



Meeting of the Joint Committee on Agriculture, Food and the Marine on Wednesday, 28/02/24 @ 17.30pm

Thank you chairman and to the committee for the invitation here today. I am joined this evening by Breian Carroll, General Secretary of ACA and Tom Canning our National Council representative for the Nitrates Regulations, whom is also a former President of our Association.

The Agricultural Consultants Association (the ACA) are the sole representative body for private agricultural consultants and advisors in Ireland. Currently the ACA have in the region of 185 member offices in Ireland which employ in the region of 280 Agricultural, Environmental and Forestry consultants/advisors, with a further 200+ persons employed as administration and technical staff. The ACA represent 90% of private agricultural consultants/advisors in Ireland. The Department of Agriculture, Food and the Marine (DAFM) statistics indicate that our members provide advisory support services to over 55,000 farmers nationally.

In relation to the specific **6 questions** you asked us to address on the derogation issue, **question 1** on what are the anticipated economic effects for the agricultural sector that would result from a further decrease to the Nitrates Derogation and **question 2** on what are the anticipated social effects for the agricultural sector that would result from a further decrease to the Nitrates Derogation – both questions have been addressed in detail by some of the farm bodies in recent discussions with this Committee. In the interest of time efficiency, we in the ACA, agree with the information provided by these organisations on the effects at both farm level and on the industry nationally with the removal of derogations. Despite the significant expansion in the dairy herd and the associated increase in milk production following the removal of milk quotas in 2015, Ireland has remained true to the traditional principles of Irish Agriculture, **namely, grass-based production and family farm units**. It must be stressed that we do not have factory farm dairy systems. With the support of ICBF, dairy farmers have focused on better breeding strategies, to produce cows with higher butterfat and protein yields, better health traits and improved longevity.

Irish dairy farmers have dramatically increased grass yields by embracing new management practices and technologies, such as incorporation of clover in swards, more efficient use of slurry and effective nutrient management planning. **All of this has been achieved with ever decreasing use of chemical fertilisers**. The fact that the derogation, in place currently, for the Danes and Dutch are to be phased out in the coming years, is not the justification for removal of the Nitrate Derogation from Irish farmers.

With regards to **question 3**, where it was asked is it possible to maintain Ireland's Nitrates Derogation at its current level, while ensuring that there are improvements to Ireland's water quality: ACA believe there is no one solution to improving water quality in Ireland. It will require all stakeholders, with responsibility for water quality working together, with a common goal to achieve the improvements required. While agriculture is seen as the most significant pressure, other sectors, industry, local authorities and domestic waste waters are also affecting the quality of our waters.

Even if all farmers were to comply fully with all of the current regulations, scientific experts recognise that it could take up to 10 years to see any significant improvements in water quality.

In relation to **question four**, is the Nitrates Action Programme (NAP) fit for purpose in protecting Ireland's water quality, ACA believe that the **NAP has become too cumbersome and extremely difficult** for any farmer to comply with and for our members to impart our knowledge and information to their farmer clients. Farmers in derogation have to comply with 39 additional measures, in addition to the basic Code of Good Farm Practice regulations (GAEC with more regulations to be introduced in 2024, following the review of the NAP in 2023). Some of the current regulations will have little or any impact in improving water quality in Ireland.

Minor administration breaches of the derogation regulations today, will result in rejection of the derogation application, exclusion from derogation for two years and significant cumulative penalties across all support payments. From an advisory perspective, simple errors, in preparing derogation applications on behalf of our farmer clients can result in those clients being excluded from derogation for two years exposing our businesses and causing unnecessary stress for both our members and those farmer clients. The current derogation IT system needs a complete overhaul with dedicated funding to modernise it to ensure our members and farmers have trust in the system.

The **Agricultural Sustainability Support and Advisory Programme (ASSAP)** needs to adapt urgently and embrace the ACA, our members and our farmer clients to assist in the programme at local level. Our Association and members are available to bring all latest information and research to our farmer clients, including derogation farmers, and we must be part of the solution on the ground.

On question 5, are there additional supports required to ensure farmers can be compliant with the Nitrates Action Programme, ACA state that **there are additional supports to help derogation farmers to be compliant, including the following measures:**

1. Fast-tracking of Planning and TAMS applications for slurry storage on farms.
2. 70% support for investment in slurry storage facilities on farms, especially on outlying lands, to encourage better distribution of organic nutrients spread.
3. Removal of the exclusion clause of farmers who have a shortfall in slurry storage capacity from TAMS support.
4. Restoration of supports for Low Emissions Slurry Spreading (LESS) equipment for all farmers.
5. VAT reclaim facility on all investments that will contribute to environmental improvements.

Ever changing regulations, loss of VAT rebate facilities, delays in support payments, planning and TAMS application delays, uncertain produce prices, increasing land rental and decrease in land supply have all contributed to the uncertainty among Irish farmers. **Clarity and structured programmes are needed for our members** in providing advice to our clients to enable them to make timely and detailed farm business decisions, which will also fit in with achieving our sectoral environmental targets.

And finally chairman, **question 6** asked if additional resources are required to ensure the measures required by the Nitrates Action Programme are adequately enforced? Farmers, in our view in the main, enjoy participating in targeted events with their peers, including training.

Mandatory annual training for all farmers with a specific focus on improving water quality would act as a considerable help to farmers in dealing with current challenges.

All ACA members must be **regularly trained**, as is available to those in the public advisory service annually. Furthermore, the tools that we use as advisors in the provision of services to derogation farmers, such as the NMP system, must be provided without direct cost to our members and farmer clients as it is in the best interest for the sector.

A higher number of **inspections** are scheduled for derogation farmers. It is critical that inspectors from the Department of Agriculture and the Local Authority are consistent in their approach and that breaches of regulations are fair and just. A clear schedule of penalties must be applied, as currently they lack clarity and are not proportional to the breaches.

ACA must be resourced to appoint **Nitrates Specialists** within our network. With the ever-increasing pressures on advisors, such appointments would be of significant assistance in tailoring important information for our members to derogation farmers in our network from stakeholders such as the DAFM, Teagasc, EPA, ASSAP reps and other important actors. Similar appointments in the ACA network for other areas have been very successful in recent years, thanks to the support of the current DAFM Ministers and their officials and must be introduced to deal with nitrates regulations and derogations. A government funded ACA Head Office would work with state agencies and bodies to create consistent training content and materials for our members to impart to farmers and link in with the appointed Specialists.

Our detailed submission has outlined what ACA believe are the 10 key recommendations that are required to address the derogation challenges and wider water quality issues.

Thank you again for the opportunity to present to the committee today.