



Renewable Energy Directive: 'Partial Compliance' status advice sheet

During your annual Red Tractor Farm Assurance assessment, you have indicated that an area of your arable land is from an area of previously converted non-arable land, and that this conversion has been made since 1st January 2008.

Due to this you cannot sell a proportion of your crop equivalent to this land areas production to either a biofuel or bioliquid end market, nor can you sign the RED declaration on the post-harvest declaration form (grain passport) for this tonnage equivalent. To demonstrate you have fulfilled your obligation you need to ensure you keep certain records relating to the marketing of the relevant tonnage to show it has not been sold to a biofuel or bioliquid destination.

These requirements are in order to ensure you comply with the updated Red Tractor Farm Assurance Crops and Sugar Beet standards on Environmental Impact (EI) and in order to ensure you are complying with new legislation introduced under the renewable energy directive.

Sales to biofuel and bioliquid markets will be checked against total production from compliant land.

Farmers from a 'partially compliant farm' will need to demonstrate their sales to a biofuel or bioliquid market do not exceed the total production from compliant land.

In practice it will be easier to demonstrate that sales of their non-compliant crop tonnage were not sold to a biofuel or bioliquids market, by showing instead that it was sold to other destinations such as a food or feed intake.

Q: What tonnage of my crops are records required to be kept for?

A: Records should be kept for all crops grown but in particular you need to keep records to confirm the market destination of the equivalent tonnage produced on the area of land converted to arable production since 1st January 2008.

Q: Do I need to store this tonnage separately?

A: No, a mass balance can be carried out across the whole farm storage areas which means you do not have to segregate the storage.

You will however need to ensure you keep records which show where the equivalent tonnage has been sold to. You must not sign the grain passport declaration on RED compliance for the non-compliant crop tonnage.

Q: What records are needed?

Total area converted and equivalent crop tonnage should be indicated, and evidence provided during your annual audit that this tonnage has been sold to a non-biofuel or bioliquid end use.

Evidence such as contracts showing end use is not for biofuel or bioliquid, loading tickets where destination is recorded, post tipping information or other sources which indicates delivery point for the equivalent tonnage can all be used as evidence to show that the crop has not been sent for a biofuel or bioliquid end use.



Q: When do I sign the grain passport declaration?

A: For farms which have an area which has been converted into crop land since January 2008 (partially compliant) the passport must not be signed for an equivalent tonnage produced on that converted area.

In addition, these farms must maintain records of sales or delivery off farm to show that crops from such areas have not been marketed for biofuel or bioliquid use.

In addition to the audit check verifying land use as supplied under these new questions, farmers with any converted land areas who supply biofuel and bioliquid markets will have an additional check of their total crop sales to these markets.

Example: 'Partially RED compliant' farm

Six x 5ha fields. One field is from an area converted from permanent pasture in 2009.

- 4 fields of wheat = 160t wheat produced – 120t RED compliant 40t non-RED compliant
- 2 fields of OSR = 35t oilseed rape produced – all RED compliant
- 58t wheat sold to a flour mill – RED declaration on grain passport not signed for these 2 loads
- All remaining wheat & OSR can be sold as RED compliant as the farm has sent in excess of its non-RED compliant wheat to a non-biofuel/bioliquid market.

Typical records kept for red tractor audit:

- Copy of the sales contract for the 58t - kept as proof indicating contracted tonnage & non-RED use of grain (Milling wheat)
- Grain collection tickets showing destination and estimated tonnage.
- Payment advice/self billing invoice with actual tonnages & contract number/ref.

This is not an exhaustive list of records required; however, the farmer must be able to demonstrate, using verifiable records that at least 40t of wheat has gone to a non-RED destination.

