

Annex II A: Country Report Austria

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Already before Agenda 2000, Austria has laid emphasis on the stimulation of organic agriculture, support of farmers in LFA (e.g. in mountainous areas) and other measures of rural development. The agri-environment programme under the Rural Development Regulation has only slightly changed compared to the programme before Agenda 2000 (Dwyer et al. 2002). According to the BMLFU (2002), the intensity of agricultural production in Austria is comparatively low. Austria's use of nutrients (N, P, K) lies under the average of EU member states.

In 2002, 74% of all farmers in Austria were participating in agri-environment measures, which corresponds to 88% of the agricultural area (BMLFUW 2002). 66 % of the agriculture budget is spent on rural development, which is as well very high compared to EU average (Lughofer 2003), and around 26% on LFA payments (Dwyer et al. 2002). But Dwyer et al. (2002) point out that the two biggest agri-environment measures, which account for 35% of the budget, are rather designed for “easy compliance”, so that their environmental benefit isn't too significant.

Austrian Programme for Rural Development

Austria has got one single national development plan for all rural areas outside the Objective 1 area of Burgenland and is of benefit almost exclusively to farmers (Dwyer et al. 2002).

The required minimum standards regarding environment, hygiene and animal welfare are specified in the Rural Development Plan and consist of existing legal obligations, laid down in national, regional and EU law. Enforcement usually happens through regional and local administration. Usual Good Farming Practice (UGFP) as a condition for participation in agri-environment measures and for support in Less Favoured Areas and Areas of Environmental Constraints is defined through these legal minimum requirements.

Usual Good Farming Practice:

Use (storage) of fertilisers, slurry and manure:

Nitrate (+ general rules of fertilisation):

- Fertilisers (with exception of farmyard manure) have to be approved. There are limits for inorganic and organic pollutants.
- For fertilising soil condition and nutrient content, mineralisation, nutrient requirements of the plants, preceding crops and use of organic manure have to be taken into account.
- Maximum amounts of fertiliser are 210 kg N/ha and year (from 2003 on: max. of 170 kg N from manure)
- Division of fertiliser doses: applications of soluble N fertiliser over 100 kg/ha/y have to be divided up (exception: on vegetable or root crops on soil with middle or high absorbance).
- Precise application of fertiliser is required. Suitable technical equipment has to be chosen, taking into account as well risk of compaction.
- For limitation of manure:
Till 18.12.2002 < 3.5 livestock units (LU)/ha arable land;
from 19.12.2002, according to the Nitrates Directive code, reduction of animals to < 2.7 LU/ha arable land. Keeping of more animals has to be approved according to water law.
- Fertilising on slopes: Liquid manure on bare soil only when there is no danger of run-off into watercourses and with immediate incorporation. On slopes > 20% fertilising only during vegetation period of before cultivation with crops.
- Keeping of buffer zones to watercourses (at least 2.5 m; on slopes > 35% at least 5m) and avoidance of fertiliser run-off into open water
- Fertiliser must not be applied on wet or snow covered, and not on frozen ground on slopes > 20% with risk of fertiliser run-off into watercourses.

Potassium and Phosphate: -

Pesticide use:

- Only approved plant protection products may be used.
- Use in accordance with label instructions
- For purchase of "poisonous" or "very poisonous" plant protection products farmers have to obtain an authorisation that proves the necessity of the application and that they are trained and reliable. The document has to be kept till up to 7 years after it lost its validation.
- Plant protection products may only be used by trained persons or under their supervision.

- Purchase and use of "poisonous" or "very poisonous" plant protection products have to be recorded.
- Rules for safe storage of "poisonous" or "very poisonous" plant protection products

Water Use (Irrigation): -

Soil protection:

Compliance with regional and local regulations for soil protection and waste management (with the objective to keep and enhance soil fertility through avoidance of discharge of pollutants, erosion and compaction of soil).

Examples:

Soil cover, tillage and cropping patterns: -

Use (storage) of sewage sludge and compost:

- Rules for application of sewage sludge
- Rules for application of slurry (specific regional limitations on amount, time and location in accordance with UGFP; e.g. no slurry in karst regions, on alpine pastures, or in the same year as sewage sludge)

Others (compaction, salinisation etc.):

- Avoidance of erosion and soil compaction (in areas at risk the local administration can order measures such as minimal tillage or soil cover, or recommends to minimise pressure on the soil)

Animal housing/Husbandry:

- Rules for quality of animal feedstuffs
- Ban on specific substances (e.g. hormones)

Landscape, Biodiversity: -

Farm Management: -

Verifiable standards for control:

- Till 18.12.2002 < 3.5 LU/ha arable land; from 19.12.2002, according to the Nitrates Directive code, reduction of animal to < 2.7 LU/ha arable land. Keeping of more animals has to be approved according to water law. (Control: administrative + on-the-spot checks);
- Fertilising on slopes: Liquid manure on bare soil only when there is no danger of run-off into watercourses and with immediate incorporation. On slopes > 20% fertilising only during vegetation period of before cultivation with crops (on-the-spot controls).

- Keeping of buffer zones to watercourses and avoidance of fertiliser run-off into open water (on-the-spot checks)
- Fertiliser must not be applied on wet, snow covered or frozen ground (on-the-spot checks).
- Only use of approved plant protection products (administrative procedure of application, on-the-spot checks)
- Use in accordance with label instructions (on-the-spot checks, although verifying of con-compliance is only possible when use happens at the same time)
- Authorisation for purchase of "poisonous" or "very poisonous" plant protection products (check of document)
- Plant protection products may only be used by trained persons or under their supervision (check of certificate)
- Rules for application of sewage sludge (report of suitability of soil and limits for amount and timing of application, certificate of sewage sludge with content of pollutants, delivery note, crop, time of application) (control of certificates, on-the-spot checks by appearance)
- Application of slurry: compliance with prohibitions and in accordance with need of N-fertilising (on-the-spot checks)
- Quality of animal feed (approval, labelling, contents, control of pollutants)(Control of process of approval, on-the-spot checks)
- Ban on specific substances in animal husbandry: Use or storage of hormones (on-the-spot controls, taking of samples in case of suspicion)

Agri-environment Programme (ÖPUL 2000) - Requirements for agri-environment measures:

The programme defines a “basic support measure”, with principles above UGFP but which are the prerequisite for other agri-environment measures. This “basic support measure” can only be taken in connection with other agri-environment measures. It sets out the following standards:

- Max. 2 LU/ha
- No conversion of grassland (with exceptions)
- Compliance with rules of fertilising (table in Annex)
- Maintenance of landscape elements
- Measures against erosion (e.g. in viticulture)
- Cereal or maize < 85% of arable land (if more than 2 ha arable land)

GFP as condition for LFA payments: Cultivation of a t least 2 ha in less favoured area and compliance with UGFP according to the Austrian Programme for Rural Development.

Control of GFP

For agri-environmental measures, 100% of applicants are subject to an administrative control of GFP. At least 5% of participants are controlled via on-the-spot checks based on environmental random selection (at least 1000 farms) and environmental risk-analysis. Controlling institution for rural development measures is "Agrarmarkt Austria" (AMA). Every participant has to keep any records concerning the respective rural development measures for 7 years.

Sanctions:

A catalogue of sanctions for non-compliance with the verifiable standards has been specified in the Rural Development Programme reaching from issuing of a warning to a reduction of payments of 20% up to 100% for the respective measure or all agri-environment measures. A farmer can be excluded from the agri-environment programme for the next year, if he makes deliberately false statements. Repeated breaches within the period of participation in an agri-environmental measure can accumulate and result in more rigorous sanctions. Beneficiaries of LFA support or within areas with environmental restrictions can be subject to a reduction of payments of 20 or 100% and farmers may be excluded from the programme for up to 5 years in severe cases.

For a breach of mandatory environmental requirements as well administrative fines are specified.

Horizontal measures:

According to Reg. (EC) 1259/1999, Article 3 Austria decided to implement special environmental requirements for set-aside arable land. Because of its importance for biodiversity, its possible role in crop rotation and the big area affected (10% of arable land) this measure was chosen as a horizontal measure.

Environmental requirements:

- Prohibition of application of fertilisers, waste waters, sewage sludge and composted waste on the set-aside area
- Prohibition of application of pesticides
- Specific cultivation measures to keep the area in a "satisfying agronomic condition"

This measure doesn't provide for a cut of premiums, but non-compliance constitutes an administrative offence and can be fined with up to 36.340 •.

The BMLFUW (2003) points out that because of the high participation in voluntary agri-environment schemes there is rising awareness of farmers concerning links between environmental problems and agricultural production so that non-compliance with the requirements is an exception.

Controlling institution is the "Agrarmarkt Austria" (AMA), which found 6 offences in 2002 against the requirements for setting aside areas of arable land. 3 farms didn't keep the set-aside land in "satisfying agronomic condition", 1 infringed upon the prohibition of using pesticides and 2 against application of fertilisers, waste waters, sewage sludge and composted waste. The farmers were reported to the responsible administrative body.

Austria is considering a broader extension of cross-compliance with general environmental requirements that orientate along good farming practice, but wants to wait for adaptations to the GAP as a result of the mid-term review.

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