

Act now and be prepared!

Will your unit comply with new NVZ regulations?

The new NVZ regulations are set to come into force on January 1, 2009. Could your herd fall foul of the new rules? Perhaps you're worried about the 'stocking rate' rule or may be future slurry storage capacity is causing a headache on your unit?

According to P&L Consulting's William Phillips, virtually every dairy unit included in the new NVZ regions – approximately 70% of England – will be effected by the new regulations, that will come into force on January 1, 2009 – just two months away. The revised legislation stipulates, among other rules, that all dairy units should have at least 22 weeks – about five months – of slurry storage by 2012 to meet new closed periods when slurry spreading is not permitted. There's also a maximum amount of animal nitrogen – 170kg/ha that can be spread on grassland. This is a major change from previous rules and will determine each farm's stocking rate.

“And it's the latter that is cause for concern for many herds – I'm just not seeing many units preparing to meet this rule,” says Mr Phillips. “Most are assuming a derogation will be

forthcoming that will allow a maximum nitrogen rate of 250kg/ha – the current limit.”

He says that some units have 'done their homework' and now have sufficient slurry storage capacity to meet the new regulations, but planning to meet the lower stocking rate of 170kgN/ha could prove tricky for many. “I believe that most will exceed that rate and will need to plan very carefully to make sure that sufficient acres are available to spread on, probably by exporting muck to arable neighbours or reducing stock numbers.

Derogation

Mr Phillips is concerned that many are unprepared and are banking on a derogation by the EU to allow a 250kg N/ha limit. DEFRA has applied for this derogation but even if the application is successful and the other member states approve it, it's likely to be the middle of

next year, at best, before the derogation can be put in place and past experience indicates that it could be much longer. This appears to leave a void with some awkward questions unanswered. The main one being how will the Environment Agency and the RPA interpret and enforce the rules, particularly if a derogation is not forthcoming.

A DEFRA spokesperson told Cow-Management that it had applied to the European Commission for a derogation. “We will know more about the timings when we get a response. We would also like to point out that many producers who are exceeding the limit would not have to account for it until the end of the year, even if the regulations begin in Jan 2009.

DEFRA adds that producers can reduce their headcount during the course of that year to make sure they are compliant by December 31, 2010. So it's not all bad news.

Paperwork

A derogation, however, is not as simple a solution as it sounds, as producers in Northern Ireland already know. The new regulations were brought into force there on January 1, 2008.

“Derogation requires a lot of paper work and most producers have chosen other ways to comply with the rules to avoid the extra work and hassle involved.”

So says Ulster-based producer David Wallace. He runs a 190-cow pedigree herd and 180 youngstock, in partnership with his wife Gloria and son Alan, at Ashdale Farm near Muckamore in Antrim, and chose to rent extra land to ensure that his unit complied with the 170kgN/ha stocking rate rule. The business now rents an additional 32 hectares, taking the unit's total size to 142 hectares, to reduce the stocking rate and avoid exceeding the nitrogen limit.

“We were lucky – there was land surrounding our farm that was available to rent and renting land is also relatively cheap at the moment, particularly compared to the cost of fertiliser,” says Mr Wallace. “So we were able to take what we thought was the best option to comply with the new regulations.”

It does have its downsides, not least that the Wallaces are renting land that, in their eyes, they don't really need. “But we are buying in less fertiliser and making better use of our slurry, so in that respect I guess the regulations are doing what they set out to do on our unit.”

Mr Wallace says that longer term he should also see some other benefits, such as improved soil fertility and, if fertiliser prices stay higher than rent, continued cost savings. “It's certainly sustainable in the long term with rents at between £245 and £320 per hectare.”

Most producers have opted for expanding their acreage. “But not all producers here in Northern Ireland were as fortunate as we have been and some have been forced to take the derogation route, which means more book work,” adds Mr Wallace.

Storage

Around 700 producers applied for derogation, but only approximately 250 are actually using it to comply with the rules – Mr Wallace says that the extra paperwork involved forced many to look for other methods of reducing their stocking rate.

As for slurry storage, he has increased the capacity at his unit. “We had enough for 4.5 months, so we opted to install another large tank, which has a cow house built on top of it. We now have capacity to store slurry for 28 weeks – we've more than we need to meet the regulations. And we need it because,

come February, we may not be able to spread slurry – conditions can be very wet here – and we don't want the additional stress of worrying about insufficient slurry storage capacity.” Stress is something that William Phillips believes will be on the menu come the new year for producers who fail to take steps now to ensure that their units meet the new regulations. “There will be many producer meetings that will outline their options when looking to comply with the many new regulations, including the one regarding stocking rate.

“For those who do have concerns, it's important to assess your unit and preferably make some contingency plans. If you need to decrease your stocking rate, seek advice. Don't leave it until the last minute as you could run into trouble.”

For more information about the changes to the NVZ regulations and details of free-to-attend producer meetings involving Natural England and the Environment Agency, being held during November, December and January, visit <http://www.crosscompliance.org.uk/cms/nvz>.

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