



THE DEPARTMENT OF  
**AGRICULTURE, FISHERIES & FOOD**  
AN ROINN TALMHAÍOCHTA, IASCAIGH AGUS BIA



## TERMS AND CONDITIONS

# ANIMAL WELFARE, RECORDING AND BREEDING SCHEME FOR SUCKLER HERDS

**Introduced by**

**The**

**Minister for Agriculture, Fisheries and Food**

**DATE: 01 January 2008**

All details of this Scheme may be accessed on the Department of Agriculture, Fisheries and Food website at  
<http://www.agriculture.gov.ie/> Animal Welfare, Recording and Breeding Scheme for Suckler Herds

## 1. General Outline and Legal Basis

- 1.1. These are the administrative provisions for the implementation of the Animal Welfare, Recording and Breeding Scheme for Suckler Herds in Ireland which has been approved by the European Commission.
- 1.2. This Scheme is based on and is to be implemented under Articles 40 of Council Regulation 1698/2005 and IV.C of Community Guidelines for State Aid in the Agriculture and Forestry Sector 2007-2013 (2006/C 319/01).

The Scheme will run for a maximum of **five years** from 01 January 2008 until 31 December 2012.

## 2. General Provisions

- 2.1 The Scheme shall be administered by the Department of Agriculture, Fisheries and Food and shall operate throughout the State.
- 2.2 The Scheme is 100% funded by the National Exchequer.
- 2.3 The Scheme will come into operation as and from 01 January 2008. An application to join the Scheme for a full **five year** contract will be accepted up until 31 March 2008. **However, a currently active suckler cow farmer who does not apply to enter the Scheme from year 1 (2008) will not be allowed enter the Scheme in any of the subsequent four years.**
- 2.4 Participants in the Scheme must carry out their farming activities in accordance with the conditions set out hereunder.
- 2.5 Participation in the Scheme is voluntary.

## 3. Definitions

For the purpose of this Scheme:

- (a) "the Department" shall mean the Department of Agriculture, Fisheries and Food;
- (b) "Minister" shall mean the Minister for Agriculture, Fisheries and Food;
- (c) "family member" shall mean spouse, parent, brother, sister, son, daughter, grandchild or favoured nephew/niece;
- (d) "farmer" shall mean an individual agricultural producer, whether a natural or legal person or a group of natural or legal persons, whatever legal status is granted the group and its members by National law, whose holding is within the State;
- (e) "holding" shall mean all the production units in the State managed by a producer and includes the total area of land whether in one or more parcels including buildings thereon, occupied by a farmer, whether owned, taken on lease, rented or otherwise held for the purpose of farming;
- (f) "Applicant" shall mean a farmer who submits an application for the Animal Welfare, Recording and Breeding Scheme for Suckler Herds. An applicant may submit only **one** such application in relation to his/her holding;
- (g) "New entrant" shall mean an applicant who does not have suckler cows in 2008 and commences/re-commences keeping suckler cows for the rearing of calves in 2009 or the subsequent years of the Scheme;
- (h) "Application" shall mean an application for a contract under the Scheme in accordance with the Terms and Conditions set out herein;
- (i) "ICBF" shall mean the Irish Cattle Breeding Federation;
- (j) "Animal Events System" shall mean the recording system as operated by the Irish Cattle Breeding Federation (ICBF);
- (k) "CMMS" shall mean the electronic bovine database of the Cattle Movement Monitoring System;
- (l) A "suckler cow" shall mean any cow for which payment has been requested and which belongs to a beef breed or is born of a cross with a beef breed;
- (m) An "eligible suckler cow" shall mean a suckler cow which:
  - Belongs to a beef breed, or is sired by a beef breed.
  - Is not a cow used to supply milk commercially.
  - Is part of a herd intended for rearing calves for meat production.
  - Rears a calf by suckling.
  - Is in the ownership and possession of the applicant, and maintained on the holding.
  - Is properly tagged, registered and recorded in accordance with CMMS rules.

- Is inseminated either through normal service or AI, to a bull of a beef breed.
- Calves after the date of receipt of the application by the Department.
- Gives birth to a calf (dead or alive) in the applicants herd and, is tagged and registered to that cow.

Measures 1-6 must be completed on all live calves born to an eligible suckler cow, and all calves reared by that cow.

- (n) A “beef breed” shall mean any breed except the following: Angler Rotvieh (Angeln)-Rod-dansk maelkerace (RMD), Ayrshire, Armoricaine, Blue Albion, Bretonne Pie-Noire, Brown Swiss, Fries-Hollands (FH), Francaise frisonne pie noire (FFPN), Friesian-Holstein, Holstein, Black and White Friesian, Red and White Friesian, Frisona Espanola, Frisona Italiana, Zwartbonten van Belgie/Pie noire de Belgique, Sortbroget dansk maelkerace (SDM), Deutsche Schwarzbunte, Schwarzbunte Milchrasse (SMR), Groninger Blaarkop, Guernsey, Jersey, Malkekorthorn, MRI, Normande, Norwegian Red, Swedish Red, Danish Red, Rotbunte, Reggiana and Valdostana Nera, Itasuomenkarja, Lansisuomenkarja and Pohjoissuomenkarja.
- (o) “Teagasc” shall mean The Irish Agriculture and Food Development Authority.
- (p) “Scheme” shall mean the Animal Welfare, Recording and Breeding Scheme for Suckler Herds.

#### 4. Objectives of Scheme

The objectives of the Scheme shall be to:

- Enhance welfare standards for animals produced from the suckler cow herd.
- Improve husbandry standards at weaning time leading to reduced illness and mortality and enhanced health of the National herd.
- Provide education and knowledge building among farmers on best practice in suckler herd health and welfare.
- Improve the genetic quality of the National suckler herd.
- Improve the competitiveness of the Irish beef industry and the quality of the beef produced.

#### 5. Conditions for the Grant of Aid

Payments shall be made in respect of a valid application submitted by a farmer who, for the full term of their participation in the Scheme farms in compliance with:

- The Terms and Conditions set out in this document
- The statutory management requirements set down in EU legislation on animal health and welfare. These requirements have been set out in documents posted to farmers in 2005 and 2006, and are available on the Department's website <http://www.agriculture.gov.ie/>

#### 6. Application Procedure

The application procedure shall be as follows:

- The Department will issue an application form to all known potentially eligible farmers.
- Farmers who do not receive this form from the Department may complete a blank application form.
- An application form must be lodged with the Department before the first calf is born in the herd in 2008.
- All calves born under the Scheme must be registered using the Animal Events System.
- The closing date for lodging the application form will be 31 March 2008.
- The application form must be completed by the farmer and be submitted to the Suckler Herds Section, Department of Agriculture, Fisheries and Food, Government Offices, Old Abbeylax Road, Portlaoise, Co. Laois.
- The applicant will be requested to rectify any deficiencies outlined and if this is done satisfactorily within 21 working days of that request, the application will be reinstated and processing will recommence. Applications which are deemed ineligible will be rejected.

## 7. Eligibility

To be eligible to participate in the Scheme, a farmer shall:

- Be aged eighteen years or over,
- Be farming a holding for which all land parcels will be declared every year of the contract under the EU Single Payment Scheme.
- Undertake to implement, for the full term of the Scheme, Measures 1 to 6 on all eligible suckler cows and the calves they are suckling kept on his/her holding. Payment shall be limited to a maximum of 100 eligible suckler cows kept by the applicant. However, the requirements of the Scheme apply to all suckler cows, and calves reared by those cows (whether born on the farm or bought in) kept on the holding. Measure 7 shall also be compulsory.
- Record all details of each undertaking in each Measure through the Animal Events System.

## 8. Measure - Calving details

Each calf must be registered using the ICBF Animal Events System. An Animal Events Book will be issued to each applicant once the application form is lodged. It will also be possible to record this information using the internet. Details of sire of calf and calving survey must be recorded in addition to the mandatory calf registration data for each calf born.

### 8.1 Measure 1 - Calving details

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### 8.2 Measure 2 - Disbudding of calves

10. Veterinary advice is that all calves should be treated with a local anaesthetic when disbudding. Local anaesthetic may be obtained on prescription from veterinary surgeons. It is illegal to disbud a calf over 2 weeks old without using a local anaesthetic. Disbudding of calves must be carried out within 3 weeks of birth, except where the horn buds do not emerge within this period, or for animals that are naturally polled.

A custom-built calf-dehorning crate should be used to minimise stress to the calf and for optimum safety to the operator.

Date of Disbudding must be recorded in the Animal Events System.

### 8.3 Measure 3 - Castration of calves

It is not compulsory to castrate all male calves under this Scheme. However, where calves are going to be castrated, they must be castrated at least four weeks prior to weaning date, or at least two weeks after the calf has been weaned. It is illegal to castrate an animal over six months of age without veterinary involvement. Evidence of completion of this task by a Veterinary Surgeon may be requested by the Department.

It is recommended that castration be undertaken at the earliest possible age to minimise stress.

Date of Castration must be recorded in the Animal Events System.

### 8.4 Measure 4 - Minimum calving age

The average age of heifers calving for the first time must be 24 months, and in no circumstances will an animal calving for the first time at less than 22 months of age be eligible for payment. However, there will be a tolerance, depending on the size of the herd, for heifers calving for the first time between 22 months and up to 24 months of age.

### 8.5 Measure 5 - Appropriate weaning procedures

The minimum age that a calf can be weaned as part of this Scheme is **eight weeks** of age.

This Measure is comprised of three different actions:

#### 8.5.1 Meal (concentrates) feeding

Concentrates must be introduced to calves a minimum of 4 weeks before weaning. The meal shall be of the appropriate quality and standard as required for calves at weaning time. Meal must be fed in a feeder appropriate for calves and allow sufficient room for calves to feed. The daily allowance per animal must be increased over this period until all animals are eating, on average, 1.0 kg/head/day at weaning. Meal feeding must be continued through the weaning process for a minimum period of 2 weeks after weaning.

#### 8.5.2 Graduated weaning

Abrupt weaning of all animals at the one time is not permitted.

For herds with more than 10 suckler cows, a gradual weaning procedure must be followed when weaning, with the following being the procedures permitted;

**At pasture:** The herd of cows and calves are retained in a properly fenced field with a good grass supply (or with supplementary forage provided) and with a concentrate creep for the calves. Calves must be weaned in at least two separate groups with each group being removed at a minimum interval of five days. The first group of cows must be removed allowing their calves to stay with the remaining herd. Another method is to separate cows and calves by means of a well-powered electric fence (up to three strands may be needed). After a few days the cows can be taken away to another area. Again the cows must be weaned in at least two separate groups.

**Indoors:** Calves are housed in a pen adjacent to the cows with access to these cows. Calves must be weaned in at least two separate groups with each group being removed at a minimum interval of five days. The first group of cows must be removed allowing their calves to stay with the remaining herd. Cows for culling and those in poor body condition (e.g. young cows or very old cows) should be weaned first and late calving cows in good body condition weaned towards the end.

**Date of weaning must be recorded in the Animal Events System.**

### 8.5.3 Sales procedure

All animals must have been weaned a minimum of 2 weeks before they can be sold, or moved from the herd.

## 8.6 Measure 6 - Animal Events Recording

Applicants must complete and submit all the information as required in the Animal Events system through the ICBF. This also includes all data for each Measure in this Scheme. This data may be either submitted in paper form by post, or over the internet. The recording and submitting of animal events information must be completed according to the schedule set out in the Animal Events System.

## 8.7 Measure 7 - Training and Education

**8.7.1** It shall be mandatory for an approved applicant to attend a suitable training course before reaching the end of their second year in the Scheme. However, a person who is under 35 years of age on 01 January 2008 and who holds at least a National Framework of Qualifications (NFQ) Level 6 Agricultural Qualification or equivalent will not have to complete Measure 7 of the Scheme. Failure to attend within the period specified may result in third and subsequent years' payment being withheld until such time as satisfactory evidence is provided that a training course has been completed by the beneficiary. If the applicant is unable to attend, a family member who is actively involved in the management of the Suckler herd may attend the course.

**8.7.2** In the case of joint applications either participant may attend the course, but he or she must attend the whole course.

**8.7.3** Training courses shall be for a specified duration as set down by the Minister.

**8.7.4** The course shall be devised in accordance with conditions set down by the Minister or an officer authorised on the Minister's behalf. Courses may include an on-farm visit/other demonstration for practical demonstration purposes.

## 9. Payments under the Scheme

An annual payment of €82 (where the applicant is reporting the animal events online) or €80 (where animal events are reported manually) per eligible suckler cow up to a limit of 100, will be made following confirmation of compliance with all the undertakings of the Scheme. It is permitted to vary the number of cows on the applicant's holding from year to year in the Scheme.

## 10. Compliance Checks

To enable the Department to verify the accuracy of information submitted by applicants, application forms will be subject to administrative checks, controls through the CMMS, Animal Events System, mart inspections and on-farm inspections. By submitting a completed application the applicant agrees thereby to permit officials or agents of the Department to carry out on-farm inspections with or without prior notice at any reasonable time(s) and without prejudice to public liability. Applicants must:

- 10.1 Where notified of an on-farm inspection arrange to be present for the inspection or nominate a representative in his/her place to assist the inspecting officer;
- 10.2 Segregate and present separately for inspection the animals the subject of this Scheme together with their passports;
- 10.3 Provide proper handling and disinfecting facilities;
- 10.4 Arrange for sufficient help to be given to the inspecting officer(s) so that each animal is restrained and controlled sufficiently so as to facilitate inspection;
- 10.5 Answer all relevant queries arising and produce any relevant documentation requested at or after inspection without delay;

Every inspection will be the subject of a report and the applicant or his/her representative will be given an opportunity to sign the report indicating his/her presence at the inspection and to add his/her observations if he/she so wishes. Unannounced inspections may also be required in certain circumstances. If an applicant has been selected for an inspection, the inspection must be completed.

## 11. Right of Entry

- 11.1. The Minister reserves the right to carry out inspections at reasonable times of any land, premises, plant, equipment, livestock and records of applicants in this Scheme. Inspections may be carried out during the course of the Scheme or within 3 months following the applicants completion in the Scheme.
- 11.2. Failure to allow an inspection by the Department to proceed may lead to withholding or recovery of any aid. If an on-farm inspection cannot be carried out through the fault of the applicant, the application shall be rejected unless an instance of *force majeure* applies.

## 12. Penalties

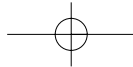
- 12.1. Failure to comply with the Measures in the Scheme will result in an appropriate penalty/sanction.
- 12.2. Monetary penalties, which shall apply to certain specific breaches of the Scheme, will apply.
- 12.3. Penalty amounts may be deducted from future payments due to the applicant under this Scheme or from payments due under other schemes. Where monetary penalties are not paid or recovered within the period requested, the Department may take whatever action is deemed necessary for their recovery.
- 12.4. Serious breaches of the Scheme may lead to the termination of participation and/or exclusion from the Scheme for a period commensurate with the seriousness of the breach, and the refund of monies already paid.
- 12.5. Administrative penalties shall be applied for late lodgement of the application form within the necessary timeframe as follows; except in cases of *force majeure*, a penalty of 1% loss in payment per working day will apply to applications lodged after the deadline for receipt of such application. If the delay amounts to more than 25 calendar days, the application shall be deemed inadmissible and no aid shall be granted in respect of applications received on/after 26 April 2008.
- 12.6. Where residues of substances prohibited under Council Directive 96/22/EC or residues of substances authorised by that Directive but used illegally are detected pursuant to Council Directive 96/23/EC in an animal belonging to an applicants bovine herd or are found on the holding in any form or where the applicant obstructs an investigation concerning such residues, he/she shall not receive any Animal Welfare, Recording and Breeding Scheme for Suckler Herds payment for the calendar year of such detection, finding or obstruction. Where he/she repeat such an infringement, he/she may be excluded from Animal Welfare, Recording and Breeding Scheme payment for up to five years from the year in which the repeated infringement was discovered.
- 12.7 Penalties will apply for non-compliance with the Terms and Conditions of the Scheme.

## 13. Appeals

In cases where non-compliance penalties are applied, applicants will be given twenty one working days after formal notification by the Department, in which to review, in writing to the Department of Agriculture, Fisheries and Food and give reasons why any penalty imposed should not be applied. The applicant will be informed of the outcome of the review in writing. This is without prejudice to an applicant's rights under the Agriculture Appeals Act, 2001.

## 14. Responsibility of Applicant

- 14.1. It shall be the responsibility of the applicant to familiarise him/herself with the Terms and Conditions of the Scheme, return completed forms when required, and be aware of the consequences for breaches of the Scheme. In the event that the Department does not receive documents, a Swiftpost receipt or proof of delivery will be required as proof of postage for documents.
- 14.2. The approval or payment of aid under the Scheme does not imply the acceptance by the Minister of any responsibility as regards the obligations undertaken by the applicant in this Scheme.



## 15. Failure to abide by the Terms and Conditions of the Scheme

- 15.1. Where, for the purposes of obtaining payment under this Scheme, the applicant(s) knowingly make(s) a false or misleading statement or withholds essential information, his/her/their participation in the Scheme may be terminated and all or part of the aid paid shall be reimbursed. The Minister reserves the right to offset such amounts against other monies payable by the Department under other schemes to the applicant in such cases. The Minister also reserves the right to exclude such a person from further participation in the Scheme for such period as shall be determined.
- 15.2. Where a beneficiary fails to abide by the Terms and Conditions of the Scheme or if there is any material change in the circumstances of the applicant which would be in conflict with the letter or the spirit of the Scheme, his/her/their participation in the Scheme may be terminated and all or part of the aid paid shall be reimbursed. The Minister also reserves the right to offset such amounts against other monies payable by the Department to him/her/them.
- 15.3. The obtaining of aid or the attempt to obtain aid under the Scheme by fraudulent means by the applicant(s) or others acting alone or together may render such persons liable to prosecution.
- 15.4. Where an applicant conspires with other persons to obtain aid under the Scheme by fraudulent means, he/she shall be excluded from the Scheme.

## 16. Review of Financial Aid

The Minister reserves the right to vary the Financial Provisions under this Scheme.

## 17. Force Majeure

Where an applicant(s) is unable to meet certain Scheme conditions for reasons beyond his/her/their control a case of *force majeure* may be made in writing to the Department, together with relevant supporting documentation, within 10 working days of the applicant(s) being in a position to notify the facts, whereupon, after due consideration, the relevant Scheme conditions may be waived or modified with the Department's prior approval. The circumstances under which *force majeure* may be considered include (without prejudice to the generality of the foregoing):

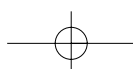
- Death of applicant.
- Serious illness/incapacity of the applicant (supported by medical evidence).
- Compulsory acquisition of all or part of the agricultural holding, which was not anticipated on joining the Scheme.
- A natural disaster.
- The accidental destruction of livestock and/or farm buildings on the holding.
- An outbreak of disease affecting animals on the holding, e.g. slaughter under the disease eradication schemes.
- An order of Court for separation or divorce resulting in the land subject to the Scheme having to be divided or sold where as a result the conditions of the Scheme cannot be met.
- Other Court Order.

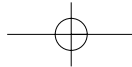
## 18. Procedures

The Minister may lay down the procedures to be followed in the operation of this Scheme and reserves the right to alter these procedures from time to time.

## 19. Conditions of Approval

Every approval under this Scheme shall be subject to conditions laid down by the Minister, which must be complied with in full by the applicant(s). The Minister may at any time lay down further conditions under this Scheme, which will be published in the farming press and also notified to each participant.





## 20. Monitoring and Evaluation

Monitoring and evaluation of the Scheme shall be carried out by the Minister to determine the effectiveness of the Scheme.

## 21. Information and Data Protection

The Minister reserves the right to make public information regarding the number of applicants, number of eligible animals etc, and to make information available to other Government Departments and/or Agencies for the purpose of implementing National legislation.

## 22. Interpretation

The Department may expand upon, explain, interpret or define the meaning of any aspect of the Terms and Conditions of the Scheme.

## 23. Safety during operation of the Scheme

Applicants are advised of the need to acquaint themselves with the provisions of the Safety, Health and Welfare at Work Act, 2005.

## 24. Withdrawal from the Scheme

An applicant may withdraw from the Scheme following the completion of all Measures and receive payment for that year provided written notification arrives in the Department indicating withdrawal prior to 31 March of the following year. Where an applicant withdraws from the Scheme during the course of a year and all Measures have not been completed, no payment will be made for that year. An applicant who withdraws from the Scheme will not be re-admitted.

## 25. Joining the Scheme in the second and subsequent years

If an applicant(s) wishes to join the Scheme from the second (2009) and subsequent years as a new entrant, he/she must lodge an application on/before 31 March 2009, on/before 31 March 2010 etc. Cows that calve before the date of receipt of the application will not be eligible for payment in respect of the calves born before that date. An applicant(s) who withdraws from the scheme will not be re-admitted.

## 26. Death of applicant

Where an applicant dies within the period of the Scheme, *force majeure* may be applied terminating the agreement and no reimbursement of aid shall be sought in respect of the current or previous contract years, unless the person(s) to whom the holding is transferred undertakes in writing to honour the remainder of the five-year contract. Where the holding is transferred by gift or inheritance, an application under the Scheme by the new applicant(s) may be taken as a transfer of the five-year contract. Leases between family members may meet this undertaking.

