

TERMS AND CONDITIONS

2014 BEEF GENOMICS SCHEME
(BGS)

2014 Beef Data Programme (BDP)

Introduced by

The

Minister for Agriculture, Food and the Marine

All details of this Scheme may be accessed on the Department of Agriculture, Food and the Marine website at [http://www.agriculture.gov.ie/under Farmer Schemes and Payments \(Beef Genomics Scheme/Beef Data Programme\)](http://www.agriculture.gov.ie/under_Farmer_Schemes_and_Payments_(Beef_Genomics_Scheme/Beef_Data_Programme))

1. General Outlines

These are the provisions governing the implementation of the Beef Genomics Scheme (BGS) and Beef Data Programme (BDP) for suckler producers in Ireland for 2014. The specific requirements for BGS are at **page 7** and BDP at **page 9**.

2. General Provisions

- 2.1 The Schemes shall be administered by the Department of Agriculture, Food and the Marine and shall operate throughout the State.
- 2.2 The closing date for receipt of applications for each Scheme is 4 April 2014.
- 2.3 Participants in these Schemes must adhere to the Terms and Conditions set out in this document.
- 2.4 These Schemes are open to all farmers who have beef breed animals born in their herd between 1 January 2014 and 31 December 2014.
- 2.5 Participation in the BGS is voluntary. However an applicant must be a participant in the Beef Data Programme 2014 to be eligible to participate in the Beef Genomics Scheme.

3. Definitions

For the purpose of these Schemes:

- (a) “**The Department**” shall mean the Department of Agriculture, Food and the Marine.
- (b) “**Minister**” shall mean the Minister for Agriculture, Food and the Marine.
- (c) “**Farmer**” shall mean a natural or legal person, or a group of natural or legal persons, whatever legal status is granted to the group and its members by national law, whose holding is situated within Community territory, as defined in Article 299 of the Treaty, and who exercises an agricultural activity.
- (d) “**Holding**” shall mean all the production units managed by a farmer during 2014 and situated within the territory of the same Member State.
- (e) “**Applicant**” shall mean a farmer who submits an application for the Beef Genomics Scheme and/or Beef Data Programme. An applicant may submit only **one** such application in relation to his/her holding for each Scheme.
- (f) “**Herdowner**” or a person, who has applied for a herdnumber, means the nominated company or entity or person(s) associated with a specific herdnumber to whom any payments are made. The "keeper" role is classified as a non-financial role and therefore it is not possible to make payments to “keepers”.
- (g) “**Application**” shall mean an application for a contract under the BGS and BDP Schemes in accordance with the Terms and Conditions set out herein.
- (h) “**ICBF**” shall mean the Irish Cattle Breeding Federation.
- (i) “**AHI**” shall mean Animal Health Ireland.
- (j) “**BGS**” shall mean Beef Genomics Scheme.
- (k) “**BDP**” shall mean Beef Data Programme.
- (l) “**BVD**” shall mean Bovine Viral Diarrhoea.
- (m) “**PI**” shall mean an animal persistently infected with the BVD virus.
- (n) “**Genotyping**” shall mean the analysis of tissue/hair/blood samples in a Laboratory approved by the Department for the purposes of this scheme, and which results in a Genomic breeding value being calculated by ICBF.
- (o) “**Sample**” shall mean hair, tissue or blood taken for the purposes of this scheme for

- subsequent laboratory analysis.
- (p) “**Tag**” shall mean a tag supplied by a supplier approved by the Department for the purposes of registering the animal.
- (q) “**BVD tag**” shall mean a tag supplied by a supplier approved by the Department for the purpose of collecting tissue for BVD testing.
- (r) “**BGS tag**” shall mean a tag supplied by a supplier approved by the Department for the purpose of collecting tissue for BGS testing.
- (s) “**Hair card**” shall mean a hair card which may be supplied to each participant by ICBF for the collection of hair samples for BGS testing from stock bulls.
- (t) “**Blood test**” shall mean a blood sample taken for subsequent laboratory analysis for the purposes of this scheme.
- (u) “**Stock bull**” shall mean a beef breed bull in the herd of a participant which is nominated by ICBF for sampling in this scheme.
- (v) “**AIM**” shall mean the Department’s Animal Identification and Movement system.
- (w) “**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, Normande, Norwegian Red, Swedish Red, Danish Red, Reggiana and Valdostana Nera, Itasuomenkarja, Lansisuomenkarja and Pohjoissuomenkarja.

4. Eligibility

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

- Be aged eighteen years or over.
- Be a registered herd owner **or** have applied for a herd number.
- Be farming a holding for which all land parcels are declared under the EU Single Payment Scheme and on which an SPS application is submitted to the Department.
- Have beef breed animals born in the herd between 1 January 2014 and 31 December 2014.

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 AIM rules. **EC Regulation 1760/2000 refers.**
- Is inseminated either through natural service or AI, to a bull of a beef breed.

- Gives birth to a calf (dead or alive) in the applicants herd and is tagged and registered to that cow in accordance with EU Regulation 1760/2000.

An “**eligible beef breed calf**” shall mean a calf which:

- Belongs to a beef breed, i.e. is born out of an eligible Suckler Cow and is sired by a beef breed bull.
- Is part of a herd intended for rearing calves for meat production.
- Is in the ownership and possession of the applicant, and maintained on the holding.
- Has been tagged and registered with the Departments Registration Agency, Clonakilty, Co. Cork within 27 days of birth in accordance with EU Regulation 1760 / 2000. It is not sufficient to post the registration form on day 27. Failure to register a calf within 27 days of birth will result in the animal being ineligible for payment for both Schemes. It is the farmer’s responsibility to ensure that the registration is received by the Registration Agency within 27 days of birth.
- Has had BVD samples sent to the laboratory within 27 days of birth.

5. Application Procedure

The application procedure shall be as follows:

The application form must be completed and signed by all parties to the herdnumber and submitted to the Beef Schemes Section, Department of Agriculture, Food and the Marine, Government Offices, Old Abbeyleix Road, Portlaoise, Co. Laois by 4 April 2014. Any applications not received at this address will not be accepted.

Only one form is required to apply for both Schemes, however, you must indicate using the tick boxes the Schemes under which you are applying.

You can apply to join the BDP Scheme and/or the BGS Scheme. **However to be eligible to participate in the BGS Scheme you have to be a participant in the BDP Scheme.**

You may submit your application online. If you are not already registered for the Department’s online services you will need to register first at www.agfood.ie

The closing date for receipt of the application form will be 4 April 2014.

6. 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 AIM, on farm inspections and at the offices of ICBF and as considered appropriate by the Department. The Department may carry out on-farm inspections with or without prior notice at any reasonable time(s) and without prejudice to public liability.

7. Penalties

Failure to comply with the Commitments in the Schemes will result in an appropriate penalty/sanction.

Monetary penalties will be applied for certain specific breaches of the Scheme.

Penalty amounts may be deducted from 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.

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.

A penalty of 1% reduction in payment will be made for each working day that the application is late to applications received after the closing date. 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 or after 30 April 2014.

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 applicant's 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 beef schemes payments for the calendar year of such detection, finding or obstruction. Where he/she repeats such an infringement, he/she may be excluded from participation in beef schemes.

8. Responsibility of Applicant

It is the responsibility of the applicant to familiarise him/herself with the Terms and Conditions of the Schemes, return all completed forms within the required timeframe, and be aware of the consequences for breaches of the requirements of the Schemes. In the event that the Department or its agents do not receive documents sent by post, the applicant will be required to produce the Swift Post receipt as proof of postage.

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 these Schemes.

9. Force Majeure

“Force Majeure/exceptional circumstances” means circumstances which could not have been foreseen by a prudent producer and which could not be circumvented or prevented by him/her, or, if so, could only be done at unreasonable excessive cost. A claim of force majeure must be lodged in writing with the Department, along with the relevant supporting documentation, within 10 working days of the applicant(s) being in a position to notify

the facts of the situation, which he/she feels, should be considered as *force majeure*. The Department will decide in each case, whether the circumstances set down amount to *force majeure*. 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.
- A Court Order for separation or divorce resulting in the land subject to the Scheme having to be divided or sold where as a result the Terms and Conditions of the Scheme cannot be met.
- Other Court Order.

8. Procedures

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

11. Conditions of Approval

Every approval under these Schemes shall be subject to conditions laid down by the Minister, which must be complied with in full by the applicant(s). The Minister reserves the right to alter the Terms and Conditions of these Schemes if it is deemed appropriate. The Minister may at any time lay down further conditions under these Schemes, which will be published in the farming press.

12. 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 including the ICBF and AHI.

13. Interpretation

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

14. 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.

15. 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 year, unless the person(s) to whom the holding is transferred undertakes in writing to adhere to the requirements of the Scheme for the remainder of the 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 contract provided that the transferee undertakes in writing to adhere to the requirements of the Scheme for the remainder of the contract. Leases between family members may meet this undertaking provided the lessee meets the requirement outlined above.

16. De Minimis

The BGS shall comply with EU State Aid rules applicable to enterprises engaged in agricultural production under Commission Regulation (EU) No. 1408/2013. In accordance with this Regulation the cumulative amount of state aid granted for primary agricultural production over any three-year period is restricted to a maximum of **€15,000 per claimant over any period of three years.**

The schemes covered by this “*de minimis*” ruling include:

- **Sheep Technology Adoption Programme,**
- **Beef Technology Adoption Programme,**
- **BVD, and**
- **Any other de minimis schemes paid in 2014.**

Participants should note that successful participation in the 2014 BGS and BVD Schemes shall not confer an automatic entitlement to payment and that crosschecks will be made by the Department to ensure that payments made to individual participants in respect of the years 2012, 2013 and 2014 do not exceed the *de minimis* limit of €15,000.

Publication of data under Regulation 1306/2013

In accordance with Regulation 1306/2013 of the European Parliament and of the Council data of beneficiaries of funding under EAGF and EAFRD will be published and may be processed by auditing and investigating bodies of the European Union and of Member States for the purpose of safeguarding the European Union’s financial interests.

Beef Genomics Scheme (BGS)

17. Legal basis

This Scheme is based on and is to be implemented under EU Commission Regulation no. 1408/2013.

18. Objective of the Scheme

The objective of the Scheme is to improve the competitiveness of the Irish Beef Industry and the quality of the beef produced through the targeted collection of genotypes on selected animals by:

- (i) Improving the genetic quality of the National beef herd through the collection of genotypes of selected animals which will provide for the introduction of Genomic Selection in the Beef herd and**
- (ii) Contributing to the eradication of BVD in the National Herd**

19. Conditions for the Grant of Aid

1. Payments shall be made in respect of a valid application submitted by a farmer who carries out the required genotype testing on animals specified in his/her herd by the ICBF as set out in these Terms and Conditions. ICBF will select the most appropriate animals in each herd to be genotyped, and send this list of animals to each herdowner. At least 15% of the herd will be selected for genotyping. The applicant will be informed of the number of animals selected and selected animals by the Irish Cattle Breeding Federation.
2. All animals selected by ICBF must have a DNA sample taken.
3. DNA samples must be taken from cows by use of the BGS tags provided. Each BGS tag is numbered to correspond with the cow's National ID tag number.
4. Place sample units from the kits provided in the pre-addressed envelopes and post within the timeframe specified in the sampling kits. ICBF will contact each participant to confirm that the testing kit has been received and that they were fit for purpose.
5. Applicants must be a participant in the BDP Scheme 2014.
6. All animals with a current positive or inconclusive BVD test result must be removed to the knackery and have a date of death recorded on the Animal Identification Movement (AIM) system within 7 weeks of the date of the initial test in order to be eligible for aid under this programme.

Animals born prior to 20 February with a current positive or inconclusive BVD test result must be removed to the knackery and have a date of death recorded on the Animal Identification Movement (AIM) system before 11 April 2014.

Pending removal, the infected animal(s), should be strictly isolated to avoid further transmission to other susceptible animals, particularly breeding stock.

20. Penalties

No payment shall be made under the Beef Genomics Scheme unless paragraph 19.6 of the Terms and Conditions of the Scheme are complied with. The deduction in payment and, where appropriate, the penalty that will be applied to applicants in relation to non-adherence to the requirements of the Identification and Registration of animals and any other breaches of the Scheme will be communicated to all participants in the Scheme.

21. Payments under the Scheme

- The overall budget for this scheme is €23 million. The Department of Agriculture, Food & the Marine will make payment directly to the farmer's bank account.
- An annual payment of €40 will be made on each eligible calf following compliance with **all** of the conditions of the Scheme. The Department will make appropriate adjustments to ensure that the €23 million budget ceiling for the scheme is respected.
- In the event of twin calves being born payment will only be made on one of the twins.
- In order to receive full payment the applicant must successfully take samples from all the animals nominated **by** ICBF, post them to Laboratory, and subsequently be analysed successfully.
- In order to reduce the administrative burden on farmers and ICBF, the charge per animal for those animals subject to the genotype testing will be deducted by the Department from the farmer's payment and transferred to ICBF.
- Where it is established the relevant requirements of the Scheme were not fully or partially adhered to by the applicant, the Department will reduce the amount payable or seek re-payment of aid paid under the Scheme.
- **Please note that under a separate measure, payment of €100 will be made for the second and subsequent BVD PI calf where all of the requirements regarding testing and removal have been met.**

BDP Scheme 2014

22. Legal Basis

This Programme is funded and implemented under Article 68 of EU Council Regulation 73/2009.

23. Objective of the Scheme

The objective of the Scheme is to improve the competitiveness of the Irish Beef Industry and the quality of the beef produced by improving the genetic quality of the National Suckler herd through the collection of essential breeding and production information.

24. 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, provides all of the information required as set out in these Terms and Conditions

25. Commitments

25.1 Commitment 1 - Calving details

- Each calf must be tagged and registered with the Department's Registration Agency, Clonakilty, Co Cork **within 27 days of birth**, in accordance with EU Regulation 1760/2000.
- Provide sire details for each calf.
- Complete calving survey for each calf.

Calves must be registered using any one of the following methods:

- www.agfood.ie
- the ICBF Animal Events System – animal events book.
- Department approved farm software providers.

25.2 Commitment 2 - Surveys

Surveys must be completed as set out below

- All animals – incidence of scour and pneumonia.
- Calves – quality and docility – calves must be at least 5 months old and still maintained on the holding.
- Cows – milking ability and docility.
- Stock bulls – docility and functionality.

Surveys may be completed using

- www.agfood.ie
- www.icbf.com

- Paper-based survey forms sent to the herd-owner.
- Department approved farm software providers.

26. Payments under the Scheme

- The total funding available under the 2014 BDP Scheme is €9 million. An annual payment for each eligible calf up to a limit of 50 calves will be made following compliance with **all** the undertakings of the Scheme (€20 for the first thirty calves and €10 for the next twenty calves born into the herd in 2014). Participants must complete all commitments for all beef breed cows, bulls and their calves born in their herd in 2014.
- In the event of twin calves being born payment will only be made on one of the twins.
- If the total payments due under the Scheme would breach the €9 million, a linear reduction will be applied to payments to ensure that the ceiling is not breached.
- A payment of €10 per 2014 born pedigree male (registered or birth notified to an approved herd book) will be made subject to the animal being genotyped. Genotyping of these animals can be arranged through the appropriate herd book.
- In order to receive full payment, Commitment 1 must be completed on **all** suckler cows and calves in the herd and Commitment 2 must be completed on at least 75% of suckler cows and calves in the herd.
- The calves must be held in the herd until they are five months old.
- All data must be submitted prior to 30th April 2015 for animals born between 1st January – 31st October 2014. For animals born between 1st November – 31st December 2014 the data must be submitted before the calf reaches 6 months of age.
- Failure to submit data will result in penalties as set out in paragraph 28 below being applied.
- The Department of Agriculture, Food & the Marine will make payment directly to the farmer's bank account.
- Payments will commence in 2015.
- Data must be submitted as set out in table below:

| | |
|--|-------------------------------------|
| Animals born between 1 January and 31 October 2014 | 30 April 2015 |
| Animals born between 1 November and 31 December 2014 | Before calf reaches 6 months of age |

27. Financial Discipline

The rate of financial discipline on 2014 payments fixed in accordance with Council Regulation (EC) No 73/2009 will be applied to payments under this Programme where the total payments made to the applicant under one or more of the following 2014 Schemes

exceeds €2,000 - Single Payment Scheme, Grassland Sheep Scheme, the Burren Farming for Conservation Programme and this Scheme.

28. Penalties

Where Commitment 1 is not completed as prescribed on an animal payment will not issue for that animal but the animal will be counted in the calculation of any penalties on the remaining eligible animals.

PENALTIES FOR NON SUBMISSION OF DATA

| Commitment 1 completed in full | Percentage of compliance between the number of animals where Commitment 2 was notified and the number of animals registered. | Penalties/Reductions |
|---------------------------------------|---|-----------------------------|
| 100% | 75% | None |
| 100% | 74% | 2% |
| 100% | 73% | 4% |
| 100% | 72% | 6% |
| 100% | 71% | 8% |
| 100% | 70% | 10% |
| 100% | 69% | 12% |
| 100% | 68% | 14% |
| 100% | 67% | 16% |
| 100% | 66% | 18% |
| 100% | 65% | 20% |
| 100% | 64% | 22% |
| 100% | 63% | 24% |
| 100% | 62% | 26% |
| 100% | 61% | 28% |
| 100% | 60% | 30% |
| 100% | 59% | 32% |
| 100% | 58% | 34% |
| 100% | 57% | 36% |
| 100% | 56% | 38% |
| 100% | 55% | 100% |

29. Cross Compliance Penalties

- If an applicant is found to be in breach of cross-compliance through negligence, a penalty of 3% will normally apply but this can be reduced to 1% or increased to 5% depending on the extent, severity and permanence of the non-compliance. If 'repetition' applies the penalty will be multiplied by 3 to a limit of 15%.
- Where the non-compliance is deemed to be minor in nature, tolerance may be applied with the applicant advised to remedy the problem. Where not remedied within a certain period a 1% penalty applies.
- Where the non-compliance is deemed intentional the reduction shall normally be 20% but this may be reduced to 15% or increased to 100% depending on the extent, severity and permanence of the non-compliance found. The penalty may also be extended outside the year of finding.