Overview of XC audits regarding GAEC

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Themes

1. Scope of the cross compliance audits concerning GAEC
2. Sources of information prior and during the audits
3. Main findings
1. **Scope of the cross compliance audits concerning GAEC**

- Definition of the GAEC standards
- Quality and effectiveness of the on-the-spot checks
- Evaluation and Sanctioning of non compliances
2. Sources of information prior and during the audits

2.1 Sources of information prior to the audits

- Communications done by the MS (Article 146 of Regulation (EC) No 1782/2003 and Article 140 of Council Regulation (EC) No 73/2009) and the evaluation carried out by DG Agri. The situation communicated by the MS is compared to the situation found on-the-spot during the audit.

- Statistics sent by the MS.
  If the statistics show that for certain GAEC standards no or very little non compliances were found, the reasons should be analysed as the effectiveness of the on-the-spot checks can be put into question.

- Previous audit reports.
2.2 Sources of information during the audits

- Review of control procedures
- Interviews with the staff
- Participation in the OTSC
3. Main findings

3.1 Definition of the GAEC standards

- Non defined or clearly non compliant GAEC.
  Meaning absence of any definition or clearly non compliant definition. Very common finding during the first years of application of cross compliance.

- Definition apparently not linked with the GAEC standard.
  Example: Crop rotation:
  “Farms with a stocking rate below 0.5 LU/ha and over 5 ha of arable land may grow cereals (including dinkel, durum, barley, oats, rye, triticale and common wheat) and maize on 85 % of their arable land”

  “A monitoring of organic matter levels is conducted by soil sampling on sites where there is continuous tillage on light sandy soils and which are considered the higher risk areas”
3.1 Definition of the GAEC standards

- Standards not foreseen in Annex IV.

Examples: “Applicant will enter the data concerning the operations carried out on agricultural land into a field record”, "Farmers are obliged to keep records of any influx to the holding in a book. They need to record dates of intervention with chemicals and keep the labels of the used seeds and agrochemicals”

Establishment or/and retention of habitats

“Waste material from agricultural activities may not be dumped on the ground which is waterlogged or snow-covered, or on standing or running water” and “plant protection products, fertilizers, sewage sludge, compost, manure, etc may not be applied in waterlogged ground, etc.”
3.1 Definition of the GAEC standards

- Optional or compulsory standards.
- Definition of GAEC standards via SMRs.
3.2 Quality and effectiveness of the on-the-spot checks

Weaknesses in the control procedures resulting in ineffective on the spot checks.

- Lack of (or unclear) control manual for the inspectors. It is necessary that all inspectors follow the same guidelines for carrying out the GAEC controls in order to ensure the coherence, effectiveness of the on the spot controls.

- Unclear/imprecise control points leaving too much room for the inspector's judgement in determining the non compliance.

- For organisational reasons, GAEC controls are concentrated in certain months of the year that are not always the appropriate ones.
3.2 Quality and effectiveness of the on-the-spot checks

Weaknesses in the control procedures resulting in ineffective on the spot checks.

- Basic information for controlling specific GAEC is not available to the paying agency/inspectors. For example, the identification and location of the landscape features to be retained is not available to the inspectors.

- If remote sensing is used, whether it allows effective control on the different GAEC.

- Indication in the control reports if GAEC standards had been effectively controlled and which ones were not relevant for that farmer.
3.3 Evaluation and Sanctioning of non compliances

- GAEC controlled based on national legislation but not sanctioned in the framework of cross compliance.

- Lenient sanctioning system.

  Impossibility to sanction beyond 3% for certain GAEC, Systematic consideration of minor non compliances, etc.