

NON-PAPER

Integration of the Cross Compliance Controls into the IACS

1. State of the discussions

The main point of concern, raised in the Working Party, was the control of cross-compliance requirements under IACS, especially the administrative burden to be expected partly due to duplicating control efforts and the high co-ordination requirements for the departments and agencies involved. It was argued that IACS control rates would not be compatible with the requirements in the fields concerned (public, animal and plant health, occupational health and safety, environment and animal welfare).

2. Option for taking up these concerns

In order to take up the concerns the following Cross Compliance Control System could be envisaged:

- (1) The **IACS remains the relevant control tool**; however, this does not mean that Cross Compliance should be controlled exactly in the same way as the eligibility rules. “Integrated control” means for Cross Compliance that the Paying Agencies should make their payments and apply the reductions on the basis of a complete overview of the different control results.
- (2) In this context one would first apply for both the eligibility control and the Cross Compliance control **the standard IACS control rate of 5 %** of all beneficiaries of direct payments.
- (3) As to the **eligibility controls** all selected farmers will be controlled according to the existing IACS rules.
- (4) As to the **Cross Compliance controls** the following procedure could be applied:
 - ❑ First a **control plan** has to be established by the *Paying Agencies or the Co-ordination bodies* for each selected farm in which all standards applicable to the farmer are listed.
 - ❑ This control plan has to be sent to the *existing specialised control bodies* in the domains of public, animal and plant health, occupational health and safety, environment and animal welfare which then have to proceed with a *risk assessment according to their own rules*; a minimum control rate of [50%] out of the 5% pre-selected farms could be envisaged. The finally selected farms will be taken up in their control planning.

- The results of the controls shall be communicated to the Paying Agencies/Co-ordination bodies and the Paying Agencies shall then apply the reductions and exclusions from the direct payments
- (5) Independently from the Cross Compliance Control System the *existing specialised control bodies* in the domains of public, animal and plant health, occupational health and safety, environment and animal welfare are obliged to communicate a non-compliance case in the framework of their normal controls to the paying agency.

3. Advantages:

- With this approach the main concerns are satisfied: there are no duplicating control efforts anymore and the co-ordination requirements for the departments and agencies involved are very limited. The IACS control rates would only be used to determine the farms that have to undergo a risk assessment by the special control bodies.
- The special control systems would not suffer from control tasks that are not focussing on the specific risks they have to care about.
- The “Integrated control” approach would be respected; we have a central selection of farms to be controlled; these farms will be in principle “controlled” with regard of all standards; the only specificity of this approach is that for the on the spot checks the special control bodies will proceed – each for their Standards concerned - with a preliminary risk assessment in order to determine the farms with a considerable risk.
- The question of the number of Standards to be retained in Annex III loses considerably of importance, because this approach does not impose on the special control bodies supplementary controls but obliges them to include a pre-selected group of farmers into their risk assessment and control planning. The question of a phasing in is also of less importance.