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Federal Act on Agriculture (Agriculture Act, AgricA)

of 29 April 1998 (Status as of 1 March 2022)

*The Federal Assembly of the Swiss Confederation,
based on Articles 45, 46 paragraph 1, 102–104, 120, 123 and 147 of the Federal
Constitution^{1, 2}
and having considered the Federal Council Dispatch dated 26 June 1996³,
decrees:*

Title 1 General Principles

Art. 1 Aim

The Confederation shall ensure that, through sustainable, market-orientated production, the agricultural sector makes a significant contribution towards:

- a. the reliable provision of the population with foodstuffs;
- b. preserving natural resources;
- c. the upkeep of the countryside;
- d. encouraging decentralised settlement;
- e.⁴ guaranteeing animal welfare.

Art. 2 Federal measures

¹ The Confederation shall take measures, in particular:

- a. to create favourable conditions for the production and sale of agricultural products;

AS 1998 3033

¹ SR 101

² Amended by Annex No II 6 of the Foodstuffs Act of 20 June 2014, in force since 1 May 2017 (AS 2017 249; BBl 2011 5571).

³ BBl 1996 IV 1

⁴ Inserted by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS 2013 3463 3863; BBl 2012 2075).

- b.⁵ to pay for public and ecological services provided by farms through direct subsidies;
- b^{bis}.⁶ to promote the sustainable use of natural resources and animal and climate friendly production;
- c. to support the development of agriculture in a socially acceptable manner;
- d. to support structural improvements;
- e.⁷ to promote agricultural research and advisory services as well as plant and animal breeding;
- f. to regulate plant protection and the use of aids to production⁸.

² These federal measures are conditional on a reasonable degree of self-help and are coordinated with regional policy instruments.

³ They support a joint strategy for quality in agriculture and the food industry.⁹

⁴ They are based on the principle of self-sufficiency with regard to food, taking into account consumers' needs for high-quality, varied and sustainable domestic products.¹⁰

⁵ Support measures that are likely to distort competition to the detriment of trade and industry are excluded. Procedures are governed by Article 89a. The Federal Council regulates the details.¹¹

Art. 3 Definition and scope of application

¹ The term agriculture includes:

- a. products from arable and livestock farming;
- b. the preparation, storage and sale of the corresponding products on the farm;
- c. the management of areas of near-natural land.

^{1bis} The measures in Parts 5 and 6 apply to agricultural activities. They are conditional on an activity in line with the principle of paragraph 1, letters a–c.¹²

⁵ Amended by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

⁶ Inserted by No I of the FA of 22 June 2007 (AS **2007** 6095; BBl **2006** 6337). Amended by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

⁷ Amended by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

⁸ Term amended by No I of the FA of 20 June 2003, in force since 1 Jan. 2004 (AS **2003** 4217; BBl **2002** 4721 7234). This amendment has been made throughout the Act.

⁹ Inserted by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

¹⁰ Inserted by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

¹¹ Inserted by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

¹² Inserted by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

² The measures in Part 2 Chapter 1 and those indicated in Parts 5 to 7 apply to horticultural businesses.¹³

³ The measures in Part 2 Chapter 1, Part 5 and Part 7 Chapter 2 apply to professional fishing and fish farming.

⁴ The measures listed in Part 2 Chapter 1, Part 6 and Part 7 Chapter 2 apply to bee-keeping.¹⁴

Art. 4 Difficult production and living conditions

¹ Difficult production and living conditions, in particular in mountain and upland areas, must be adequately taken into account in the application of this Act.

² The Federal Office for Agriculture (FOAG) shall divide all farmed land into zones according to the degree of difficulty and keep a production register.¹⁵

³ The Federal Council shall set the criteria for determining such zones.

Art. 5 Incomes

¹ The measures in this Act aim to ensure that farms run on a sustainable basis and which are economically efficient can achieve incomes over a period of several years that are comparable to incomes in other sectors in the same region.

² If incomes fall clearly below a comparable level, the Federal Council shall introduce temporary measures to improve the situation.

³ Other branches of trade and industry, the economic situation of workers outside the agricultural sector and the state of the federal coffers must also be taken into account.

Art. 6 Framework for payments

Funding for the most important areas of activity shall be approved for a maximum period of four years on the basis of a Federal Council dispatch with a simple federal decree.

Title 2 General Conditions for Production and Sales

Art. 7 Principle

¹ The Confederation shall draw up general conditions for the production and sale of agricultural products so as to ensure that the agricultural sector can operate sustaina-

¹³ Amended by No I of the FA of 22 June 2007, in force since 1 Jan. 2008 (AS 2007 6095; BBl 2006 6337).

¹⁴ Inserted by No I of the FA of 22 June 2007, in force since 1 Jan. 2008 (AS 2007 6095; BBl 2006 6337).

¹⁵ Amended by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS 2013 3463 3863; BBl 2012 2075).

bly and cost-efficiently while at the same time achieving maximum market prices from the sale of its products.

² At the same time it shall take into account the necessity for product safety, consumer protection and reliable food supplies for the country.¹⁶

Chapter 1 General Economic Provisions

Section 1 Quality, Sales Promotion and Market Relief

Art. 8 Self-help

¹ Producers' organisations or the corresponding branches are responsible for promoting quality and sales, as well as for ensuring that production and supply are adapted to the demands of the market.

^{1bis} The branch organisations may draw up standard contracts.¹⁷

² A branch organisation is an association of producers of individual products or product groups with processors and, in some cases, with traders.

Art. 8a¹⁸ Guideline prices

¹ The organisations of producers of individual products or product groups or the corresponding branches may publish guideline prices at a national or regional level to which suppliers and buyers have agreed.

² Guideline prices must be set according to different levels of quality.

³ No individual business may be forced to comply with guideline prices.

⁴ No guideline prices may be set for retail sales.

Art. 9¹⁹ Support for self-help measures

¹ Insofar as self-help measures mentioned in Article 8 paragraph 1 come under threat from businesses that do not comply with the collectively agreed measures, the Federal Council may introduce regulations if the organisation:²⁰

- a. is representative;
- b. is not active in production, processing or sales;
- c. has approved the self-help measures by a clear majority.

¹⁶ Amended by No I of the FA of 20 June 2003, in force since 1 Jan. 2004 (AS **2003** 4217; BBl **2002** 4721 7234).

¹⁷ Inserted by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

¹⁸ Inserted by No I of the FA of 20 June 2003, in force since 1 Jan. 2004 (AS **2003** 4217; BBl **2002** 4721 7234).

¹⁹ Amended by No I of the FA of 20 June 2003, in force since 1 Jan. 2004 (AS **2003** 4217; BBl **2002** 4721 7234).

²⁰ Amended by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS **2013** 3463 3863; BBl **2012** 2075).

² The Federal Council may oblige non-members of an organisation to contribute towards funding self-help measures mentioned in Article 8 paragraph 1 if the conditions outlined in paragraph 1 are met and the organisation receives contributions from its members for funding self-help measures. Such contributions may not be used to cover the organisation's administrative expenses.²¹

³ With regard to adapting production and supply to market demand, the Federal Council may issue regulations solely in case of exceptional developments that are not caused by structural problems.²²

⁴ Products sold directly to the public may not be made subject to the regulations mentioned in paragraph 1, and farmers who sell direct to the public may not be made liable for contributions under paragraph 2 based on the volume of products thus sold.

Art. 10²³ Quality regulations

The Federal Council may issue regulations on quality as well as on the methods used to obtain agricultural products and their processing if such regulations are required for their export or for compliance with Switzerland's international obligations or with international standards that are important for Swiss agriculture.

Art. 11²⁴ Improving quality and sustainability

¹ The Confederation shall support joint measures adopted by producers, processors or traders that are aimed at improving or ensuring the quality and sustainability of agricultural products and goods processed from them, as well as of processing methods.

² Such measures must:

- a. promote innovation or cooperation throughout the product chain;
- b. foresee the participation of producers and be first and foremost of benefit to them.

³ Support may be provided in particular for:

- a. preliminary studies;
- b. the initial implementation of the measures;
- c. the inclusion of producers in projects aimed at improving quality and sustainability.

⁴ The Federal Council shall draw up requirements for such support.

²¹ Second sentence inserted by No I of the FA of 22 June 2007, in force since 1 Jan. 2008 (AS 2007 6095; BBl 2006 6337).

²² Amended by No I of the FA of 22 June 2007, in force since 1 Jan. 2008 (AS 2007 6095; BBl 2006 6337).

²³ Amended by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS 2013 3463 3863; BBl 2012 2075).

²⁴ Amended by No I of the FA of 22 March 2013, in force since 1 Jan. 2014 (AS 2013 3463 3863; BBl 2012 2075).