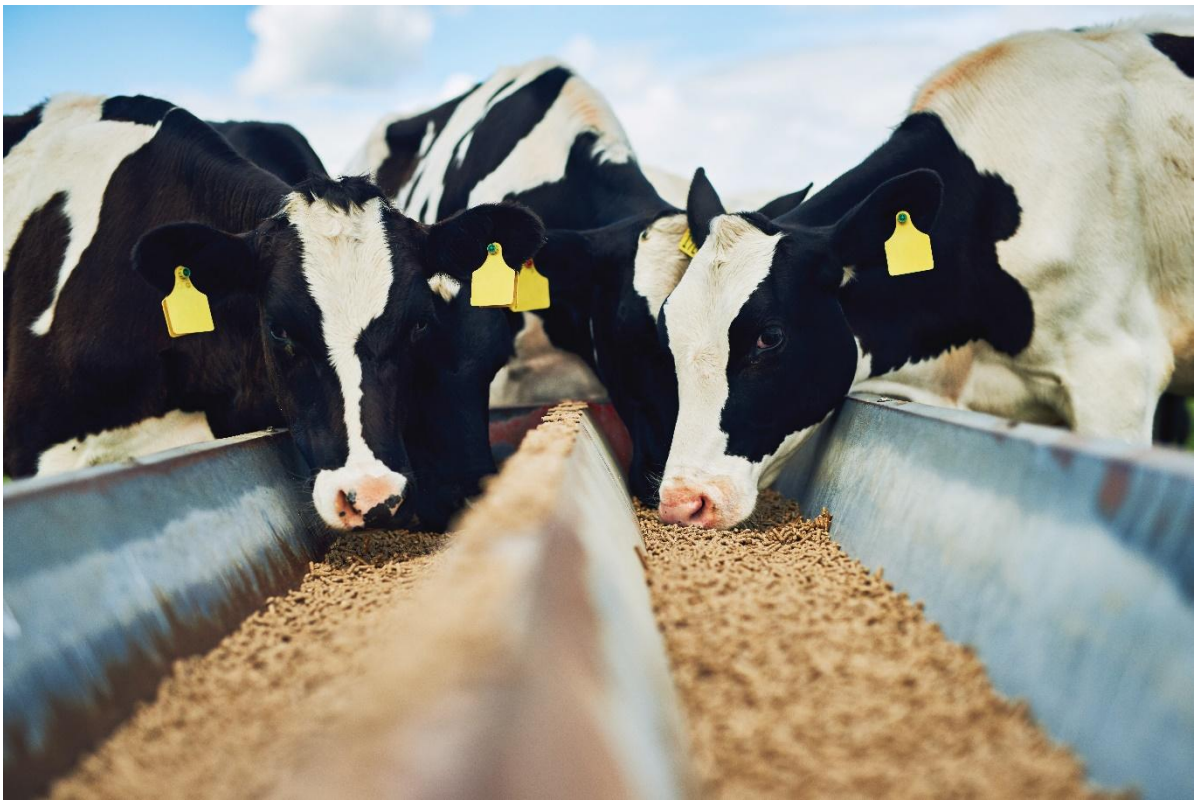
An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

TB Compensation Arrangements

Information Booklet for Herdowners

This document contains important information for herdowners/Keepers
Please Retain for reference or see www.bovinetb.ie

October 2026



You are receiving this booklet today as part of your Reactor pack as your herd/holding is currently restricted due to a TB breakdown.

This booklet contains important information about the various financial supports available to herds while restricted. The eligibility criteria and general conditions of each scheme are also explained throughout the booklet. This booklet also provides contact details should you require guidance from your Regional Veterinary Office.

The Department of Agriculture Food and the Marine acknowledges that it is a difficult time for you and those around you. While the impact of a TB breakdown cannot be minimised, the Department has a comprehensive compensation and supplementary financial support programme in place to help support you with some of the financial burden that a TB breakdown can cause.

	Document Checklist	Tick as appropriate
	Documentation to assist the Valuer	
1.	ICBF Reports	
2.	Production related reports	
3.	EBI Statements	
4.	Star Ratings (4/5 star female heifers of beef breeds with breeding potential)	
5.	Pedigree Certificates (purebred registered and officially upgraded)	
6.	Organic Status Certificate	
7.	Specialised Schemes	
8.	Type Classification / Linear Scores	
9.	AI Certificates	
10.	Purchase receipts (if applicable)	
	Documentation to be provided to the Haulier	
1.	ER26 (removal Permit)	
2.	Food Chain Information (FC1 Form A and B)	
	Documentation to be provided to the RVO	
	Documents to be returned immediately after Valuation	
1.	V8 (First / Appeal Valuations) – within 4 days of valuation (online/post)	
2.	ER26X (Application for Compensation – OFMV (Income Supplement and Hardship Grant if applicable) return immediately (online/post)	
3.	Submission of Arbitration form (if applicable)	
	Documents to be returned once reactors have been removed from holding	
4.	Original Factory docket	
5.	ER64 (Agreement to Cleanse and Disinfect, or application to defer as applicable)	
6.	ER135 Reactor / Inconclusive Milk Record (If applicable)	
7.	Tax clearance certificate or access code (required in cases where compensation is likely to exceed €10,000 in any 12 month period). Contact your local Revenue Commissioners office/Financial Advisor to obtain this document/code	
8.	Evidence of private insurance settlement due/paid on any reactors removed (if applicable)	

Contents

Section 1: Ceilings and Rates for OFMV Compensation & Financial Support Schemes 6

1.1 On Farm Market Valuation Scheme Ceilings 6

1.2 Rates for Income Supplement, Hardship Grant & Depopulation Grants 6

Section 2: Application Process and Movement Provisions 8

2.1 Application for OFMV Compensation and Financial Support Schemes ER26X 8

2.2 Compensation and Financial Support Schemes provisions regarding movements 8

Section 3: On Farm Market Valuation Scheme Criteria 10

3.1 On Farm Market Valuation Scheme (OFMV) Eligibility 10

3.2 Valuation of the Reactors 10

3.3 Appeal Valuations 12

3.4 Arbitration Process 13

3.5 Removal of Reactors 14

Section 4: Market Valuations and Factors Affecting Compensation 16

4.1 Calculation of Compensation Payments 16

4.2 Milk Production 17

4.3 Pregnancy Status and Calving Down before Removal 17

4.4 Unexpected Reactor Death Before or After Valuation 17

Section 5: Income Supplement, Hardship Grants and Depopulation Grant Criteria 19

5.1 Income Supplement 19

5.2 Hardship Grant 20

5.3 Depopulation Grants 21

Section 6: Medical Treatment and Animal Welfare 22

6.1 General Points about Medication and TB Testing 22

6.2 Removal of Reactors for Slaughter 22

6.3 Reactors which have been Medicated 22

Section 7: Penalties 24

7.1 Penalty Deductions 24

Section 8: Non Valuation Appeals Processes 26

8.1 Appeal to Regional Veterinary Office 26

8.2 Appeal to Agriculture Appeals Office 26

Appendix 1: Income Supplement Example 27

Appendix 2: Calculation of Milk Yield 28

Data Protection and Freedom of Information 33

This booklet may not cover every part of the On Farm Market Valuation Scheme or other TB compensation measures. Queries on schemes should be directed to the local RVO. The most recent version of this document will be available from the RVO or can be viewed on the Department's website: www.bovinetb.ie

Section 1: Ceilings and Rates for OFMV Compensation & Financial Support Schemes

1.1 On Farm Market Valuation Scheme Ceilings

The **On-Farm Market Valuation Scheme (OFMV)** is the principal compensation measure available to Herdowners whose herds are affected by disease under the TB Eradication Scheme. Under the relevant legislation the Minister may pay compensation. The amount of compensation is to be determined by way of assessment, by an independent Valuer[1] or an Arbitrator in accordance with any appropriate guidelines, and legislation[1].

For purposes of Livestock Valuations "Market Value" will be the equivalent price which might reasonably have been obtained for the animal at the time of determination of Compensation from a purchaser in the open market if the animal was not affected by TB or Brucellosis or was not being removed as part of a depopulation under the disease eradication programme.

The following ceilings apply to compensation in respect of an individual bovine animal under OFMV.*

Animal Type	**Ceiling per animal**
Pedigree cows & pedigree in calf heifers	€5,500 each
Three pedigree stock bulls allowed in the same breakdown episode	€5,500 each
Any other individual bovine animal	€3,500 each

* The above ceilings are applicable for animals that have their first valuation under the OFMV Scheme carried out from Tuesday 6th October onwards.

All ceiling prices above are inclusive of any factory salvage price payable by the factory and/or payment under a policy of insurance in respect of it.

1.2 Rates for Income Supplement, Hardship Grant & Depopulation Grants

In addition, herds may be eligible for additional **Financial Support Schemes**. These are Income Supplement, Hardship Grant and Depopulation Grant Schemes. They are available subject to the Herdowners meeting the eligibility conditions (see section 5). ***Controlled Finishing Units, previously referred to as Feedlot Herds, are not eligible for these schemes.***

The rates are:

Income Supplement Rates

Animal type			
Dairy (*Cows in a Dairy herd)	**Rate 1 (Month 1-5 post calving)**	**Rate 2 (Month 6-10 post calving)**	**Rate 3 (Month 11-12 post calving)**
	€100	€65	€0
Suckler (Cows in a Suckler herd)	**Rate 1 (Month 1-7 post calving)**	**Rate 2 (Month 8-12 post calving)**	
	€52	€40	
Other (All Other Animals)	**One Rate**		
	€30		
*Where an ER83 declaring beef breed cows in a Dairy Herd has been received the Suckler Cow rate will apply where any of the cows listed are removed as a reactor			

[1] Legislated under the Animal Health and Welfare Act 2013 (No.15 of 2013) and Animal Health and Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. No 58 of 2015) as updated.

Hardship Grant Rates

Animal type	
Dairy (Cows in a Dairy herd)	€30 per cow per month
Suckler (Cows in a Suckler herd)	€50 per cow per month
Other (All Other bovine Animals)	€30 per bovine per month
Payments are subject to a maximum payment of €300 per herd per month. Payments will be calculated from date of eligibility and will not exceed a maximum of 4 months within the period 1 November to 30 April.	

Depopulation Grant Rates

Herd Type	**Animal**	**Rate***
Rate (€)		**Rate (€)**
Dairy Herd	****Cows/In-Calf Heifers /Pedigree Bulls > 12 mths**	**280**
Suckler Herd	**Cows /In-Calf Heifers /Pedigree Bulls >12 mths**	**180**
All Herd Types	**All Other Animals**	**120**
*Rates quoted represent the maximum 4 months payment available in respect of a 4 month rest period following depopulation. Pro rata deductions will be made in the case of shorter rest periods **Where an ER83 declaring beef breed cows in a Dairy Herd has been received the Suckler Cow rate will apply should any of the cows listed be removed as a reactor.		

Section 2: Application Process and Movement Provisions

2.1 Application for OFMV Compensation and Financial Support Schemes ER26X

1. The ER26X form sets out conditions for payment of reactor compensation and farmer declarations required to apply for compensation for the On Farm Market Valuation Scheme and where applicable for the Income Supplement and Hardship Grant Schemes.

2. Herdowners must submit a completed ER26X form each time animals are valued for removal under the scheme.

3. Herdowners (including those in a registered farm partnership or joint venture) with an AgFood.ie account can view and submit the ER26X via the online portal. Alternatively, the form can be returned to the Regional Veterinary Office.

Apply online at Agfood.ie

4. Herdowners must be satisfied that they understand and will comply with the rules of the OFMV Compensation and Financial Support Schemes.

2.2 Compensation and Financial Support Schemes provisions regarding movements

The Herdowner must seek permission to move animals into a restricted herd. As part of the permission, a Herdowner in a high-risk herd must also have put in place a Risk Mitigation Plan that has been agreed with the RVO.

Movements of animals into a restricted holding and Compensation and Financial Support Schemes
If permission has been granted by the RVO , animals moved into a TB restricted herd that subsequently are disclosed as reactor, are eligible for

- **On Farm Market Valuation**
- **Income Supplement** pro-rata[2] (i.e., reduced in line with the number of animals moved into the herd)
- **Depopulation Grant**
- **Hardship Grant** (assuming all other criteria are met) if the herd has more animals on the assessment date than the same date 12 months previous (animals bought in during restriction are not included).

Controlled Finishing Units are not eligible for these schemes.

Payment of or eligibility for Compensation will cease for the remainder of the restriction from the date of any unauthorised movement. Where a herdowner is found to have contravened the scheme criteria they may be liable for prosecution and all entitlement to Compensation may be lost.

Compensation is conditional upon compliance with provisions of the relevant legislation and any other relevant orders made under it in relation to:

(i) Veterinary Medicines legislation,

[2] Home bred heifers can move back in from contract rearers and Income Supplement will not reduce pro-rata straight away. For spring calving, the pro-rata reduction will only commence from 1 January of the year they are due to calve. For autumn calving, the pro-rata reduction will only commence from 1 September of the year they are due to calve.

(ii) Bio security[3]
(iii) Compliance with testing and identification requirements
(iv) Withholding storage and disposal of milk from reactor/standard inconclusive reactors and the recording of same on ER135
(v) Disease Eradication Scheme Controls; including the legal requirement not to treat cattle prior to testing unless urgently required.
(vi) Isolation of reactors and subsequent cleansing/disinfection[4]
(vii) Compliance with all testing requirements
(viii) National/EU legislative requirements and controls relating to bovine animals and products of bovine animals administered by the Minister for Agriculture, Food and the Marine.

The Minister may refuse payment of compensation, in whole or in part, in respect of Compensation and financial support schemes referred to above, where a Herdowner or Keeper does not satisfy the aforementioned provisions or where the Minister is satisfied that the Herdowner/Keeper has failed to co-operate with officers of the Department in carrying out their duties under the Schemes. In addition, persons who contravene or fail to comply with these provisions may be liable for fine or imprisonment.

[3] Bio Security: Advice on the appropriate bio security measures to be applied is provided by the local RVO. In high risk/other cases as deemed appropriate by the Department, the requirement to cleanse and disinfect is mandatory. In these cases disinfection must be completed in the areas specified, using a disinfectant from the Department's list of approved disinfectants which are designated for use against TB as appropriate. Payment of compensation is conditional on disinfection being completed unless deferred following agreement with the RVO

[4] Further to legislation under Regulation (EU) 2016/429 –TB free status may remain withdrawn until cleansing and disinfection of premises and utensils has been completed check

Section 3: On Farm Market Valuation Scheme Criteria

3.1 On Farm Market Valuation Scheme (OFMV) Eligibility

All reactors, which are disclosed **as a result of a skin test (SICCT) or gamma interferon (GIF) test** may, qualify for compensation under the terms of the On Farm Market Valuation Scheme if they meet the general eligibility criteria as outlined on the previous section.

For the purposes of compensation under the TB compensation Scheme this may include standard inconclusives if they are deemed reactors or test positive and are removed as reactors and also In-Contact animals. In-Contact animals are Bovines found to be at high risk of infection or likely infected following veterinary investigation. In the event of a herd TB breakdown, previously inconclusive reactors which are still in the herd will be removed from the herd as in contacts.

Animals sent for slaughter under normal circumstances (i.e not part of a disease programme) that were then discovered to have TB lesions at post slaughter checks are not eligible for compensation.
In these cases, the originating herd is restricted for a "backward trace" test to ensure that there is no residual disease in the herd. Any reactors disclosed in the herd as part of the follow up surveillance may qualify for On Farm Market Valuation compensation and other financial supports where applicable.

Herdowners wishing to enquire about special tax treatment on compulsory disposal of livestock should contact the Revenue Commissioners or a Financial Advisor.

3.2 Valuation of the Reactors

Independent Valuers

On Farm Market Valuations are undertaken by approved independent Valuers with reference to guidelines and weekly summary of market prices issued by the Department. A copy of the Department's most recent summary prices is issued to the Herdowner by the Department.

Each valuation of a herd or of individual animals in a herd is undertaken by one Valuer. All valuations are undertaken on the farm where the breakdown has occurred. For the purpose of monitoring the valuation process, Department officials may be present on the farm during some valuations.

Selection of Valuer

Once Reactors have been identified on the holding, RVO staff will contact the herdowner to arrange for valuation of reactor animal(s). The Department will supply a panel of suitable independent valuers who operate in the region for the Herdowner to select their preferred valuer. In some instances, where DAFM agree that the animals to be valued are considered specialised, an expanded panel of independent valuers may be offered to the herdowner.

Where the Department fails to make contact with the Herdowner/Keeper **within 72 hours of the initial attempt for either the first and/or the appeal valuation, the Department will select a suitable Valuer from the panel to proceed with the valuation process.**

The Department will provide the independent valuer with herdowner and reactor animal data in advance of them making arrangements directly with the Herdowner/Keeper to carry out the valuation.

Cost of Valuations

The cost of all **first** valuations is borne by the Department. In cases where a Herdowner requests an **appeal** valuation and nominates the Valuer, they will be liable for payment of a proportion of the Valuers fee as outlined below. The rates set out below apply where the original valuation was rejected.

No. of Cattle Valued	Rates	Herd Owner Charge for Appeal
1 -5	€135.00	€55
6-10	€140.00	€55
11 - 30	€172.00	€71
31 - 50	€209.00	€87
51 and over	€209.00 and €2.46 for each animal above 50	€87 and €1 for each animal above 50

Where valuation costs are to be paid by the herdowner these will be deducted from compensation due under this scheme or where necessary from other Department Scheme payments as appropriate.

Milk Yield Data

In the case of dairy herds, RVO staff may make direct contact with the Herdowners Co-op/Creamery to establish if milk recording data is available and meets the minimum criteria (see Appendix 2). Where the data does not meet these criteria, the RVO will calculate a notional herd average yield and provide it to the Valuer.

Assemble Animals

Herdowner/Keeper must properly assemble the required reactor animals at the time and location agreed. All reactor animals to be valued (including very young animals) must be properly identified in accordance with legislative requirements; **segregated from other animals and held in cattle yard/sheds located near a cattle crush** where the identification of the reactor cattle can be checked. Failure to assemble animals appropriately may be regarded as a delay in the valuation process for which penalties may be applied.

Herd Records

For the herdowner to receive the most accurate possible valuation for each reactor animal they should provide, as applicable, the following documentation on the day of valuation, as:

- Milk Recording Data/ICBF Reports/Production Related Reports/EBI statements.
- Star Ratings: Where applicable relating to 4/5 Star female heifers of beef breed with breeding potential (ICBF document such as ICBF report or printout/screenshot from ICBF website)).
- AI Certificates.
- Purchase Receipts
- Pedigree Certificates (purebred registered and officially upgraded animals).
  - ➢ Reactor animals declared as pedigree must be registered in the herd book of the relevant breed society prior to the date of breakdown excluding animals under twenty-eight days. Original Pedigree certificates for pedigree animals or on-screen proof of pedigree on ICBF website must also be available and provided to the Valuer at valuation or non-pedigree rates will apply.
- Type classification/Linear Scores.
- Organic Status Certificate.
  - ➢ For Organic Holdings, only animals born on an Organic holding or those purchased into the holding from another registered Organic producer are eligible for the premium. Reactor animals on farms which are in conversion status will not be eligible for an organic premium and will be valued at **non-organic prices**. Reactor animals, on Organic Holdings,

which have ASBP status (Approved for Symbol Breeding Purposes) may qualify for a proportion of the Organic premium. Certification (copy of licence issued by organic trust or IOFGA) of organic status must be provided.

- Specialised Schemes
  - ➢ For animals reared in specialised schemes, a bonus *may* be paid on qualifying animals where evidence of participation in such schemes is submitted with the valuation.

Valuation Timescales

Action	Timing
Valuers are required to undertake valuations on receipt of notification from the Department	Within **3 working days**
Valuer must send completed valuation report **(V13 Form)** electronically to the Department and in writing to the Herdowner (by post/hand delivery, fax or electronically)	Within **2 working days** of the valuation completion
Herdowner must confirm acceptance/rejection of the valuation on the **V8 Form***	Within **4 working days** of receipt of the valuation

The same acceptance/rejection timeframes apply to the Department.

Valuation Documents:

V13 Form
The V13 lists all reactor animals to be valued. Valuer completes the V13 Form with their determined value of the reactor animals after the valuation.

Complete V8 online at Agfood.ie

V8 Form
The V8 is the form used for farmers to confirm their acceptance/rejection of their valuation. You will find the V8 form within the reactor pack documentation that accompanies this booklet. If you have an AgFood.ie account, you can log in and digitally accept/reject your V8 and sign your ER26X - this step accelerates communication with your RVO.

How to Access the ER26X and V8 online
AgFood.ie ⟹ Animal Health Computer System ⟹ TB Compensation ⟹ Active

It is vital that you carefully consider the values on your V13 prior to accepting/rejecting your V8.

3.3 Appeal Valuations

Where a Herdowner or the Department does not accept the first valuation, another valuer on the panel is chosen. If the Herdowner appeals, they can choose the valuer. If DAFM appeals, depending on the circumstances, the Supervisory Agricultural Officer can also let the farmer choose the valuer.

In cases where the farmer appeals, they will pay the herd owner charge as outlined in Cost of Valuations. Where the Department appeals the decision, the Department will cover 100% of the cost of the appeal.

Should both parties reject the first valuation the Herdowner will be given the option of choosing the Valuer. In the case of appeal valuations, **the summary price listing applicable at the date of the first valuation will also be used for the appeal valuation**.

This appeal valuation process must be completed within a further **4 working days**[5]. As with first valuations the results of an appeal valuation (V13) will be conveyed to the Department and the Herdowner, within 2 working days of the valuations completion.

Appeal of non-valuation related aspects of the Eradication Scheme i.e. Milk calculation is a separate process which is explained in Section 6

In situations where the cost of the appeal valuation is to be recouped from the Herdowner it will be deducted by the Department from any compensation due following conclusion of the valuation process or from other outstanding payments and paid directly to the Valuer.

The outcome of any valuation will not be communicated verbally by the Valuer.

After the appeal valuation the Herdowner must sign and return the **V8 Form** within 14 calendar days from the date of Valuation. This confirms acceptance/rejection of the valuation in its entirety and where rejected; requests that the matter be settled by arbitration. Failure to return the relevant form within the specified time frame will render the case ineligible for consideration by the Arbitration Panel.[7]

Herdowners with an AgFood.ie account can again view and submit the V8 via the online portal. **However, whether there is acceptance/rejection of the appeal valuation; the reactors will be removed from the holding at the earliest possible date.**

If there is still no agreement following an appeal valuation, the matter, **can** be referred to an **Arbitration Panel** whose decision, based on the "market value" principle, is final and binding on both parties. See Section 2.8 and Appendix 1.

3.4 Arbitration Process

Where the **decision is made to proceed to arbitration**, whichever party rejected the appeal valuation may subsequently choose not to proceed with arbitration. Payment of OFMV will then be made on the basis of the appeal valuation (subject to the other party having accepted the appeal valuation). Where necessary a **V8 Form** accepting the valuation should be returned by the Herdowner.

The **Arbitration** process can **only** be undertaken **after** all the reactors have been removed.
The case will be decided at the next available meeting of the Arbitration Panel.

In the event of an Arbitration hearing taking place, the Arbitration Panel will decide on who pays the costs of the Arbitration process.

However, compensation due under the On Farm Market Valuation Scheme in respect of cases which can (in line with legislative requirements) proceed to Arbitration cannot be finally determined until the Arbitration hearing has been concluded. On that basis, arrangements will be made for an interim payment being approximately 85% - 90% of the lower valuation to issue. The issuing of any payment due is subject to receipt of all relevant documentation required by the RVO and to the checks carried out for compliance with scheme criteria.

[5] This **4** day period includes **1** working day for assignment of the appeal valuation to a Valuer who is then required to undertake the valuation within **3** working days (maximum) of notification by the Department. [7] The 14 days includes the date of Valuation and the date on which the Department receives the **V8 Form**

3.5 Removal of Reactors

Following the completion of the on farm market valuation process, the reactor animals will be removed for slaughter from farms by the **Reactor Collection Service** as soon as the necessary removal arrangements are made by the RVO. The **ER26** Removal Permit and a signed **Food Chain Information (FCI) Form**, (concerning animals being transported for slaughter) must be presented to the Authorised Reactor Collection Haulier at the time of collection of the reactor animals. Failure to provide this form may result in the cost of collection billed directly to the Herdowner.

Where deemed appropriate by the Department, in consultation with the herdowner, animals not suitable for transport may be euthanised on the farm and removed directly to a knackery. A FAL1 form will be provided by the RVO in respect of any animals moving to a Knackery.

In some instances it may be possible for Herdowners to remove single reactor animal to a factory of their choice as an alternative to applying for compensation, subject to the arrangement being acceptable to the Department. In such cases the herd owner must first ensure that the factory nominated is agreeable to slaughter a reactor animal. The single reactor animal must then be removed under an **ER26A permit**. **In these cases compensation will not be payable by the Department under the On Farm Market Valuation[6], Income Supplement or Depopulation Grant schemes for the animal concerned**.

Herdowners will also be responsible for the cost of removal of the reactor animal. The Herdowner will be required to confirm acceptance of this in writing. Amounts payable, if any, by the slaughter factory is therefore a matter solely between the Herdowner and the factory concerned.

It is imperative that no undue delay takes place in the removal of reactors off farm.
Where the removal of animals is unduly delayed by the herdowner, compensation payments may be reduced or not paid, for any period arising due to such a delay. In certain cases for animal welfare reasons, it will be necessary for the animals to be retained on the holding for a specified period but to be isolated from other non reactor animals e.g. animals due to calve or who have recently calved. The RVO will assess such cases and may inform the Herdowner/Keeper accordingly of collection arrangements.

Delays in the Removal of Reactors

Given the vital importance of early intervention, it is imperative that Reactor Animals are removed from affected holdings at the earliest opportunity.

DAFM understands that managing a farm day-to-day is a demanding role, and taking this into account, our teams will apply some flexibility with regards to arranging both valuations and removals. However, where Herdowners/Keepers are found to have deliberately delayed or interfered with the valuation process / removal process which results in a substantial time delay in the removal of reactor animals from the holding, the following penalties **may** be applied:

- ***5%*** *where the delay is between* ***3 - 5 days***
- ***10%*** *where the delay is between* ***6 - 10 days***
- ***25%*** *where the delay is between* ***11 - 15 days***
- ***50%*** *where the delay is between* ***16 - 21 days***

[6] Animals removed on an ER26A are not included when determining the number of reactors removed to meet the eligibility criteria under the Income Supplement scheme which requires that greater than 10% of the herd is removed or in Dairy Herds where not less than 9.5% of dairy cows are removed (see full criteria in Section 2).

- **100% for any longer period**

Where a penalty is applied – herdowners have the right to appeal this decision within 3 months to Higher Executive Officer of their local Regional Veterinary Office.

Please refer to the appeals section of this booklet (section 8.1) for more information.

Where there is a delay due to the Herdowners/Keepers, they may have to pay for the first valuation.

*Animals cannot be transported after 90% of gestation and for at least a week after calving.

Section 4: Market Valuations and Factors Affecting Compensation

4.1 Calculation of Compensation Payments

1. Factory salvage price – this is the amount paid **directly** by the factory to the Herdowner (less statutory or other deductions which may apply) . The **original** factory docket received by the Herdowner/Keeper must be forwarded to the RVO as soon as possible.

2. Net Differential - Subject to the conditions of the scheme including ceilings, the Department will pay the Herdowner the difference between the Factory salvage price and the reactor valuation:

Reactor Valuation– Factory Salvage (gross price) = Net Differential

The maximum payable for individual animals is strictly subject to ceiling limits, less any deductions made by the Department i.e. insurance, cost of appeal valuation, penalties etc.

In cases where the appeal valuation is rejected outside the required time frames, (consequently the case cannot proceed to arbitration) and has been accepted by the other party, payment will be based on the appeal valuation and other criteria.

Under the legislation and other criteria set down within the Scheme, the Minister may reduce or refuse to pay an amount of compensation if the herdowner/keeper has failed to take appropriate control measures, has impeded or obstructed officers or officials in carrying out functions under the Act or other as deemed appropriate. When the payment has issued the Herdowner will receive a **Form V11** statement outlining the payment calculations and any reductions made as appropriate.
Should you wish to appeal any aspect of the calculation of payment penalties applied please refer to Section 6 on Penalties and Appeals

Documentation required for payments

It is in the Herdowner/Keeper's interest to ensure all the required documentation is submitted to the RVO as promptly as possible.

The RVO cannot process the net differential payment due under the On Farm Market Valuation Scheme until **all** necessary documentation is received as outlined in the checklist at the front of the document. The Department is committed to paying compensation as soon as all relevant documentation is received however delays in submitting this information will automatically delay the processing of payments.

Insurance

EU State Aid rules require that Herdowners should not be over-compensated for actual losses incurred by virtue of:

(i) Receipt of payments made under the TB Eradication compensation scheme.
(ii) Payments received from any private insurance policy held on animals removed as reactors.

In line with the above Herdowners are required to advise the Department of any amounts received or are likely to receive, from private insurance in respect of any animal removed as a reactor and, where such cases of over-compensation are identified, the amount payable by the Department will be reduced or where payment has already issued Herdowners will be required to refund the overpaid amounts to the Department as appropriate.

Bovine Viral Diarrhoea (BVD)

TB reactors which have been diagnosed as BVD Persistently infected (PI), (which cannot be traded on the open market) will not be eligible for compensation in addition to their salvage or insurance value.

Furthermore, any animals, including a dam/sibling of a PI calf, for which a BVD result is outstanding, will require a BVD virus negative result before being eligible for full market valuation. This will be taken into account at the valuation stage.

Where the results are pending for a BVD test which has been completed before the valuation takes place, the Valuer will assess the animal as if the result had been negative. If the result is subsequently found to be positive the provisions above will apply. Where a reactor animal is valued but is subsequently found to be positive or is listed to be tested for BVD and a test is not completed before removal, only the salvage value will be payable as applicable.

4.2 Milk Production

Milk from reactor/standard inconclusive reactors must be withheld and a record kept of how much milk they produced, where it was stored, how it was disposed of and the date it was disposed of from the time the cows were identified as reactors until they were removed for slaughter. Where dairy cows are removed and the herd is eligible for Income Supplement the RVO will request a copy of the Reactor/Inconclusive Reactor Milk Record **(ER135)** and copies of the individual milk collection statements covering at least the period of 1 week prior to the identification of the cows as reactor to 1 week after the removal of the last dairy cow. The ER135 can be sourced from your testing Veterinary Practitioner or RVO as appropriate. **If the ER135 is requested, payments cannot be processed until this documentation is received in the RVO.**

Milk yield is used as one of the criteria to determine the valuation of dairy cows under the On Farm Market Valuation Scheme, and is calculated on the basis of one of the following:

(i) Notional Herd Average Milk Yield.

Or

(ii) Milk recording figures supplied by the Irish Cattle Breeding Federation (ICBF) (minimum requirements) in line with the relevant criteria. See Appendix 2 for full details on the calculation of milk yields

4.3 Pregnancy Status and Calving Down before Removal

In the case of female breeding stock (cows and heifers), where pregnancy status is uncertain and pregnancy has a major bearing on the valuation price, the Valuer is required to insert an in-calf and not in-calf market value for the particular animal. Similarly, animals valued on the point of calving (circa 4 weeks) are required to be given two market values i.e. in-calf and post calving prices.
(Calves born post valuation and prior to removal of cow will receive a flat rate payment of **€130** if removed on veterinary or welfare grounds as a reactor at the same time as the dam. In such circumstances, the valuation payment on the cow will be based on the in-calf rate).

Under Department supervision veterinary staff carry out pregnancy checks on all reactor cows and all reactor heifers described as “in-calf” on **Form V13** which are slaughtered at the factory. **Scans are not accepted by the Department as a means of verifying pregnancy. The post-mortem result carried out at the factory of slaughter is final in this regard.**

Post-mortem checks are not carried out at a knackery. In such cases reactor animals which are moved directly to a Knackery or are removed from a slaughter factory to a Knackery before a post-mortem has been completed, will be paid at the not in-calf value, subject to normal payment criteria.

4.4 Unexpected Reactor Death Before or After Valuation

Knackery costs will not be paid for any animals unless the cause of death can be certified as TB by a vet and certification of same can be provided by the farmer.

Where a reactor dies before a valuation occurs; the Valuer will still visit the farm and determine the valuation in accordance with the guidelines. However, payment of compensation for such animals will be assessed on a case-by-case basis taking account of any information available as to the cause of death of the animal. Similarly, payment in respect of an animal that dies after valuation and prior to removal for factory slaughter will also be considered on a case by case basis based on the information available as to the cause of death.

Section 5: Income Supplement, Hardship Grants and Depopulation Grant Criteria

5.1 Income Supplement

The income supplement scheme is a dedicated monthly support measure which assists herdowners where at least 9.5% of their herd are removed as a result of a single bovine TB breakdown. To be eligible for income supplement a herdowner/keeper must also abide by the general eligibility criteria common to all TB Compensation Schemes in addition to the below:

Controlled Finishing Units are not eligible for Income Supplement

Non Controlled Finishing Units and non-Dairy Herds (Whole Herd Rule)

Herds become eligible for payment of Income Supplement from the date on which the total reactor bovines reaches a threshold of at least 9.5% of the number of bovines tested at the relevant disease breakdown test/s.

Dairy Herds (Dairy Cow Rule)

Herds become eligible for payment under the "Dairy Cow Rule" from the date on which the total reactor dairy cows reaches a threshold of at least 9.5% of the number of dairy cows tested at the relevant disease breakdown test/s. Dairy cow reactors are considered those cows listed at the breakdown test or heifers which calve after the breakdown test and have their calves registered within 27 days of birth. Beef breed suckler cows declared on an ER83 prior to the breakdown test are excluded from the calculations.

Where a dairy herd qualifies initially under the "Dairy Cow Rule" and goes on to meet the "Whole Herd Rule" it will then qualify for Income Supplement payment in respect of the total reactor bovines from the date that the "Whole Herd Rule" is met. However, the Herd will retain its original eligibility date i.e. the date on which it became eligible under the "Dairy Cow Rule".

General Income Supplement Payment Criteria

The table outlines the monthly payments by animal type. Each eligible reactor cow receives income supplement based on her month post calving relevant to the payment dates. For dairy and suckler cows "month 1" is reflective of the first month after the animal last calved. This means that some cows may start on rate 2, or 3 depending on their individual cycle. All other animals are paid one rate (€30 per month). The cycle will continue in a loop (if started outside of Month 1) until the herd has received 12 months of Income Supplement payments or is derestricted, whichever happens first.

Animal type			
Dairy (*Cows in a Dairy herd)	**Rate 1 (Month 1-5 post calving)**	**Rate 2 (Month 6-10 post calving)**	**Rate 3 (Month 11-12 post calving)**
	€100	€65	€0
Suckler (Cows in a Suckler herd)	**Rate 1 (Month 1-7 post calving)**	**Rate 2 (Month 8-12 post calving)**	
	€52	€40	
Other (All Other Animals)	**One Rate**		
	€30		
*Where an ER83 declaring beef breed cows in a Dairy Herd has been received the Suckler Cow rate will apply where any of the cows listed are removed as a reactor			

Income Supplement payment is payable up to a maximum of 199 reactors. For example, if there are 250 reactors, then the first 199 animals that are eligible for Income Supplement are included. Once an reactor

animal is selected for inclusion in income supplement calculations, it is not possible to replace that reactor animal with another reactor animal. Any reactors removed on an ER26a permit are not eligible.

Once herd has received 12 months of Income Supplement payments, Income Supplement will cease **except** when the herd owner is refused permission to move animals in due to risk etc. Where a herdowner is refused permission payments will continue until permission is granted for the movement of animals or derestriction, whichever happens first.

Payment of/eligibility for Income Supplement grants is reduced pro-rata, where herds are given permission to move animals into a restricted herd. For example, where a herd has 20 reactors, and 10 animals are moved in the Income Supplement payments will be reduced by 10 animals. Animals moved on an ER37A that are replacement stock bull, replacement calf or replacement suckler cow are not subject to reduction in Income Supplement.

Payment of or eligibility for Income Supplement will cease for the remainder of the restriction from the date of any unauthorised movement. Home bred heifers can move back in from contract rearers and Income Supplement will not reduce pro-rata straight away. For spring calving, the pro-rata reduction will only commence from 1 January of the year they are due to calve. For autumn calving, the pro-rata reduction will only commence from 1 September of the year they are due to calve. Animals moved from contract rearers that are aged less than 15 months, on the date of movement back to the herd, are not subject to reduction in Income Supplement.

Income Supplement eligibility will also cease in the event of; full and/or partial depopulation of the herd being deemed appropriate; or de-restriction of the holding. Where a partial depopulation takes place, Income Supplement ceases for the Herd. Eligibility may be re-established for reactors within the remaining herd, if 9.5% of the animals/dairy cows tested at the next whole herd test are disclosed as reactors within the breakdown.

As with all compensation under the TB eradication Scheme; payments are subject to the compliance of the herd owner **with the provisions set down in this and other scheme documentation** and their complete co-operation with the Department and its officials.

5.2 Hardship Grant

The Hardship Grant is a targeted scheme aimed at assisting eligible herdowners who retain and feed animals during prolonged periods of restriction as a result of a TB breakdown. To be eligible for a Hardship Grant a herdowner/keeper must abide by the general eligibility criteria common to all TB Compensation Schemes and the specific conditions that are set out in the Hardship Grant Terms and Conditions that are published on the Departments website for each scheme year.

The Hardship Grant eligibility period runs from 1st November to 30th April and herds will only qualify in respect of one breakdown during this time. No application is required, RVOs issue payments to eligible herdowners.

It should be noted that herds are only eligible if they have more animals as a result of restriction compared to same date in previous year (For example 22 January 2023, compared to 22 January 2022). Animals bought in during restriction, aside from replacement animals brought in under permit ER37a, will render the herd ineligible for the Grant.

Hardship Grant Rates

Animal type	

Dairy (Cows in a Dairy herd)	€30 per cow per month
Suckler (Cows in a Suckler herd)	€50 per cow per month
Other (All Other bovine Animals)	€30 per bovine per month
Payments are subject to a maximum payment of €300 per herd per month. Payments will be calculated from date of eligibility and will not exceed a maximum of 4 months within the period 1 November to 30 April.	

As with all compensation under the TB eradication Scheme; payments are subject to the compliance of the herd owner **with the provisions set down in this and other scheme documentation** and their complete co-operation with the Department and its officials.

5.3 Depopulation Grants

To be eligible for a Depopulation Grant a herdowner/keeper must abide by the general eligibility criteria common to all TB Compensation Schemes in addition to the below. Herdowners are eligible for consideration under this scheme where an offer to depopulate or partially depopulate the herd has been made by the Department on Form ER29/ER29b. Where an offer to depopulate or partially depopulate the herd has been made Income Supplement will cease from the date of the signed offer.

Depopulation grant rates do not apply to Controlled Finishing Units.

Herdowners whose herds are depopulated (totally or partially) may qualify for the Depopulation Grant during the rest period, provided the holding or depopulated portion remains free of stock. Depopulation Grants are paid for the rest period specified by the RVO and issued in one payment representing the total amount due.

Grants are paid for each animal removed in the depopulation measure and for those removed as reactors since the breakdown began, on condition that the Herdowner agrees to the depopulation when offered by the Department. If agreement to depopulate is not received and subsequently following discussions between the Herd Owner and the RVO and depopulation is conducted, the owner may be excluded from eligibility for the Depopulation Grant.

If the Department make further offer(s) to depopulate, the grants will only be paid on InContact animals removed at the time of that Depopulation.

Depopulation Grant Rates

Herd Type	Animal	Rate*
Rate (€)		**Rate (€)**
Dairy Herd	****Cows/In-Calf Heifers /Pedigree Bulls > 12 mths**	**280**
Suckler Herd	**Cows /In-Calf Heifers /Pedigree Bulls >12 mths**	**180**
All Herd Types	**All Other Animals**	**120**
*Rates quoted represent the maximum 4 months payment available in respect of a 4 month rest period following depopulation. Pro rata deductions will be made in the case of shorter rest periods **Where an ER83 declaring beef breed cows in a Dairy Herd has been received the Suckler Cow rate will apply should any of the cows listed be removed as a reactor.		

As with all compensation under the TB eradication Scheme; payments are subject to the compliance of the herd owner **with the provisions set down in this and other scheme documentation** and their complete co-operation with the Department and its officials.

Section 6: Medical Treatment and Animal Welfare

6.1 General Points about Medication and TB Testing

Herdowners/keepers are required to sign form ER26X "Application for Payment Under Bovine TB Eradication Scheme" in which they declare that the prescribed withdrawal period(s) for any medication administered to any of the animals has expired.

Medications may interfere with the accuracy of the TB test and/or delay removal of infected animals thereby potentially prolonging TB problems in your herd and the duration of the restriction. Consequently, animals must not be medicated if the withdrawal period will not have expired in advance of the TB test.

Timing of routine/non-urgent treatments, including anthelmintic (worming)/fluke dosing, should be postponed until the herd test is clear. However, if it is considered necessary that your cattle must be treated for fluke or parasites before the scheduled date of the test, you may opt to bring the date of your herd test forward to accommodate necessary treatment. (It will not be possible to alter a reactor retest as test interval timings are critical).

If, in the event that the herd fails the TB test; the RVO may require further blood testing (gamma interferon or GIF testing).

Herdowners should liaise with their RVO directly regarding any queries on the above and the specifics of their case.

6.2 Removal of Reactors for Slaughter

Cattle being slaughtered as reactors must comply with the same rules governing the use of veterinary medicinal products unless they are being moved directly to a knackery. These rules are noted as follows:

(i) No substance should be given to the animals which might render their meat unfit for human consumption.

(ii) The withdrawal periods for any medication administered to any of the animals must have expired.

6.3 Reactors which have been Medicated

Where medication of reactors has occurred, herdowners must liaise with RVO staff regarding the specifics of each case at which time options available to the farmer can be discussed. These may include;

(i) The reactors may be destroyed on the holding and removed to a knackery at the farmers expense, Or

(ii) The reactors may be retained on the holding in isolation until the withdrawal period has expired (thereby prolonging the period of restriction).

Eligibility for payment under the On Farm Market Valuation, Income Supplement, Depopulation and Hardship Grant scheme will also be assessed at the appropriate time in line with the relevant criteria.
Under no circumstances will the animal be eligible for payment if any illegal substance has been administered or if a legal medicine has been administered illegally.

The Department is aware that on occasion sick animals may require urgent care which may include being medicated. In order to maintain compensation eligibility when this occurs, an urgency certificate from the prescribing vet must be provided. The testing vet (if this is other than the vet who prescribed/administered the medicine) must also give their written permission for the medication to be administered.

The urgency certificate must specify:

(i) The nature of the condition being treated.
(ii) Why the treatment was urgent and could not be delayed.
(iii) The precise name of the medication administered.
(iv) Why a medicine with a shorter withdrawal period could not be used.
(v) Why it was impracticable to bring forward the test.

Where medication of reactors has occurred, herdowners must contact their RVO without delay regarding the specifics of each case; options available to the farmer can then be discussed.

Note that failure to adhere to medication guidelines may result in penalties. See 6.1

Valuations Affected by Withdrawal Periods

In cases where a reactor has been treated with medication before or after receipt of the test notification letter and irrespective of whether the medication was urgent or not, a decision will be taken on a case by case basis on the timing of the on farm valuation. In general, where all of the reactors have been treated with a veterinary medicine whose withdrawal period will delay the removal process, the valuation will take place close to the end of the withdrawal period.

If only some of the reactors have been treated and must be retained on the holding until the end of the withdrawal period, the animals which can be removed immediately will be valued as normal. If the animal that have to be retained have a withdrawal date of more than two weeks they should be removed from the V13 and will be valued closer to the removal time. **The valuation process for those being retained on the holding will be delayed until close to the end of the withdrawal period and will be paid for by the Keeper/Herdowner except where the medication occurred before notice to test was received.**

In cases where reactor animals have been valued before farmers advise that the animals have been medicated, a decision will be taken by the Department as to whether it is necessary to have the reactors revalued closer to the date of removal.

Where this is deemed necessary, farmers will be required to cover any additional valuation costs. **Where a herdowner/keeper has concerns regarding any of the above he/she must contact the RVO immediately.**

Section 7: Penalties

7.1 Penalty Deductions

Any entitlement to compensation is conditional on compliance with the provisions of aforementioned legislation and any other relevant orders referred to in Section 2.

The Minister may refuse payment under the OFMV, Income Supplement, Hardship or Depopulation Schemes, for non-compliance on the part of a Herdowner/Keeper with the TB Eradication Compensation Scheme. It is open to the Department to apply linked penalty deductions to all elements under the Compensation regime for the same offence (e.g. a market valuation penalty can also result in an income supplement penalty).

In addition, persons who contravene or fail to comply with the provisions under the relevant legislation may be liable for fine or imprisonment.

Ruminant Animal Health Policy Division is required to provide the Continuity Section, Direct Payments Unit with details of all breaches of legislation which are deemed to be non-compliances. Under the relevant Statutory Management Requirement relating to food hygiene these breaches will then be considered for assessment of auxiliary penalties.

Issues of non-compliance will include herds that fail to comply with testing requirements.

Factors taken into account in determining penalty deductions include:

(i) The type of breach,

(ii) The scale (including frequency) of the offence involved,

(iii) The general record of compliance with disease eradication regulations and cooperation with Department Officials,

Or

(iv) In the case of Technical breaches **only**, any applicable mitigating circumstances.

In the case of the On Farm Market Valuation Scheme, the Department has divided breaches into two main categories as follows:

(i) **Flagrant Breaches**: these include but are not limited to serious breaches of regulations such as;

- The use of illegal substance(s) under the Animal Remedies Regulations,
- Manufacture of reactors or otherwise interference with tests including, indefinite postponement or persistent refusal to carry out tests,
- Persistent failure to comply with the requirement to withhold and dispose of milk from reactor/standard inconclusive reactor animals,
- Persistent failure to maintain a record of milk produced by reactor/inconclusive reactor animals, where and how it was stored and the date and method of disposal

Persistent failures in respect of identification regulations and movement controls.

In the case of the On Farm Market Valuation Scheme, penalty **deductions will range from 75%-100%** of the Gross Differential Amount determined by the RVO and will be determined in increments of 5%.

(ii) **Technical Breaches**: these are normally regarded as being of a less serious nature and for which mitigating circumstances may apply. Examples include but are not limited to;

- Illegal movement of bovines,
- Failure to test as required,

- Identification regulation failure(s),
- Failure to comply with the requirement to withhold and dispose of milk from reactor/standard inconclusive reactor animals,
- Failure to maintain a record of milk produced by reactor/inconclusive reactor animals, where and how it was stored and the date and method of disposal.

In the case of the On Farm Market Valuation Scheme, penalty **deductions will range from 5%-25%** of the Gross Differential Amount determined by the RVO and will be determined in increments of 5%.

Section 8: Non Valuation Appeals Processes

8.1 Appeal to Regional Veterinary Office

This section applies **only** to non-valuation aspects of the Eradication Scheme such as payment related issues or where a non-compliance penalty has been imposed on a
Herdowner. Examples include but are not limited to;

- **Calculation of notional milk yield/use of official milk recording data**
- **Late submission of an ER83 form**
- **Non-Payment of compensation in respect of reactor animals which have been medicated prior to testing/removal**
- **Reduction of payment due to penalties applied e.g penalties due to delays in the removal of reactors**

Where the Herdowner wishes to request a review of a Higher Executive Officer decision relating to payments received, they should write to the Assistant Principal Officer **within three months of letter detailing the relevant HEO decision.**

8.2 Appeal to Agriculture Appeals Office

If the Herdowner is still dissatisfied with the Assistant Principal Officer decision, they can further appeal this decision by writing to:

The Agriculture Appeals Office,
Kilminchy Court,
Portlaoise, Co Laois,
R32 DTW5.

Or email *appeals@agriappeals.gov.ie*

The Agriculture Appeals Act, 2001 was enacted on 9 July 2001 and its Regulations came into effect on 13 May 2002. It is a specified requirement that such an appeal must be lodged to the **Agriculture Appeals Office** **within 3 months of the Assistant Principal Officer decision**.

Right of Review

Please note that a decision of an Appeals Officer is final and conclusive, except in the following four circumstances,

- *An Appeals Officer may change a decision where there is new evidence, new facts or a relevant change in circumstances.*
- *On request, from either party, The Director of Agriculture Appeals may revise a decision where there has been a mistake made in relation to the law or the facts of the case.*
- *The High Court may revise a decision on a point of law.*
- *An appellant may wish to appeal the decision to the Office of the Ombudsman,18 Lower Leeson Street, Dublin 2. Tel: (01) 6395600.*

Appendix 1: Income Supplement Example

Income Supplement – Example case

Herd detail

60 dairy cows in the herd of 100 animals

1st April - round test = 4 dairy cows are disclosed as reactors

14th April – follow up GIF where 10 further dairy cows are disclosed bringing the total number of dairy cows identified to 14.

This herd meets the required % threshold for payment under the Income Supplement Scheme from the date of positive test which is 9.5% or greater of dairy cows disclosed as reactors

The date of eligibility for this example herd is 14th April

A closer look at one reactor animal

The last calving date for our example cow was 1st February.

This cow was identified as reactor on the 1st April, however eligibility for this herd was established on 14th April when the required 9.5% threshold for eligibility was met.

The payment cycle for the herd will be 14th – 13th (inclusive) each month going forward for the duration of eligibility in this breakdown.

In this example, the cow is **month 3** post calving when herd eligibility is established under the Income Supplement Scheme. For the purposes of this example, this herd receives 6 payments under the income supplement scheme until the herd is de-restricted on 29th September.

The payments for this animal are calculated as follows:

Payment No.	Payment from/to	Month Post calving	Payment €	Calculation of payment
1	14/04-13/05	3/4	€98.60	17 days x month 3 (30) 13 days @ month 4 (31)
2	14/05/13/06	4/5	€101.43	18 days @ month 4 (31) 13 days @ month 5 (30)
3	14/06-13/07	5/6	€83.91	17 days @ month 5 (30) 13 days @ month 6 (31)
4	14/07-13/08	6/7	€65.10	18 days @ month 6 (31) 13 days @ month 7 (31)
5	14/08-13/09	7/8	€66.01	18 days @ month 7 (31) 13 days @ month 8 (30)
6	14/09- 29/09	8	€34.72	16 days @ month 8(30)
TOTAL			**€449.77**	

Note - (30) & (31) in brackets above refers to the calendar days in the relevant payment month (which determines the daily rate of the appropriate post calving monthly rate. All to and from dates are inclusive.

Appendix 2: Calculation of Milk Yield

Milk yield is used as one of the criteria to determine the valuation of dairy cows under the On Farm Market Valuation Scheme, and is calculated on the basis of one of the following:

(i) Notional Herd Average Milk Yield

Or

(ii) Milk recording figures supplied under the auspices of the Irish Cattle Breeding Federation (ICBF) (minimum requirements) in line with the relevant criteria

Non-Milk Recorded Herds (Notional)

Notional herd average milk yield is calculated by the RVO following a breakdown through whichever calculation method is of most benefit to the Herdowner/Keeper.

Selection of optimum Milk period: (whichever is the greater)

(i) Milk produced up to the point of breakdown,

Or

(ii) Milk produced in the previous calendar year.

Plus Milk Usage:

In the case of non-recorded herds, in order to reflect milk usage on the farm for the feeding of calves; a standard 100 gallons/454.6 litres per eligible cow is also added to the notional milk yield.

Selection of Number of Cows: (whichever is the lesser)

(i) The number of cows at the reactor disclosure test,

Or

(ii) The number of cows at the most recent clear herd test (in an unrestricted period) in the previous calendar year.

$$\frac{\text{Optimum Milk Period Number}}{\text{of Cows}} + \text{Milk Usage} = \text{Notional Herd Average Milk yield}$$

Where the Herd is not milk recording at the time of the restriction but has milk recorded under the auspices of ICBF in the year immediately preceding breakdown, recording information may be used from the Annual Animal Report up to 305 days. Subject to compliance with all relevant scheme criteria

Pre-Declaration of Suckler Cows (for the purpose of Notional Milk Yield)

As notified in the test letter issued prior to the breakdown, where a bona fide suckler enterprise is maintained in conjunction with a dairy herd, a herdowner/keeper may exclude the Beef breed suckler cows from the calculation of the notional milk yield by **predeclaring these sucklers on the ER83 form in advance** of any test. This form, which is available on the Department's website or from the RVO, must be submitted in advance of any test(s) including a private test. If the form is sent by post, then a certificate of posting should be obtained.

This form cannot be submitted if the herd has already disclosed reactors in a current breakdown.

Cows declared as sucklers for the On Farm Market Valuation Compensation purposes in a herd cannot revert to dairy cow status in the same herd i.e. in the event that they become reactors at the current test or at any test in the future. Such cows will be eligible for the suckler cow income supplement/depopulation grant rate **only**. Appeals requesting the acceptance of the late submission of an **ER83 Form** are covered under the penalties and Appeals section.

Yield Level Definitions for Dairy Youngstock

For herdowners who participate in milk recording with official Milk Recording Organisations, individual milk yields for dairy youngstock in the first instance should be determined as follows

On the production data of their dams using:

- 305 days predicted yield using the latest Milk Recording Animal Report, or the **completed lactation up to 305-day yield from the** Dams **previous lactation** using the "**Milk Recording Annual Animal Report**" or the last **"Milk Recording – Animal Report"** from the previous year.

Or where neither of the above is available - completed recorded herd average up to 305 days from the previous year using the **Milk Recording Annual Farm Report**

Milk Recorded Herds

Milk recording data will only be considered and used as part of the valuation where the minimum requirement set down by the Department has been completed and is available. Milk recordings taken after the date of restriction will not be used for the purposes of yield calculations.

New entrants to dairy production or herd owners that have just commenced milk recording in the current year must have a recording completed before the holding is restricted.

All records must be retrieved from official ICBF/milk recording agency reports. All Herdowners who receive their milk records electronically from ICBF also receive a hardcopy; recorded information from other sources is not acceptable i.e. printouts from farm software packages.

Milk recorded figures may apply:

(i)Where the herd has been milk recording under the auspices of ICBF in the year prior to restriction and has completed all recordings within the chosen scheme e.g. A4, A6, A8, A84.

Or

(ii)Where the herd has being milk recording prior to restriction with a recording completed under the auspices of ICBF prior to the date of restriction.

Where appropriate, in such cases individual milk yield for cows are to be determined utilising the following:

Dairy Cows
For All Lactations

305 day predicted yield using the latest "Milk Recording – Animal Report" from the current lactation based on minimum of one recording or the completed lactation up to 305 days yield if the current lactation is completed (as above).

Where:

(iii) The Herd is not milk recording at the time of the restriction but has milk recorded under the auspices of ICBF in the year immediately preceding breakdown, recording information may be used from the Annual Animal Report up to 305 days. Subject to compliance with the criteria set out in the Sections above and other where deemed appropriate.

Regional Veterinary Offices (RVO) For Herdowners Based in County:	Herd No Prefix	Administrative Hub Address	Phone No	Email Address
Carlow	**A**	Eir, Knockmay Road, Portlaoise, Co Laois R32 YK81	051 312300	carlow_dvo@agriculture.gov.ie
Cavan	**B**	Government Offices, Farnham Street, Co Cavan, H12 D459	0494368200	cavandvo@agriculture.gov.ie
Clare	**C**	Poplar House, Poplar Square, Naas, Co. Kildare W91 HC5P	045 873035	claredvo@agriculture.gov.ie
Cork	**D**	Revenue House, Assumption Road, Blackpool Cork T23 W922	021 4851400	corknorthdvo@agriculture.gov.ie
Donegal	**E**	Meeting House Street, Raphoe, Co. Donegal. F93 WK52	074 9173600	donegal_dvo@agriculture.gov.ie
Dublin	**F**	Poplar House, Poplar Square, Naas, Co. Kildare W91 HC5P	045 873035	kildaredvo@agriculture.gov.ie
Galway	**G**	Michael Davitt House, Castlebar, Co Mayo. F23 VE28	094 9035300	galwaydvo@agriculture.gov.ie
Kerry	**H**	Revenue House, Assumption Road, Blackpool Cork T23 W922	021 4851400	corknorthdvo@agriculture.gov.ie
Kildare	**I**	Poplar House, Poplar Square, Naas, Co. Kildare W91 HC5P	045 873035	kildaredvo@agriculture.gov.ie
Kilkenny	**J**	Eir, Knockmay Road, Portlaoise, Co Laois R32 YK81	051 312300	kilkenny_dvo@agriculture.gov.ie
Laois	**K**	Poplar House, Poplar Square, Naas, Co. Kildare W91 HC5P	045 873035	kildaredvo@agriculture.gov.ie
Leitrim	**L**	Derryhallagh, Drumshanbo, Co. Leitrim N41 EW27	071 9682000	
Limerick	**M**	Poplar House, Poplar Square, Naas, Co. Kildare W91 HC5P	045 873035	limerickdvo@agriculture.gov.ie

Regional Veterinary Offices (RVO) For Herdowners Based in County:	Herd No Prefix	Administrative Hub Address	Phone No	Email Address
Longford	**N**	Derryhallagh, Drumshanbo, Co. Leitrim N41 EW27	071 9682000	
Louth	**O**	Government Offices, Athlumney, Kilcarn, Navan, Co. Meath. C15 Y2T3	046 9079030	louth_dvo@agriculture.gov.ie
Mayo	**P**	Michael Davitt House, Castlebar, Co Mayo. F23 VE28	094 9035300	mayodvo@agriculture.gov.ie.
Meath	**Q**	Government Offices, Athlumney, Kilcarn, Navan, Co. Meath. C15 Y2T3	046 9079030	meath_dvo@agriculture.gov.ie
Monaghan	**R**	Government Offices, Farnham Street, Co Cavan, H12 D459	049 4368200	monaghandvo@agriculture.gov.ie
Offaly	**S**	Government Offices, Farnham Street, Co Cavan, H12 D459	049 4368200	offaly_dvo@agriculture.gov.ie
Roscommon	**T**	Government Offices, Farnham Street, Co Cavan, H12 D459	049 4368200	roscommon_dvo@agriculture.gov.ie
Sligo	**U**	Derryhallagh, Drumshanbo, Co. Leitrim. N41 EW27	071 9682000	
Tipperary	**V**	Eir, Knockmay Road, Portlaoise, Co Laois R32 YK81	051 312300	tipperary_south_dvo@agriculture.gov.ie
Waterford	**W**	Eir, Knockmay Road, Portlaoise, Co Laois R32 YK81	051 312300	waterford_dvo@agriculture.gov.ie
Westmeath	**X**	Government Offices, Farnham Street, Co Cavan, H12 D459	049 4368200	westmeath_dvo@agriculture.gov.ie
Wexford	**Y**	Eir, Knockmay Road, Portlaoise, Co Laois R32 YK81	051 312300	wexford_dvo@agriculture.gov.ie
Wicklow West	**Z201-Z226**	Poplar House, Poplar Square, Naas, Co. Kildare W91 HC5P	045 873035	kildaredvo@agriculture.gov.ie
Wicklow East	**Z101-Z148**	Eir, Knockmay Road, Portlaoise, Co Laois R32 YK81	051 312300	wicklow_east_dvo@agriculture.gov.ie

Data Protection and Freedom of Information

The Department of Agriculture, Food and the Marine is fully committed to transparency and openness in the use of personal data provided as part of our schemes and services. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold this data throughout the administrative process. Personal data processed by the Department will only be used for the specific purpose(s) as outlined when the data is collected, or in later communications, and will only be used in accordance with the current Data Protection legislation in force. When you, as a customer, provide personal data to the Department you have certain rights available to you in relation to that data. To exercise or obtain more information on these rights please refer to the full Ruminant Animal Health Policy Division Data Protection Notice available online at: **https://www. bovinetb/**

The personal data you provide is required to make an application under the On Farm Market Valuation Scheme, Income Supplement Scheme, Depopulation Scheme or Hardship Grant Scheme as appropriate. For the purposes of TB Compensation, personal information on your herd and payment details is collected by your RVO under the Animal Health and Welfare Act 2013 (No.15 of 2013), Animal Health and Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. No 58 of 2015). This information is used to calculate the appropriate levels of compensation due during your breakdown and will only be shared with Independent Valuers and the members of the Arbitration Panel as and when appropriate.

Failure to provide all the required information may result in DAFM being unable to progress your application for the TB compensation schemes as listed above (including arbitration) or award compensation payments.

The Department **may** also use this data to facilitate the processing of an application in a timely and efficient manner for other related schemes or to update information on the relevant databases held by the Department in connection with these schemes. Some personal data may be made available to other Government Departments, Agencies or Local Authorities, but only where there is a valid legal basis to do so. The purpose of sharing this data is for audit, evaluation purposes and controls relating to national and EU legislation underpinning cross compliance. Personal information may also be released under the terms of the relevant Data Protection legislation (data.protection@agriculture.gov.ie) in force and the Freedom of Information Acts (freedomofinformation@agriculture.gov.ie).

Where Personal data **is** used for statistical, research and analysis purposes it will be masked or anonymised, as appropriate, to protect your security and confidentiality. The use of the data in this way facilitates the Department in informing policy decisions into the future, which benefit the Irish farmer and the Agriculture Sector.

The Data submitted in support of your application under the TB Compensation Schemes will be retained by DAFM only as long as the legal requirement pertains, under the Animal Health and Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. No 58 of 2015) and Council Directive 64/432/EEC. After this time it will be marked for destruction. DAFM may only retain personal data in certain restricted circumstances which are fully outlined in Ruminant Animal Health Policy Divisions Data Protection Notice available online at: **https://www.bovinetb.ie**

This document can also be requested by post from:

Ruminant Animal Health Policy Division, Department of Agriculture, Food and the Marine, Admin Building, Backweston Business Campus, Celbridge, Co. Kildare W23 X3PH.