

CONTROL OF THE CROSS-COMPLIANCE OF AGRICULTURAL AIDS

Since 01/01/2005, European farmers who receive direct financial support have been subject to a number of basic standards concerning the environment, food safety, animal and plant health, animal welfare and the maintenance of land in good agricultural and environmental state.

The Common Agricultural Policy (CAP)

In 2015, the CAP changed the general structure of aids to farmers. However, these are still divided into a first pillar (direct payments to farmers) and a second pillar (rural development measures¹). This aids are conditional, as was the case previously, on compliance with a common level of requirements. This is the principle of cross-compliance. All farmers receiving aids under the first and/or second pillar of the CAP are required to respect the latter across their farms. Cross-compliance applies to the following 3 areas²: (i) environment, climate change and good agricultural land conditions³, (ii) public health⁴, animal health⁵ and plant health⁶ and (iii) respect for animal welfare.

Control in 2015

Systematic controls are organised every year by the Police and Inspections Department (DG03) and the FASFC. Failure to comply with cross-compliance leads to a reduction in the aids granted to farmers, and in some cases even to exclusion from the system. The reductions applied depend on the degree of non-compliance, whether the infringement is intentional or unintentional and whether it is recurrent or not. In certain cases specified by the legislation⁷, the non-compliance may be considered as minor and no reduction of aids is then applied. However, the farmer will receive a warning and is obliged to remedy the infringement. In 2015, 14,254 farms were subject to administrative controls, of which 947 were also subject to on-the-spot controls. A total of 1,043 farmers were sanctioned. This resulted in a reduction in financial aids for (i) 644 farmers receiving aids under the first

pillar of the CAP for a total of €566,497, (ii) 9 farmers under the second pillar⁷ of the CAP for a total of €3,017, and (iii) 390 farmers receiving aids under the first and second pillars of the CAP for a total of €313,772. In addition, 27 farmers were excluded from the agricultural aid system.

Focus on environmental aspects

Non-compliance with the Sustainable Management Programme for Nitrogen in Agriculture⁸, mainly due to non-regulatory soil binding rate (SB) and delays in reporting cattle movements in the SANITRACE database led to the highest number of penalties. The control procedures put in place explain this situation: almost all farmers are subject to an administrative control of their SB and the notification of cattle movements, while the other environmental obligations are checked on the spot according to a sampling plan (1 to 5% of the farms at least once a year).

[1] → AGRI 4, AGRI 10 & FFH 15 | [2] Walloon Government Decree of 27/08/2015 and Ministerial Decree of 27/08/2015 | [3] Maintenance of permanent grasslands, erosion control, conservation of soil structure and organic matter, minimum land maintenance, compliance with the provisions for Natura 2000 sites, protection of water against nitrate pollution and certain dangerous substances, etc. | [4] Food safety, banning of certain substances (hormones, etc.) | [5] Identification and registration of animals and the fight against animal diseases | [6] Regulation on the use of plant protection products | [7] In 2015, there was no data on Natura 2000 compensation | [8] Walloon Government Decree of 13/06/2014; → AGRI 9

Fig. CONTROL 4-1 Reduction of aids applied pursuant to cross-compliance in Wallonia (2015)

