



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

SCHEME TO FACILITATE THE USE OF MEAT AND BONEMEAL AS A RENEWABLE ENERGY SOURCE

TERMS AND CONDITIONS

1. Introduction

Ireland produces and exports approximately 60,000 tonnes of high-risk meat and bonemeal (MBM) annually to Great Britain.

Regulation (EC) No. 1069/2009 prohibits the export of MBM to non-EU countries. Following Brexit, Ireland secured a short-term derogation allowing the continued export of MBM to Great Britain until 31 December 2023. As a result of these developments, Ireland is urgently developing measures for the sustainable disposal of MBM in Ireland.

The Department of Agriculture, Food and the Marine (DAFM) invites expressions of interest in relation to innovative projects to use MBM as a renewable energy source in Ireland. Capital funding will be available to assist successful operators.

2. Legal Basis

The disposal of animal by-products (ABP) including meat and bonemeal is governed by EU and national legislation. Regulation (EC) No. 1069/2009 and its implementing Regulation (EU) No. 142/2011 lay down the rules for the collection, transport, storage, handling, processing and use or disposal of animal by-products in EU member states. European Union (Animal By-Products) Regulations 2014 (SI 187 of 2014) give legal effect to these regulations in Irish law. Regulation (EU) 2020/735 of 2 June 2020 amends Regulation (EU) No 142/2011 to allow the use of meat-and-bone meal as a fuel in combustion plants. Regulation (EU) 2021/1755 established the Brexit Adjustment Reserve under which the state aid was applied for.

This scheme falls under State Aid in accordance with the EU Guidelines for State Aid in the agricultural and forestry sectors and in rural areas.

3. Participation

Operators who wish to participate in the scheme must demonstrate the following:

- a. A detailed draft of the proposed project for the disposal of MBM and its use as a renewable energy source.
- b. The expected tonnage of MBM to be disposed of per calendar year under the proposed project. The project should be of significant size and ambition to make a significant contribution to Ireland's needs.
- c. Evidence of authentic costings and certainty of costings across project timelines.
- d. Realistic timescales and delivery plan for the project.
- e. Evidence of engagement with the rendering industry and preferably a commitment of supply of MBM to the renewable energy facility.

4. Documentation

Operators must maintain detailed records of all expenditure incurred under the scheme. Information must be recorded accurately and completely and must be made available for inspection at the operator's premises at all reasonable times by DAFM personnel.

5. Payments

DAFM will make payments based on invoices submitted by the operator.

6. Duration

The scheme will end on 31 December 2023.

7. Liability to Third Parties

The operator accepts responsibility for and agrees to insure against its liability to third parties in respect of any loss of or damage to property or death or injury sustained by them from the negligent act, omission or breach of duty of the operator, its employees or agents and resulting from the collection, transport of raw material under this scheme. The operator hereby indemnifies the Minister for Agriculture, Food and the Marine (the Minister), his employees and agents against any such liability to third parties in respect of any such loss or damage sustained by them from such negligent act, omission or breach of duty of the operator, its employees or agents.

8. Inspections

The operator shall provide access to an authorised officer, or a third party, acting for DAFM to inspect and review the performance by the operator. An authorised officer, or a third party for DAFM, shall be entitled to inspect the books and records of the operator as they relate to the scheme.

Inspections may comprise on-the-spot unannounced visits by DAFM personnel, or a third party acting on its behalf. If as a result of any such inspection or review as aforesaid, an authorised officer or a third party acting for DAFM, is of the opinion that the services are not being performed in accordance with this scheme, the operator will be so informed in writing and must take such steps as may be necessary to ensure such compliance. Any notification under this clause shall not constitute a waiver and shall be without prejudice to any of the Minister's other rights under this scheme.

The operator shall comply with all audits and any reasonable requests issued by the Minister, an authorised officer, or a third party acting for DAFM regarding any matter related to the scheme.

Officials of DAFM, or a third party acting for DAFM, will carry out any inspections or audits that are required of the facilities and any system changes required arising from such inspections will be agreed in writing with both parties. The Minister reserves the right to strictly monitor and enforce compliance with this scheme.

9. Further Conditions

9.1 Sanctions

Penalties shall apply for failure to comply with any of the articles as set out above. These penalties are at the discretion of the Minister to impose, but may include graduated financial penalties, proportionate to the noncompliance, and/or suspension or removal from the scheme.

9.2 False Statements

If, for the purpose of obtaining payments under this scheme, an operator makes a false

or misleading statement or withholds information, the Minister may withhold or recover payment where appropriate. In addition, the Minister may suspend or exclude that operator from the scheme.

9.3 Appeals Procedures

The Minister shall not withdraw approval for participation, or suspend or disqualify a participant in the scheme, without first affording the participant the opportunity of making representations to the Animal By-Products Section within 14 days of notification (contact details below).

9.4 Legal Provisions

All handling, collection, storage and transport should be carried out in accordance with the provisions of all relevant statutes, provisions and byelaws, and the onus of obtaining all consent, permissions, etc., including consent to enter onto or interference with land, other property or right of any other person or persons rests on the operator.

9.5 Right of Entry

The Minister reserves the right to arrange for the inspection at all reasonable times of any land, premises, plant, equipment and records of operator.

Contact Details

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