1. For the purpose of this circular “PVP” includes Wholetime Temporary Veterinary Inspector.

2. In order to ensure that only approved PVPs who are in compliance with the terms of their contract with the Minister perform testing under the 2017 TB Eradication and Brucellosis Monitoring Programmes, each approved PVP is required to submit the annual acknowledgement of receipt of instructions prior to the commencement of the annual testing/sampling programmes.

3. The annual instructions (ER4) will not be posted to PVPs who operate AHCS on line. Instead the annually revised instructions will be made available for downloading and acceptance via AHCS (PVP link).

4. Furthermore on-line PVPs will be able to enter details of their syringe certificates and tax reference numbers directly onto AHCS. Those who don’t and those operating off line may still submit the syringe certificates and tax details to the RVO.

5. AHCS will prevent the entry of advance itineraries and submission of private test requests if the ER4 instructions relating to the 2017 programme year have not been acknowledged.

6. For PVPs operating AHCS off-line the ER4 should be posted as in previous years and the acknowledgement returned to the Regional Veterinary Office (RVO) in the usual manner.

Approval to test

7. In order to be eligible to conduct Tuberculin tests and sampling for Brucellosis under the Animal Health and Welfare Act, 2013 and Orders (now considered Regulations under the Animal Health and Welfare Act 2013) made thereunder and related EU legislation a PVP is required to:

   I. be entered in the current Register of Practitioners for Ireland,
II. be authorised by the Minister under the Act, and,
III. be approved under the TB Regulations and/or Brucellosis Orders (Statutory Instruments considered to be Animal Health and Welfare Regulations) as appropriate.
IV. commit formally and adhere strictly to the instructions, terms and conditions as laid down in the ER4 document; (Re-approval to test takes place on an annual basis following acknowledgement/acceptance of the ER4 instructions either online or on receipt of the acknowledgement (Form ER4A) attached to the letter that accompanies the ER4 (off-line PVPs only)).
V. use and update the unique identity codes (user code and password) and access number (Personal Identification number (PIN)) issued for personal use in respect of the Animal Health Computer System (AHCS) and keep details of these confidential. A PVP must not allow any third party access to their identity codes and/or PIN as this would facilitate false certification of a test and in addition new applicants must;
VI. apply to the RVO for approval to test by completing form ER3 and submitting it to the RVO. The RVO will then arrange a meeting with the SVI at which time the ER67 Contract will be signed by both the SVI and the new PVP;
VII. attend a TB training course as prescribed by the Minister;

**DAFM charges on PVPs for additional costs incurred**

8. Article 28 of Regulation EC/882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules states;

> “When the detection of non-compliance leads to official controls that exceed the competent authority's normal control activities, the competent authority shall charge the operators responsible for the non-compliance, or may charge the operator owning or keeping the goods at the time when the additional official controls are carried out, for the expenses arising from the additional official controls.”

In light of this legal requirement, the Department is obliged to recover any additional costs which it incurs e.g. sampling/testing costs or cost of additional visits or investigations conducted over and above the norm, necessitated by non-conformity by the PVP/practice with requirements set out in this document (see ER 03/2010 Version 2 and section 5.2 of the 2017 version of the ER 4).

**Legislation**

Directive 64/432/EEC (as amended) on intra-community trade in bovine animals and swine.
Dir. 77/391/EEC introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle.
Dir. 78/52/EEC establishing the Community criteria for national plans for the accelerated eradication of brucellosis, tuberculosis and enzootic leucosis in cattle.
Regulation (EC) 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

**Procedures On-line PVPs**

9. As stated above, on-line PVPs will receive and acknowledge receipt of the ER4 instructions electronically through AHCS. There is no need for the RVO to issue any documentation relating to the ER4 instructions to such PVPs. The ER4(i) letter will be emailed to on-line PVPs by ERAD Division.

10. AHCS will prevent on-line PVPs entering advance itineraries and submitting private TB test requests for dates in 2017 if the ER4 instructions relating to the 2017 programme year have not been acknowledged.

11. On-line PVPs may also enter details of their syringe certificates and tax clearance details on AHCS. They are not required to submit paper certificates – syringe and tax clearance - to the RVO.

**Procedures Off-line PVPs**

12. Issue the following documents to each PVP;

   I. ER4(i) (offline) Letter to PVP
   II. ER4 Conditions and Instructions 2017 (Revised 2016)
   III. ER4(A) Acknowledgement/Declaration of compliance.

13. Request each individual PVP who is intending to conduct Tuberculin testing and/or Brucellosis sampling to read the ER4 document carefully and to submit the signed acknowledgement/declaration (ER4A) to the RVO in which area the practice base is located within 1 week and no later than 2 weeks of the date of the letter;

14. Request submission of any outstanding tax clearance certificate details.

15. Record on AHCS receipt of the signed and completed ER4A (i.e. assign the PVP ER4 status) and details of the McLintock Syringe certificates for 2017 submitted by the PVP.
16. If the signed ER4A has not been submitted by the PVP within the timeframe set, do not issue any new herd-test listings/approvals to test/sample to the PVP.

**Procedures New PVPs**

16. New applicants must complete the ER3, signed the ER67 in the presence of RVO SVI and acknowledged receipt of the ER4 instructions electronically through AHCS;

**Charges on PVPs for additional costs**

17. Circular **ER 03/2010 Version 2** sets out the procedures to follow relating to the implementation of this charge.

**Submission by PVPs of Tax Clearance Certificates**

18. A Tax Clearance Certificate (TCC) is required if payments have already or are likely to exceed €10,000 (inclusive of VAT) in any 12-month period;

19. From January 2016 Revenue has ceased to issue paper tax clearance certificates. The paper certificates are now replaced by a new electronic Tax Clearance system (eTC). Paper certificates currently issued with end dates up to June 2016 will remain valid until the date of expiry noted on those certificates. Further information in relation to this new electronic Tax Clearance system is available at [www.revenue.ie](http://www.revenue.ie)

20. Under the terms of the Department of Finance Circular 43/2006 “Tax Clearance Procedures Public Sector Contracts”, suppliers of goods and services are required to furnish a current valid Tax Clearance Certificate if payments to them in any twelve-month period exceed €10,000 (inclusive of VAT). Payments will be withheld on SAP until such a certificate is provided or alternatively until the PVP provides the details required by the Department to verify their tax clearance status through Revenue’s eTC system i.e. PPSN/Tax Reference number and Tax Clearance Access number.

21. Currently on-line PVPs have a facility to record on AHCS the certificate and registration numbers of the TCC as they appear on the TCC thus authorising the Department to use the Revenue on-line verification facility. This information if provided will be displayed on the business customer/vet information screen in the main application. A fixed query is available on AHCS that lists details of TCCs submitted by PVPs in the previous 30 days. This fixed query should be run each week for each RVO to identify the TCCs that need to be verified. Once the TCC for a PVP has been verified using Revenue’s on-line system the RVO should record the details against the PVP’s record on CCS.

22. Failure to meet the tax clearance requirements within 6 months of the end of the current year may result in the application of a 50% reduction to the outstanding fees. This reduction can be avoided in circumstances where the veterinary practitioner provides evidence to the Department that he/she is engaging with the Revenue Commissioners with a view to regularising his/her tax affairs.
23. PVPs wishing to offset any outstanding fees against their tax liability should contact their local Revenue Commissioners Office for guidance.

24. PVPs are paid as suppliers of services and payments are subject to Professional Services Withholding Tax. They must register for income tax with Revenue by completing Form TR1 - Tax Registration form for Sole Traders, Trusts and Partnerships”. The relevant Revenue web page is: http://www.revenue.ie/en/tax/it/leaflets/it10.html. When registered the PVP should then apply for an electronic Tax Clearance Certificate.

25. PVPs may not be listed for Department pay testing unless, where required, they meet the tax clearance requirements.

**Data Protection**

26. The details, including underlying reasons, of any sanction imposed by the Department for TB and Brucellosis Testing or by the courts in relation to TB and Brucellosis testing may be made available to the Department of Agriculture and Rural Development (DARD) Northern Ireland for the purpose of ensuring that the Disease testing standards are upheld. The Department of Agriculture Food and the Marine is subject to the provisions of the Data Protection Acts 1988 and 2003. Under Section 8 of the Data Protection Acts 1988 and 2003, the Department is required to have PVPs sign an undertaking agreeing to the disclosure of such information. Acknowledgement/acceptance of the ER4 document will be taken as consent to sharing of information relating to any sanctions imposed by the Department for TB and Brucellosis Testing with DARD Northern Ireland.

**List of approved TB Disinfectants**

27. A copy of approved TB disinfectants (attached and available on the E Zone) should be included with the covering letter issued to PVPs operating off-line.

**Key Words:** PVPs, contract, approval annual commitment, ER4.

**ERAD Division**
To the Veterinary Practitioner named in the address

Dear Sir/Madam

Subject: 2017 Testing Programmes

This Department is currently finalising the arrangements for the 2017 testing programmes.

In accordance with your contract with the Minister for Agriculture, Food and the Marine for the testing/sampling of cattle under the Bovine Tuberculosis Eradication and Brucellosis Monitoring Programmes pursuant to the Animal Health and Welfare Act, 2013, Regulations made thereunder and related EU legislation, on-going approval to conduct tuberculin tests and/or blood sampling is subject to receipt from you, on an annual basis, of a signed commitment to comply with the specific requirements of the disease eradication programme.

In this regard, I attach document ER4 (2017 version), which sets out the conditions and instructions for testing/sampling for the 2017 Programme together with a document ER4A (Acknowledgement/Declaration) to be completed by you. I attach also for your information a list of Department approved TB disinfectants.

Each individual Private Veterinary Practitioner (PVP) intending to conduct Tuberculin testing and/or Brucellosis sampling should:

(1) Read the ER4 carefully. Please do not assume you are familiar with all the contents.

(2) Complete and sign the attached ER4A (acknowledgement/declaration),

(3) Return ER4A within 1 week of the date of this letter to the Regional Veterinary Office (RVO), in which area the practice base is located, and,

(4) Submit any outstanding Tax Clearance Certificate from the Revenue Commissioners or, if you have been issued with an electronic certificate under Revenue’s new electronic Tax Clearance system, you may submit your PPSN/Tax Reference number and Tax Clearance Access number instead. Please note that this Tax Clearance requirement only applies if payments have already exceeded or are likely to exceed €10,000 (inclusive of VAT) in any 12 month period.

On-going approval to test and sample, the issuing of test listings, approvals to carry out specific herd and animal tests and eligibility for Department fee payments will be subject to receipt by the RVO of the completed ER4A and, as indicated, proof of a valid up to date Tax Clearance Certificate if required.

Please note that failure to meet the tax clearance requirements within 6 months of the end of the current year will normally result in a 50% reduction to the outstanding fees. This reduction can be avoided if (a) proof of a current valid Tax Clearance Certificate is provided or (b) you can provide evidence to show that you are engaging with the Revenue
Commissioners with a view to regularising your tax affairs. PVPs wishing to offset any outstanding fees against their tax liability should contact their local Revenue Commissioners Office for guidance.

You may authorise this Department to use the Revenue On-line Verification facility to access and confirm your tax clearance status by providing your PPSN Tax Reference number and Tax Clearance Certificate number or, if you have been issued with an electronic certificate under Revenue’s new electronic Tax Clearance system (eTC), your PPSN/Tax Reference number and Tax Clearance Access number.

In view of the fact that Ireland obtained Officially Brucellosis free status at EU level and Northern Ireland has now also done so, routine Brucellosis sampling has ceased. However, the legal obligation to report all abortions in cattle remains unaltered as does the obligation to submit such fetuses, if available, for testing for Brucellosis to the Department’s Regional Veterinary Laboratory and/or to have the animal that aborted sampled for Brucellosis as soon as possible by a Veterinary Practitioner.

Under the Brucellosis monitoring programme some risk based testing will be scheduled in particular for female animals that may have been imported from non-OBF countries and which will maintain a potential risk of latent infection until a post calving test clarifies their status.

Before commencing a test (including reactor retests and tests where the herd is under restriction) the testing veterinary practitioner must request and take possession of all passports/identity cards in the keeper’s possession for the cattle on that holding.

When, an animal(s) is deemed as a standard interpretation inconclusive reactor(s) the passports/identity cards for that animal must be forwarded to the RVO pending retest. EU laws for meat inspection mean that standard inconclusive reactor animals and all reactors may only be moved to slaughter on permit. Veterinary practitioners are no longer required to submit passports/identity cards to the RVO except those relating to standard inconclusive reactors and also any surplus or incorrect passports/identity cards. Passports for reactors should be held for 4-months, or until requested by the RVO, and then destroyed. Under no circumstances should passports for reactors be left in the possession of a farmer.

You are advised to submit the completed ER4A as a matter of urgency.

Yours sincerely

______________________
Superintending Veterinary Inspector
Dear Sir/Madam

Subject: 2017 Testing Programmes

This Department is currently finalising the arrangements for the 2017 testing programmes.

In accordance with your contract with the Minister for Agriculture, Food and the Marine for the testing/sampling of cattle under the Bovine Tuberculosis Eradication and Brucellosis Monitoring Programmes pursuant to the Animal Health and Welfare Act 2013, Regulations made thereunder and related EU legislation, on-going approval to conduct Tuberculin tests and/or sampling for Brucellosis is subject to receipt from you, on an annual basis, of a commitment to comply with the specific requirements of the disease eradication programme.

In this regard, the document ER4 (2017 version), which sets out the conditions and instructions for testing/sampling for the 2016 Programmes is now available on-line via the Animal Health Computer System (PVP link). As in 2016, you should use the dedicated AHCS screen to acknowledge receipt and acceptance of the ER4 requirements. You should also use AHCS to record details of TB syringe certificates on the screen that is available for that purpose. The attached AHCS ‘Release Notes’ explains how to use these screens.

Each individual Private Veterinary Practitioner (PVP) intending to conduct Tuberculin testing and/or Brucellosis sampling should:

1. Read the ER4 carefully. Please do not assume you are familiar with all the contents.
2. Acknowledge receipt and confirm their acceptance of the testing/sampling instructions on-line via AHCS within 1 week of the date of this letter.
3. Provide any outstanding Tax Clearance Certificate from the Revenue Commissioners. You may submit your certificate to your RVO or alternatively you may use the facility provided on AHCS to submit the details to the Department on-line. By providing the Department with your PPSN/Tax Reference number and Tax Clearance Certificate Number (or Tax Clearance Access number if you have been issued with a certificate under Revenue’s new electronic Tax Clearance system) through AHCS you are authorising the Department to use the Revenue On-line Verification facility to access and confirm your tax clearance status. A Tax Clearance Certificate is required if payments have already exceeded or are likely to exceed €10,000 (inclusive of VAT) in any 12-month period.
4. Record details of TB syringe certificates on-line via AHCS.

Please see attached also a list of Department approved TB disinfectants,

On-going approval to test and sample, the issuing of test listings, approvals to carry out specific herd and animal tests and eligibility for Department fee payments will be subject to acceptance of the ER4 requirements and, as indicated, proof of a valid up to date Tax Clearance Certificate if required.
Please note that failure to meet the tax clearance requirements within 6 months of the end of the current year will normally result in a 50% reduction to the outstanding fees. This reduction can be avoided if (a) proof of a current valid Tax Clearance Certificate is provided or (b) you can provide evidence to show that you are engaging with the Revenue Commissioners with a view to regularising your tax affairs. PVPs wishing to offset any outstanding fees against their tax liability should contact their local Revenue Commissioners Office for guidance.

In view of the fact that Ireland obtained Officially Brucellosis free status at EU level and Northern Ireland has now also done so, routine Brucellosis sampling has ceased. However, the legal obligation to report all abortions in cattle remains unaltered as does the obligation to submit such fetuses, if available, for testing for Brucellosis to the Department’s Regional Veterinary Laboratory and/or to have the animal the animal that aborted sampled for Brucellosis as soon as possible by a Veterinary Practitioner.

Under the Brucellosis monitoring programme some risk based testing will be scheduled in particular for female animals that may have been imported from non-OBF countries and which will maintain a potential risk of latent infection until a post calving test clarifies their status. Such animals may be ‘flagged’ on the download from AHCS to alert you to sample them when presented for TB testing.

Please Note: Before commencing a test (N.B. including reactor retests and tests where the herd is under restriction) the testing veterinary practitioner must request and take possession of all passports/identity cards in the keeper’s possession for the cattle on that holding.

When an animal(s) is deemed as a standard interpretation inconclusive reactor(s) the passports/identity cards for that animal must be forwarded to the RVO pending retest. EU laws for meat inspection mean that standard inconclusive reactor animals and all reactors may only be moved to slaughter on permit. Veterinary practitioners are no longer required to submit passports/identity cards to the RVO except those relating to standard inconclusive reactors and also any surplus or incorrect passports/identity cards. Passports for reactors should be held for 4-months or until requested by the RVO, and then destroyed. Under no circumstances should passports for reactors be left in the possession of a farmer.

You are advised to acknowledge receipt and acceptance of the ER4 instructions as a matter of urgency.

Yours sincerely

__________________
Superintending Veterinary Inspector
Acknowledgement of and Declaration to adhere to the Testing/Sampling Instructions

To Superintending Veterinary Inspector

______________________________RVO

1. I hereby acknowledge receipt of the instructions and requirements for testing and sampling contained in document ER4 in relation to the 2017 TB Eradication and Brucellosis Monitoring Programmes, the contents of which I have read, understood and will adhere to at all times. I declare that I accept these instructions/requirements and that I will carry out testing/sampling in accordance therewith.

2. I hereby confirm that I am entered in the current Register of Practitioners for Ireland.

3. *(a) I have already submitted McLintock syringe certificates for 2017
   or
   *(b) McLintock syringe certificates for 2017 are attached.

4. I hereby acknowledge that as a data processor I am committed to complying with the data protection rules set out in the Data Protection Acts 1988-2003 and as set down in the ER 4.

5. *(a) I enclose my current Tax Clearance Certificate/e Tax Clearance Certificate;
   Or
   *(b) I authorise the Department of Agriculture, Food and the Marine to use the Revenue On-line Verification facility to access and confirm my tax clearance status by using the following ppsn/tax reference numbers:

   PPSN/Tax Reference number __________________________

   And

   *Tax Clearance Certificate Number __________________________
   Or
   *Tax Clearance Access number __________________________
   (if certificate is issued under Revenue’s electronic Tax Clearance System)

   *(delete as appropriate).

Signed: ____________________________________________ Vet Code: P__________________
Veterinary Surgeon

Date: _____/ _____/ _________________