

The following guidance note has been produced by Defra and the National Institute of Agricultural Botany (NIAB) for grass seed crop producers, and covers the steps that are necessary where ELS buffer strip/grass margin management requirements need to be varied to maintain the statutory isolation requirements for a grass seed crop.

Management of ELS grass margins to achieve isolation requirements for grass seed crops

The statutory isolation requirements for grass seed crops may on occasion conflict with the Entry-Level Stewardship Scheme (ELS) requirements for management of grass margins*.

To avoid potential problems with the ELS requirements, grass seed growers with ELS grass margins should follow the guidelines below:

1. Reasonable steps must be taken to avoid isolation difficulties when establishing the ELS grass margin and when entering into a contract for the seed crop. This includes keeping a record of the species content of mixtures used for the grass margin to show that problem species were not sown. Attempts at co-operation with neighbours should be recorded even if the outcome was unsatisfactory.
2. Where a Defra licensed or official crop inspector issues an instruction for the ELS grass margin to be cut in order to meet the minimum requirements of the Fodder Plant Seed (England) Regulations 2002 (as amended), this will be recorded on the yellow NIAB form 'Instructions to Herbage Seed Growers'. Where grass margins are on a neighbour's land as well as the seed grower's, the yellow form will be accepted for both.
3. The yellow NIAB form must be retained as a record of the action taken and be made available to an RPA inspector in the event of a compliance inspection.
4. The seed grower must keep records of all appropriate action taken on their own land and on neighbour's land. These records should be available to Defra licensed and official crop inspectors and to RPA inspectors.
5. The field location of the seed crop and of the mown grass margins must be identified and traceable in seed certification records and RPA records.
6. The yellow NIAB form 'Instructions to Herbage Seed Growers' should be completed in sufficient detail to identify the fields involved. This can be achieved by recording the field number, field name or O.S. grid reference. The details can be given in a plan or text.
7. If there is any doubt about any of the foregoing details, contact Seed Certification at NIAB on 01223 342238 or 342200.

*Under ELS it is a requirement that, after the first year of the agreement, 2 m and 4 m buffer strips may only be cut to control woody growth, and not more than one year in five. With 6 m buffer strips, the 3 m next to the crop edge must be cut annually after mid-July but the remaining 3 m should be cut only to control woody growth and not more than one year in five.