

# BVD PI Removal Incentivisation Scheme

## GUIDANCE: SCHEME RULES AND HOW TO APPLY

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### Details of this Scheme may be accessed on the following websites:

Animal Health and Welfare NI (<http://www.animalhealthni.com/>); Department of Agriculture, Environment and Rural Affairs (<https://www.daera-ni.gov.uk/>) and the Livestock Marketing Commission (<https://www.lmcni.com/>)



## 1. Introduction and Contact Information

The Bovine Viral Diarrhoea Eradication Scheme Order (Northern Ireland) 2016 came into operation on 1st March 2016 at industry's request, making the tag and testing of all new born calves for BVD compulsory. Bovine Viral Diarrhoea (BVD) is a production disease that impacts mainly at farm level and is endemic in Northern Ireland. The aim of the industry-led scheme is to reduce and ultimately eradicate BVD in herds. Animal Health and Welfare Northern Ireland (AHWNI) is responsible for the day-to-day administration and delivery of the Scheme.

Research evidence indicates that the presence of a BVD Persistently Infected (PI) animal in a breeding herd will, in one year, increase the risk of BVD PI calves being born the following year. Statistics from AHWNI indicate that currently some 11% of herds will be affected by BVD positives. Statistics also indicate that of herds infected with the BVD virus, 96% will have no more than 4 calves tested positive for the virus in a one year period. The early removal of these highly infectious animals is therefore critical to the success of BVD eradication.

On 30th November 2016, Agriculture Minister Michelle McIlveen announced a scheme to incentivise the prompt humane destruction and disposal of BVD infected animals. The BVD PI Removal Incentivisation Scheme is supported by the European Agricultural Guarantee Fund under exceptional adjustment aid (EAA) to milk producers and farmers in other livestock sectors (EU Regulation 2016/1613). Consequently the BVD PI Removal Incentivisation Scheme is a one-off scheme for which there is limited funding available. The Scheme aims to reduce the incidence of BVD in Northern Ireland through incentivising the removal and humane destruction of calves that have a positive test result for the presence of the BVD virus. The legislation giving effect to the Scheme (The Single Common Market Organisation (Exceptional Adjustment Aid) Regulations (Northern Ireland) 2017) came into operation on 1st February 2017.

This guidance document sets out scheme rules and explains how farm business owners can apply to the BVD PI Removal Incentivisation Scheme. If you have any queries relating to:

- Making a claim, you should contact the delivery agent for the PI Removal Incentivisation Scheme, namely **The Livestock & Meat Commission for Northern Ireland (LMC), Telephone: 028 9263 3000;**
- Operation of the NI BVD Eradication Scheme, such as queries relating to testing of animals and accessing test results, you should contact **Animal Health and Welfare NI (AHWNI), Telephone: 028 7963 9333;**

- Recording and confirming birth and death information on DAERA's Animal and Public Health Information System (APHIS), you should contact the **DAERA Helpline, Telephone: 0300 200 7840.**

## 2. Definitions

For the purpose of this guidance and the claim form:

"AHWNI" means Animal Health & Welfare Northern Ireland;

"APHIS" means DAERA's Animal and Public Health Information System, which is DAERA's primary repository for information on food animals and their keepers;

"APHIS online" means DAERA's online service which allows farmers to access their herd and flock details at any time;

"applicant" means the farm business owner who has signed the claim form, claiming payment under the Scheme;

"approved laboratory" means a laboratory approved by DAERA for the purposes of the BVD Order;

"Business ID Number" means the unique identification number allocated to the legal owner of the business by the Department;

"BVD" means Bovine Viral Diarrhoea;

"BVD Order" means The Bovine Viral Diarrhoea Eradication Scheme Order (Northern Ireland) 2016, which came into operation on 1st March 2016;

"BVDV" means the Bovine Viral Diarrhoea Virus;

"Cattle Identification Regulations" mean the Cattle Identification (Notification of Births, Deaths and Movements) Regulations (Northern Ireland) 1999;

"DAERA" means the Department of Agriculture, Environment and Rural Affairs;

"delivery agent" means an organisation that has been appointed by DAERA for the purposes of delivering the Scheme;

"Herd Number" means the unique herd identification number assigned by DAERA to a herd for which a herd keeper has responsibility;

"keeper" means a person responsible for a herd;

"LMC" means The Livestock & Meat Commission for Northern Ireland;

"MC1" means the form completed by the herd keeper to provide DAERA with notification of births and deaths of bovine animals;

"PI" means persistently infected with BVDV;

"Scheme" means the BVD PI Removal Incentivisation Scheme;

"tissue sample" means a sample of tissue taken from a bovine by means of an official BVD tissue tag.

### 3. Eligibility

DAERA, or its delivery agent, may pay financial assistance to herd keepers as an incentive for the humane destruction and disposal of calves that have received a positive test result for the presence of BVDV and have been confirmed dead on APHIS.

Calves eligible for payment are those that meet the eligibility criteria. Claims may only be made where the calf **is owned by the applicant** and has:

- Had notification of its birth recorded on APHIS (in accordance with Regulation 6 of the Cattle Identification Regulations);
- Been tag and tested in accordance with paragraph 3(1) and (2) of the schedule to the BVD Order, which requires that:
  - a tissue sample is taken from the calf **within 20 days of birth and**
  - the tissue sample is dispatched to an approved laboratory for testing for BVDV at the earliest opportunity but **not later than 7 days after sampling;**
- Received a positive test result for BVDV and, if re-tested, has obtained a confirmatory positive test result;
- **Not been moved** from the herd of origin contrary to paragraph 14(1) of the schedule to the BVD Order;
- Been humanely destroyed *and*
- Had its death recorded on APHIS in accordance with Regulation 8 of the Cattle Identification Regulations. For the purposes of the Scheme, the date of death notification will be the date the death is recorded on APHIS online or the MC1 document has been received by DAERA. The record must be made on or after 1 February 2017 and no later than 30 September 2017 and;
  - not later than **4 weeks from the date the keeper received notification of an initial test positive or**
  - not later than **6 weeks from the date the keeper received notification of an initial test positive result when a re-test has been undertaken.**

The keeper is responsible for ensuring the death of the animal is confirmed on APHIS online or by submission of an MC1 to DAERA. **The disposal agent or rendering plant is not responsible for confirming the death of the animal on APHIS.**

In addition to the calf eligibility criteria above, in order to be eligible for payment, the keeper must be registered with DAERA and have:

- A valid herd number *and*
- A valid Business ID number.

#### 4. Re-testing

Research shows that 9 out of 10 of all initial test positive animals will be confirmed as persistently-infected (PIs) on re-test. The keeper of an animal with an initial positive test result for BVDV may decide to have the animal re-tested, as provided for under paragraph 5 of the schedule to the BVD Order. This must be done using a blood sample collected by a veterinary surgeon. Re-tests should be carried out **no earlier than 3 weeks after the initial sample was collected** to allow transiently infected animals to become virus-negative.

If the result of the re-test is negative, the animal is then free to move and will not be eligible for payment under this Scheme. If the animal tests **positive** on re-test, it remains eligible for payment provided it meets all Scheme requirements and has its death recorded on APHIS not later than **6 weeks** from the date the keeper received notification of an initial positive result.

#### 5. How much financial support is available

For calves with a positive test result from an approved laboratory for the presence of BVDV and where all the criteria of the scheme are met, financial assistance is available towards the cost of replacing beef breed calves and dairy breed heifer calves, and towards the cost of the removal and humane destruction of dairy male calves as follows:

- **Beef calf - £160**
- **Dairy heifer calf - £130**
- **Dairy male calf - £50.**

The rate of payment due will be determined from the calf's breed and sex information as held on APHIS.

**Farm Businesses can claim payment for no more than 6 test positive animals during the lifetime of this Scheme.** DAERA reserves the right to undertake compliance checks and enforcement on animals and/or the herd, including the further testing of BVD tissue samples for DNA analysis. **Herds with high incidences of test positives will expect to have additional compliance checks undertaken** (see Section 9).

#### 6. How to claim payment

The NI BVD Eradication Scheme, delivered by AHWNI, requires that all new born calves are tested for the presence of BVDV. When a sample taken from a calf has a positive test result for BVDV, AHWNI will confirm in writing the positive test result to the keeper. For calves that have received a positive test result for BVDV during the period the Scheme operates, a

claim form will be provided to any keeper who may potentially qualify for financial assistance and will be attached to the confirmation letter issued by AHWNI.

To claim payment, the claim form must be completed by the owner of the animal (farm business owner), signed and returned to the delivery agent **within 2 weeks of confirmation of the death of the animal on APHIS**. The form should be returned to the following address:

BVD PI Removal Incentivisation Scheme  
The Livestock & Meat Commission for Northern Ireland  
Lissue Industrial Estate (East)  
1A Lissue Walk  
Lisburn BT28 2LU.

Applicants who post documents to the delivery agent are advised to obtain proof of postage.

Applications can only be made for animals that meet the Scheme rules and eligibility criteria.

## **7. Declaration and Fraud**

By completing and signing the claim form, the applicant has confirmed, to the best of their knowledge, that all information provided is true and complete, and that they understand the rules of the Scheme, including information on potential offence and penalties.

False declarations may lead to disqualification from the Scheme, liability to refund any payment that has been made and possibly prosecution. Some or all the information provided by the applicant may be disclosed under the Freedom of Information Act 2000.

DAERA will take every possible step to identify and pursue all attempted fraudulent claims and pay only where eligibility can be confirmed beyond reasonable doubt. **DAERA Fraud Hotline Number: FREEPHONE 0808 100 2716.**

## **8. Payment of claims**

Claims will only be paid when the administrative checks are carried out by the delivery agent and/or DAERA. It may therefore be 6 weeks or more from receipt of application before payments are fully processed.

Applicants may be requested by the delivery agent to rectify or clarify any deficiency or inaccuracy in the claim form. This information should be returned to the delivery agent within 1 week of receipt of that request.

Claims which are deemed ineligible will be rejected, and the applicant will be advised accordingly in writing.

## **9. Compliance checks**

**To enable the delivery agent and/or DAERA to verify the accuracy of information submitted by applicants, all claims will be subject to systematic administrative checks and controls, which will include:**

- **Review and cross-checking of information held on APHIS and the AHWNI database;**
- **Rendering-plant inspections and on-farm inspections as required; and**
- **Further DNA testing of tissue samples previously tested for BVDV as required.**

## **10. Recovery of payments**

DAERA may recover on demand any sum paid in excess of any payment due under the Scheme or where the false information has been provided to DAERA or its agent. Any payment due to DAERA will be treated as debt, interest on which may be payable. Overpayments may be deducted from any future DAERA-related grant payable to the applicant.

## **11. Powers of entry**

DAERA has powers of entry, for enforcement purposes, to land and premises on which documents or animals relating to a claim are being kept. DAERA reserves the right to inspect any land, premises, buildings and any document, record or equipment that relates to an application made under this Scheme, and to require the applicant or any employee or agent of the applicant, to produce documents or records, or any additional information in his possession or under his control relating to the claim. Such documentation or information, which DAERA has reason to believe may be required as evidence in proceedings, may be removed or retained by DAERA for a reasonable period.

## **12. Enforcement and DNA Testing**

If necessary, for the purposes of enforcement DAERA may:

- Inspect and count livestock on the land and premises, and require the applicant, or any employee or agent, to arrange for the collection, penning and securing of such livestock and to give all reasonable assistance as necessary;
- Take samples (and send them for laboratory testing) from any animal;
- Seize and detain any animal for further examination, investigation or testing;
- Mark any animal found on the premises for identification purposes;

- Require that samples previously collected and dispatched to an approved laboratory for testing for the presence of BVDV are further tested for DNA. The Single Common Market Organisation (Exceptional Adjustment Aid) Regulations (Northern Ireland) 2017 contains powers permitting DAERA to undertake this enforcement action where fraud is suspected. Laboratories approved for the purposes of the BVD Order have been instructed to retain tissue samples for follow-up DNA tests by DAERA if required.

### **13. Offences and penalties**

It is an offence to obstruct, fail to provide information without reasonable cause or furnish false or misleading information to any person acting to implement the Scheme. A person guilty of an offence is liable, on summary conviction, to a fine not exceeding the statutory maximum or on conviction on indictment, to a fine.

### **14. Appeals**

Where payment is not made due to ineligibility or non-compliance with Scheme rules, applicants will be advised in writing by the delivery agent and will have the right to seek a review. A request for a review should be submitted by the applicant, in writing, to the delivery agent setting out the reasons why payment should be made. The applicant will be informed of the outcome of the review in writing.

A claim of *force majeure* - circumstances which the applicant could not have foreseen and the effects of which could not have been mitigated without excessive sacrifice or cost - must be lodged in writing with the delivery agent within 15 working days of being able to do so and should set out what the event was and how it prevented compliance with the eligibility criteria, Scheme rules or other obligations.

### **15. Amending the Scheme**

DAERA reserves the right to amend or alter eligibility criteria and Scheme rules, and to close the Scheme before 30 September 2017 should this be necessary.

### **16. Data disclosure**

The information provided in the claim form will be shared between the delivery agent, DAERA and AHWNI. All information will be processed in line with the requirements of the Data Protection Act 1998. DAERA may also use the information provided for other legitimate purposes in line with the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 legislation, including for purposes relating to animal health and welfare, the compilation of statistics and disclosure to other organisations when required to do so.