without difficulty;
3. make sure that individual stalls or pens satisfy the minimum width and length rules² and that they have perforated walls which allow the calves to see each other and have physical contact with one another (except for those isolating sick animals);
4. make sure that each calf, when kept in a group, has its minimum allowance of unobstructed floor space³;
5. provide flooring, for those calves kept in buildings, that is:
 - smooth but not slippery;
 - designed so there is no injury or suffering to the calves standing or lying on it;
 - suitable for the size and weight of the calves;
 - rigid, even and stable;
6. keep all housed calves on, or at all times give them access to, a lying area that is clean, comfortable, well drained and has dry bedding;
7. give all calves appropriate bedding;
8. for calves kept in an artificially lit building, provide artificial lighting for a period that is at least equal to the period of natural light normally available between 9.00am and 5.00pm;
9. clean and disinfect housing and equipment used for your calves; remove dung, urine and leftover food as often as necessary to reduce smells and avoid attracting flies or rodents;
10. feed all weaned calves at least twice a day;
11. make sure when feeding group-housed calves that each calf either:
 - has access to feed at the same time as the others in the feeding group;
 - has continuous access to feed;
 - is fed by an automatic feeding system;
12. give your calves fresh drinking water at all times in hot weather conditions or when they are ill;

1 'Calf' means any bovine animal up to 6 months old, including those reared outdoors.

2. Details of width and length rules are available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices or Schedule 6 to the Welfare of Farmed Animals (England) Regulations 2007.

3. Details of minimum floor space allowance rules are available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices or Schedule 6 to the Welfare of Farmed Animals (England) Regulations 2007.

13. give all calves food that contains enough iron⁴;
14. provide the specified minimum daily ration⁵ of fibrous food for each calf over 2 weeks old;
15. make sure that each calf receives bovine colostrum as soon as possible after it is born and within the first 6 hours of life.

B. You must not

1. tether your calves;
2. muzzle your calves;
3. keep a calf in an individual stall or pen after the age of 8 weeks (unless it needs to be isolated to receive treatment).

You will not break the rule relating to the tethering of calves if tethers are applied to group-housed calves, for up to 1 hour, when you are feeding them milk or milk substitute. In this case any tether must be regularly inspected and adjusted to make sure that it does not cause pain or injury to the calf and allows it to lie down, rest, stand up and groom itself.



Further advice and guidance

The appendix for welfare of calves (SMR 16) is available on our website at www.rpa.defra.gov.uk/crosscompliance/appendices

For a copy of *Codes of Recommendation for the Welfare of Livestock: Cattle* (PB7949) visit the Defra website at www.gov.uk/government/publications/code-of-recommendations-for-the-welfare-of-livestock-cattle

For Council of Europe Recommendations made under the *European Convention for the Protection of Animals Kept for Farming Purposes* visit the Council of Europe website at www.coe.int

Your local Animal Health and Veterinary Laboratories Agency office at www.animalhealth.defra.gov.uk

Defra helpline: 08459 33 55 77

⁴ To maintain a blood haemoglobin level of 4.5 mmol/litre.

⁵ Details of the minimum daily ration are available from the cross compliance section of our website www.rpa.defra.gov.uk/crosscompliance/appendices or Schedule 6 to the Welfare of Farmed Animals (England) Regulations 2007.

Welfare of pigs

The aim of these rules is to protect the welfare of pigs by setting minimum standards for their care and husbandry. These rules apply as well as the rules for the welfare of farmed animals (SMR 18).

For all pigs¹:

A. You must

1. make sure that each of your pigs is free to turn around without difficulty at all times, including while tethered (where this is allowed);
2. make sure that the accommodation for your pigs allows them to:
 - stand up, lie down and rest without difficulty;
 - have a clean, comfortable and adequately drained place in which to rest (including making sure that any bedding is clean, dry and not harmful to the pigs);
 - see other pigs (unless the pig is isolated for veterinary reasons or for farrowing);
 - maintain a comfortable temperature;
 - have enough space to allow all of them to lie down at the same time;
3. make sure that individual stalls or pens satisfy the minimum size rules² (these do not apply in certain excepted situations);
4. provide flooring, for those pigs kept in buildings, that is:
 - smooth but not slippery;
 - suitable for the size and weight of the pigs;
 - rigid, even and stable, if there is no litter;
 - designed, constructed and maintained so there is no injury or suffering to the pigs standing or lying on it;
5. provide flooring of the correct measurements (for openings and slats) if you use concrete slatted floors³ (this applies for all pigs kept in groups);
6. provide artificial lighting of at least 40 lux for at least 8 hours each day, for pigs kept in an artificially lit building;
7. give permanent access to enough manipulable material which allows proper investigation and manipulation, for example, straw, hay, wood, sawdust, mushroom compost, peat or a mixture of such, which does not upset the health of your animals;
8. take measures to prevent fighting which goes beyond normal behaviour; if you keep your pigs together, keep those pigs separate which show persistent aggression or are victims of that aggression;

1 'Pig' means an animal of the porcine species of any age, kept for breeding or fattening.

2. Details of minimum size rules are available from the cross compliance section of our website www.rpa.defra.gov.uk/crosscompliance/appendices or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

3. Further details are available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

9. make sure that when feeding group-housed pigs each pig either:
 - has access to feed at the same time as the others in the feeding group;
 - has continuous access to feed;
 - is fed by an automatic feeding system;
10. give all pigs over 2 weeks old permanent access to a sufficient supply of fresh drinking water.

B. You must not

1. tether pigs at any time;
2. keep pigs in the high temperature/high humidity environment known as the 'sweat box system';
3. expose your pigs to constant or sudden noise, or levels above 85 decibels in any building where you keep your pigs.

You will not break the rule relating to the tethering of pigs if it is for veterinary purposes. In this case any tether must be regularly inspected and adjusted to make sure that it does not cause pain or injury to the pig and allows it to lie down, rest, stand up and groom itself.

For piglets⁴:

C. You must

1. provide piglets with a source of heat and a dry and comfortable lying area away from the sow where all of them can rest at the same time;
2. make sure that a part of the total floor where you keep the piglets is large enough to allow the animals to rest together at the same time and is solid, covered with a mat or littered with straw or any other suitable material;
3. give the piglets enough space to be able to be suckled without difficulty if you use a farrowing crate.

D. You must not

1. wean piglets from the sow at an age of less than 28 days (unless there is a risk of adverse welfare or health of the dam or piglets).

You will not break the rule relating to the weaning of piglets if they are weaned up to 7 days earlier, provided that you move them into specialised housing which you empty and thoroughly clean and disinfect before you introduce a new group and which is separate from housing where you keep sows.

For sows⁵ and gilts⁶:

E. You must

1. make sure that each female pig after service, when kept in groups, has its minimum allowance⁷ of unobstructed floor space, continuous solid floor and pens of correct dimensions;
2. treat pregnant sows and gilts against internal and external parasites, if necessary;

4 'Piglet' means a pig from birth to weaning.

5 'Sow' means a female pig after the first farrowing.

6 'Gilt' means a female pig intended for breeding, after puberty and before farrowing.

7 Further details are available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

3. thoroughly clean pregnant sows and gilts before they are placed in farrowing crates;
4. give sows and gilts enough suitable nesting material in the week before the expected farrowing time (unless it is not technically practical because of the slurry system you use);
5. keep sows and gilts in groups (except during the period between 7 days before the predicted day of farrowing and the day on which the weaning of piglets is complete);
6. provide an unobstructed area behind the sow or gilt during farrowing;
7. provide some method of protecting the piglets, such as farrowing rails, if you keep sows loose in farrowing pens;
8. feed sows and gilts using a system that makes sure each pig can get enough food even when other pigs are competing for food;
9. give all dry pregnant sows and gilts enough bulky or high-fibre food, as well as high-energy food, to satisfy their hunger and need to chew.

You will not break the rule relating to keeping sows and gilts in groups if they are kept on holdings of fewer than 10 sows provided that the individual accommodation keeps to the general rules for pig accommodation.

For boars⁸:

F. You must

1. place and build boar pens to allow the boars to turn around and to hear, see and smell other pigs;
2. provide clean resting areas in the boar pens and make sure that the lying area is dry and comfortable;
3. make sure that each boar has its minimum allowance of unobstructed floor space⁹.

For weaners¹⁰ and rearing pigs¹¹:

G. You must

1. make sure that each weaner or rearing pig, when kept in groups, has its minimum allowance of unobstructed floor space¹²;
2. place pigs in groups as soon as possible after weaning and keep these groups stable with as little mixing as possible;
3. provide opportunities for the animals to escape and hide from unfamiliar pigs if mixing is necessary. This must also be done at as young an age as possible, preferably before, or up to 1 week after, weaning.

8 'Boar' means a male pig after puberty, intended for breeding.

9. Details of the minimum floor space allowance are available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

10. 'Weaner' means a pig from weaning to the age of 10 weeks.

11. 'Rearing pig' means a pig from the age of 10 weeks until slaughter or service.

12. Details of minimum floor space allowance are available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

H. You must not

1. use tranquilising medication to help with mixing, unless there are exceptional circumstances and is on the advice of a vet.



Further advice and guidance

The appendix for welfare of pigs (SMR 17) is available on our website at www.rpa.defra.gov.uk/crosscompliance/appendices

For *Code of Recommendations for the Welfare of Livestock: Pigs* (PB7950) visit the Defra website at www.gov.uk/government/publications/code-of-recommendations-for-the-welfare-of-livestock-pigs

For Council of Europe Recommendations made under the *European Convention on the Protection of Animals Kept for Farming Purposes* visit the Council of Europe website at www.coe.int

Your local Animal Health and Veterinary Laboratories Agency office at www.animalhealth.defra.gov.uk

Defra helpline: 08459 33 55 77

Animal welfare

The aim of these rules is to protect the welfare of farmed animals by setting minimum standards for their care and husbandry. They apply to any species kept for farming purposes.

A. You must

1. make sure that your animals are looked after by enough staff who have the correct skills and knowledge;
2. make sure your animals are inspected thoroughly at least once a day if your husbandry system depends on frequent human attention and in other systems as often as necessary to avoid suffering;
3. make sure that there is enough lighting so that you can carry out a thorough inspection of the animals at any time;
4. make sure that you care for ill or injured animals immediately, and if they do not respond to this care then seek veterinary advice;
5. isolate sick or injured animals in suitable accommodation with dry comfortable bedding, if necessary;
6. make a record of any medicinal treatment given to your animals, and keep these records for at least 3 years from the date of the treatment and make these records available to any authorised person at inspection (or when otherwise asked for);
7. make a record of the number of deaths found when the animals are inspected, and keep these records for at least 3 years from the date of the relevant inspection and make these records available to any authorised person at inspection (or when otherwise asked for);
8. give your animals enough space to avoid unnecessary stress, if they are continuously or regularly tethered or confined, and also allow them to show their normal behaviour in line with established experience and scientific knowledge;
9. use materials for animals' accommodation that can be thoroughly cleaned and disinfected;
10. build and maintain accommodation so that there are no sharp edges or protrusions which could injure your animals;
11. keep air circulation, dust levels, temperature, relative air humidity and gas concentrations within limits that will not harm your animals;
12. provide artificial lighting if there is not sufficient natural light in a building;
13. give your animals that are not kept in buildings access to a well drained lying area at all times and, if necessary, protection from adverse weather conditions, predators and other risks to their health;
14. check automated and/or mechanical equipment that is essential for the health and well-being of your animals at least once a day and put right any faults immediately (or take appropriate steps to protect the health and well-being of your animals until you can get the fault put right);



15. provide an appropriate back-up to the main system if your animals' health and well-being depends upon artificial ventilation and an alarm to warn you if the ventilation system fails. Inspect and test these at least once every 7 days;
16. feed your animals a wholesome diet, making sure that they have access to feed at intervals appropriate to their needs (and, in any case, at least once a day);
17. give all animals access to a suitable water supply and enough fresh drinking water or other fluid each day;
18. minimise any contamination of food and water and the harmful effects of competition between animals for food and water through the design and location of feeding and watering equipment.

B. You must not

1. restrict your animals' freedom of movement if this causes them unnecessary suffering or injury;
2. use materials and/or equipment for accommodation purposes that is harmful to your animals;
3. keep animals in permanent darkness or without an appropriate rest period from artificial lighting;
4. give your animals food or liquid in any way, or containing any substance, that could cause them unnecessary harm;
5. administer any substance to your animals which is harmful to their health or welfare;
6. carry out any mutilation or intervention on your animals, unless the action is classed as a 'permitted procedure'¹. (Many of these have conditions attached, including the need to be reasonably justified and be a measure of 'last resort');
7. carry out breeding procedures (either natural or artificial) that cause, or are likely to cause, harm to your animals;
8. keep animals for farming purposes unless it can be reasonably expected that the normal breed characteristics (genetic and physical) mean that they can be kept without harm to their health and welfare.



Further advice and guidance

The appendix for animal welfare (SMR 18) is available on our website at www.rpa.defra.gov.uk/crosscompliance/appendices

For *Codes of Recommendation for the Welfare of Livestock (for various species)* visit the Defra website at www.gov.uk/government/publications

For Council of Europe Recommendations made under the *European Convention on the Protection of Animals Kept for Farming Purposes* visit the Council of Europe website at www.coe.int

Your local Animal Health and Veterinary Laboratories Agency office at www.animalhealth.defra.gov.uk

Defra helpline: 08459 33 55 77

¹ Details of permitted procedures are available from the cross compliance section of our website at www.rpa.defra.gov.uk/crosscompliance/appendices or in the Mutilations (Permitted Procedures) (England) Regulations 2007.

The inspection process

Under European legislation, annual cross compliance inspections must take place of:

- at least 1% of farmers submitting applications to the Single Payment Scheme and other direct payments; and
- at least 1% of farmers that entered into new commitments under relevant rural development schemes from 1 January 2007.

Two organisations, known as Competent Control Authorities (CCAs), are responsible for inspecting the different cross compliance areas. CCA responsibilities are as follows:

CCA	Area of Responsibility
Rural Payments Agency	SMRs 1, 3, 4, 5, 6, 7, 8, 9, 10*, 11*, 12 GAECs 1, 5**, 6, 7, 8, 9**, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
Animal Health and Veterinary Laboratories Agency	SMRs 13, 14, 15, 16, 17, 18

Each CCA will select and carry out inspections on the farm businesses that need to meet the rules for which it has responsibility. CCAs can use pre-existing inspection regimes to satisfy this obligation.

Inspections are selected by a combination of a risk based assessment and a random element. Cross compliance inspections are likely to be unannounced which means you may not be given any notice of a visit. If you are notified, it is likely to be less than 48 hours before the inspection.

A cross compliance inspection may be carried out by one or more inspectors and you may be inspected more than once during the year. This could be because the relevant CCA was unable to check all the rules for which it has responsibility at a single inspection or because your business has been selected for inspection by more than one CCA. The CCAs will try to co-ordinate inspections wherever possible and they will also make sure that inspections cause minimum disruption.

You must cooperate with the inspectors and provide facilities and labour to allow the necessary checks to be made safely. If you refuse to allow an inspection, obstruct an inspector, or fail to give reasonable help, you may lose all of your payments.

At the start of the inspection, the inspector will need to take time to explain what is involved. The inspector will provide a clear explanation of why they are there and explain how they will carry out the inspection. They will tell you what is needed from you and will give you an idea of how long the inspection will take. Before leaving your farm, the inspector will explain what they found during the inspection. The inspector may take as evidence, where required, photographs and/or other evidence to support both compliance and non-compliance. The inspector will not be in a position to confirm any applicable payment reduction levels at this stage.

* RPA use information provided by the Veterinary Medicines Directorate and Chemicals Regulation Directorate to undertake checks on part of SMR 11. VMD also undertake checks of SMR 10.

** Natural England may carry out checks under GAEC 5 and GAEC 9

The inspector will fill in a full written report detailing the results of the inspection. This is sent to RPA in its role as paying agency. RPA will assess all of the inspection findings and may carry out validation on them, which includes checks against the Cattle Tracing System. RPA will then decide if your payments are to be reduced and how much they will be reduced by. You will normally only be told in writing of the cross compliance inspection results if you have not met the rules. If breaches are found, we will inform you within 3 months from the date of the inspection. RPA will not be able to confirm any payment reduction until it has assessed the results of all of the inspections that have taken place on your holding in the calendar year.

RPA will also use information resulting from checks carried out by other inspecting bodies that enforce the legislation which relates to cross compliance. These agencies, Natural England, the Forestry Commission and the Environment Agency, can notify RPA of any breaches of the cross compliance rules in their relevant areas. This information could result in RPA directly applying reductions to your payments.

Inspections by the RPA Inspectorate

Physical inspection of land and facilities

There will be a full physical inspection of your land, where the inspector will cover all of your agricultural land parcels, taking measurements where appropriate to check that you are meeting the cross compliance rules including an assessment of your Soil Protection Review (SPR) 2010.

If you are a food producer or a feed producer, or you give feed to food producing animals (this will be the majority of you), the inspector will ask to see all storage areas for food, biocides and plant protection products, where these apply to your business. This is to make sure that you have taken adequate measures to prevent contaminating food and feed and to make sure that food and feed hygiene rules are being met. The inspector will also, where necessary, check that correct processes are followed, such as withdrawing food and feed from the market where the food or feed safety rules have not been met.

Physical inspection for users of plant protection products (PPPs)

The inspector will check that any plant protection products (PPPs) used are authorised products, or in the case of parallel traded products have a permit, and that they are used in accordance with the conditions on the label.

Checks of the storage facilities will take place to ensure that you are complying with the storage requirements as stated on the label, and that they are used in accordance with the conditions on the label.

Where necessary, they will also make sure that enough 'buffer zones' are in place to protect watercourses.

Physical inspection for livestock keepers

The inspector will ask to see all your livestock housing areas and you will need to provide suitable labour and safe handling facilities. The inspection will include checks to make sure that:

- cattle on the farm match the animals recorded on the Cattle Tracing System and that they are properly tagged and registered;
- sheep and goats are identified in line with the rules; and that when counted the number of animals matches your annual inventory return;

- pigs are marked in line with rules; marking equipment is being maintained correctly; a headcount can be reconciled with the annual stocktake total;
- you have met the restricted feed rules;
- you are adhering to any movement restrictions or other notices; and
- you are aware of the requirement to tell Defra of suspected disease outbreaks.

Physical inspection for dairy farmers

Additional hygiene checks will be done to examine the livestock, dairy facilities and routines, milk storage and records.

Physical inspection for egg producers

There are extra checks to make sure that eggs are kept hygienically.

Physical inspection for groundwater rules

The inspector will carry out the following:

- checks to make sure that if you store and use hazardous substances (for example, pesticides or sheep dip) and non hazardous pollutants, you do so in line with codes of good practice;
- checks to make sure that you do not knowingly permit a 'groundwater activity' involving hazardous substances and/or non hazardous pollutants unless you have obtained and/or are meeting the conditions of a permit from the Environment Agency; and
- a physical inspection of the permitted application area to make sure that you are meeting the terms of any authorisation issued to you.

Physical inspection for sewage sludge rules

The inspector may wish to look at land that has been spread with sludge.

Physical inspection for nitrates rules

If your farm is in a Nitrate Vulnerable Zone the inspector will be inspecting:

- silage and slurry storage structures;
- field silage sites;
- field activities; and
- your temporary field solid manure storage.

If your farm is not in a Nitrate Vulnerable Zone, the inspector will check field activities to check compliance with the No spread zones (GAEC 19).

Physical Inspection for water abstraction licences

An inspector will visit your site and check that you have a licence, if you need one for your activities. Where you have an existing licence, they will check that you are meeting the conditions in your abstraction licence. To do this, they will usually need to read your water meter, check your meter calibration certificate, see where you take the water from and where you use it.

If you are abstracting water during the inspection and your licence has a Locally Prescribed Flow condition, the inspector will need to check the structure and may take a flow reading.

Record checks

The inspector will need to examine your records for a number of the cross compliance standards, whether electronic and/or paper copies.

For all inspections you must produce your SPR 2010 to show that:

- you have filled it in;
- you have identified soil issues on your land and filled in the Soil Risk Record accordingly;
- you have filled in the Farm Soil Plan confirming what soil protection measures you will be carrying out;
- you have implemented the measures which you identified;
- you have filled in the annual review, if it applies;
- you have followed specific guidance or written direction, if these have been issued; and
- you have filled in the access to waterlogged land table, if it applies.

If you use sewage sludge on your land, the inspector will want to see your records which show:

- the location of sludge applications;
- the dates sludge has been spread;
- the amount used;
- the area of land that sludge has been spread on;
- the application rate;
- the last crop and next crop;
- main soil type;
- proximity to surface water;
- spring/well/borehole proximity;
- you have given the sludge producer the name and address of other producers, with details of dates, locations and quantities used, if sludge is supplied by another sludge producer;
- evidence supplied by the sludge provider to demonstrate that sludge analysis and soil analysis was completed before applications took place;
- the nutrient needs of the crop/land have been taken into account.

If your farm is in a Nitrate Vulnerable Zone, the inspector will want to see your records which must include:

- the size of your farm;
- projected livestock numbers and nitrogen production and loading calculations;
- actual livestock numbers and manure production and slurry storage calculations;
- organic manure spreading risk map;
- locations of temporary field manure storage sites and dates used;
- nitrogen spreading four stage plan; and
- field records recording when and where nitrogen fertiliser is spread, and if necessary your nitrogen max calculation.

- Records of imports/exports of livestock manures.
- documents covering new, substantially enlarged, or substantially reconstructed silos, slurry stores and field silage sites.

For animal records, the inspector will check that:

- movement records, both on and off the holding, for cattle, pigs, sheep and goats, are up to date and that movement documents are correctly filled in and kept;
- the annual inventory for sheep and goats and/or pigs is filled in and can be reconciled;
- the herd register and/or flock register is filled in correctly and up to date;
- systems for tracing animal products and/or feed production, for example, receipts and/or invoices of inputs on to your farm and products when they leave the farm;
- veterinary medicinal records.

Other records the inspector may need to examine include:

- plant protection and biocidal products' records of usage;
- Local Environment Risk Assessment for Pesticides (LERAP) records;
- systems for tracing food production, for example, receipts and/or invoices of inputs on to your farm and products when they leave the farm;
- water abstraction records;
- permits for any on-farm discharge of hazardous substances or non hazardous pollutants and the records of materials applied to the permitted area (material, quantity and dates applied); and
- map for [GAEC 19](#) No spread zones.

Checks of other documents

The inspector may also need to see other documents, to check that you are meeting the cross compliance rules.

For land, this may include:

- a burning licence;
- a Certificate of Competence for using plant protection products;
- a felling licence;
- a special nature conservation order or management notice;
- English Heritage consent to carry out an operation on a scheduled monument;
- local authority permission to remove a hedgerow;
- local authority written consent regarding trees subject to a Tree Preservation Order (TPO);
- local authority written consent to permanently or temporarily divert a visible public right of way;
- management prescriptions;
- Natural England consent or licence for operations on a Site of Special Scientific Interest (SSSI);
- Natural England or Forestry Commission screening notice and/or remediation notice and/or consent about any Environmental Impact Assessment (EIA);
- copies of any analyses of the nitrogen content of livestock manure, if used;
- any written advice from a FACTS qualified advisor.

For animals, this may include:

- Animal Movement Licensing System (AMLS) documents;
- auction slips, invoices, Central Point Recording Centre (CPRC) lists and fallen stock receipts;
- a letter of authorisation from Animal Health and Veterinary Laboratories Agency to use restricted proteins and/or feed products containing restricted proteins;
- records of analysis and/or samples carried out on any livestock or feed;
- records of analysis and/or samples carried out for producing milk;
- records of routine and pre-movement tuberculosis (TB) tests.

Inspections by Animal Health and Veterinary Laboratories Agency for animal welfare and disease control purposes

The inspector will expect to:

- see all animals in their normal rearing environment;
- see that your back-up system is working if your animals' health and well-being depends upon artificial ventilation and for you to show the operation of your alarm system if the ventilation system fails;
- be able to examine specific animals on request; and
- take as evidence, where required, any samples, carcasses, photographs and/or other evidence to support both compliance and non-compliance.

Also, the inspector will:

- inspect veterinary medicine and mortality records;
- check any other records that may support compliance with the rules; and
- ask whether there has been a known or suspected outbreak of a notifiable disease (as listed under the disease control requirements) on your premises during the year.

If you keep calves, the inspector will also need to take:

- pen and/or stall measurements; and
- blood samples, if any of the calves appear anaemic on first inspection.

If you keep pigs, the inspector will also need to measure:

- light intensity in pens from a sample of age groups present;
- pens and/or stalls from a sample of age groups present for all fattening pigs and boars;
- pens, stalls, slat widths and/or slat openings.

Inspections by Animal Health and Veterinary Laboratories Agency for the Veterinary Medicines Directorate concerning restricted substances

The inspector will:

- inspect a sample of animals for signs of the use of banned substances, such as growth promoters;
- select one or more suitable animals and carry out sampling of blood, urine or animal feed or bulk milk for laboratory analysis;
- inspect your medicines store and medicines records, including invoices about the purchase of medicines.

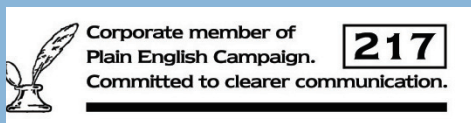
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