

Nitrate Derogation Inspection Programme

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26th January 2023

Overview of Presentation



- Overview of Nitrates Derogation and Inspection Programme
- Key Risks and Criteria Assessed
- Outcome of the Inspection Programme
- T&C Nitrates Derogation 2023
- Conclusions

Ireland's Nitrates Derogation



Year	2014	2015	2016	2017	2018	2019	2020	2021	2022
Applications received	5,793	6,330	6,804	6,995	6,897	6,684	6,505	6,814	6,725
Applications approved	5,273	5,997	6,533	6,557	6,554	6,308	6,016	6,426	



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Nitrates Derogation Inspection Programme

2021 (5%)

- ▶ 356 On-Farm Inspections 2021

2022 (10%)

- ▶ 6725 Applications (8037 Herdnumbers).
- ▶ Approximately 700 Inspections undertaken in 2022

2023 (10%)

- Anticipated in 2023 additional applications will be received, therefore overall numbers to be inspected is anticipated to increase



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Key Risk and Assessment Criteria for Assessment

- The selection is based on the following;

2021

- Non - Compliance History,
 - Exporting Organic Fertiliser
 - Stocking Rate History
 - Random
-
- **Key Learning – 2022 (inclusion of the following)**
 - - Vicinity to watercourse
 - - Pollution Impact Potential (PIP) Map Data– Nitrogen and Phosphorus



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Administrative Controls

- Administrative Controls are undertaken for all farmers under the Nitrates Regulation including all farmers that applied for a Nitrates Derogation.
- The following administrative checks were undertaken:
- Type of livestock on holding – checked that farmer had grazing livestock (consulted other Department databases).
- Declared area of holding checked re 80% grassland requirement.
- Compliance with the maximum limit of 250kg/N/ha/annum from grazing livestock manure;
- Quantities of livestock manure exported to other holdings (if applicable).



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Administrative Controls

Number of applications	6,814
Number withdrawn	142
Number rejected	246
Number approved	6426



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Reasons for Rejection from a Nitrates Derogation (as a % of Rejections)

Year	Numbers		Rejection Reason (As percentage of Rejections)				On Field Inspection % (Number Inspected/Year)
	Number of Applications	Number Rejected	Missing/Inadequate Documents				
			Accounts %	NMP %	Soils %	Missing Document %	
2021	6,814	252	43	6	12	15	21% (2021)
2020	6,505	269	51	3	17	18	11% (2020)
2019	6,684	110	39	5	12	16	16% (2019)



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Field Inspection Rejections

- The main reasons for rejection for 2021 derogation applicants were failure to;
 - fence water courses,
 - insufficient slurry storage capacity,
 - insufficient or out of date soil samples and
 - appropriate documentation not submitted.

Nitrates Derogation (T&C 2023)

- Failure to comply with all the requirements as set under SI 113 2022 will result in the rejection of the Nitrates Derogation.
- Rejection from the 2023 Nitrates Derogation will deem the applicant ineligible to apply for a Nitrates Derogation in 2024.
- Direct Payment Conditionality breaches, including exceeding the 250kg N/ha limit, will be subject to the Basic Income Support for Sustainability Payment Scheme (BISS) penalty schedule.
- [gov.ie - Rural Environment & Sustainability - Nitrates \(www.gov.ie\)](http://www.gov.ie)

Nitrates Derogation (T&C 2023)

Grassland Management - Two Options

Existing Derogation Farmers

Record grass production using Software technology

(20 measures – February – November) and A minimum 5 days must be observed between grass measurements.

New Derogation Farmers 2023

Attend Training - Attend Grassland Training Course by end '23

Farm Advisory Service Certified and Training

- An advisor must be FAS certified by the Department of Agriculture, Food and the Marine to submit an application under the Nitrates Derogation. (T&C 2023)
- DAFM are hosting an 'in person' training event for new FAS advisors
- The Killeshin Hotel & Leisure Club, Dublin Road, Portlaoise, Co. Laois, Eircode R32 TYW7 - 9 February 2023 from 8am to 5:15pm
- Prebooking is essential @ FarmAdvisorySystem@agriculture.gov.ie



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Conclusions

- Ireland's Inspection programme is ever evolving to include additional risk criteria to further target Inspection programmes.
- There is a 100% level of enforcement through administrative controls
- Increased level of ambition with field Inspections now at 10% for 2022 from 5% in 2021