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DX Box 40 London,
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Our ref: LT060/1727/1727/00441853.00001
Your ref: LJM/EFs/ES/49508.1

16 June 2022

By DX and email: lmoore@phb.co.uk and
avernon@phb.co.uk

Dear Sirs

Our Client: Hereford Cattle Society
Your Clients: David Fenton & Peter Hall

We write further to the extensive exchange of correspondence between us. We note we have not yet received a response to our letter dated 11 April 2022. In this letter “OP” and “NAD” have the same meanings as in previous correspondence.

Unlike your clients, the Trustees have no desire to enter into any sort of legal dispute or court proceedings. They do, however, feel an increasing frustration at your clients’ apparent campaign of seeking to disrupt the Society’s charitable work. For the reasons explained in this letter, they have reluctantly decided to place your clients on notice to cease and desist from these activities, in default of which the Trustees may consider whether it is in the Society’s best interests to consider their expulsion.

Articles and Membership Rules

Your clients are Members of the Hereford Cattle Society (“the Society”) and, as such, they are bound by the Society’s constitution.

The charitable objects of the Society are:

- To “*maintain unimpaired the purity of and improve the breed of cattle known as Herefords*”; and
- To “*promote impartially the breeding of all the various tribes, families, and strain[s], of such cattle*”.

We note in passing that, as Members of the Society, your clients owe a fiduciary duty in certain circumstances to act with single-minded loyalty towards these objects. See *Children’s Investment Fund Foundation (UK) v Attorney General* [2020] UKSC 33; [2022] A.C. 155 at [90].

Clause 3(b)(i) of the Society’s Memorandum of Association empowers the Society to continue the publication of what is now known as the Hereford Herd Book.

Clause 3(b)(v) of the Society's Memorandum of Association empowers the Society to *"make and frame regulations and bye-laws for the government of the Society, and to do all other things incidental or conducive to the attainment of the [objects of the Society] or any of them"*.

Article 8 of the Articles of Association of the Society provides that:

"Any Member who shall fail in the observance of any rule, regulation, or bye-law made by the Council of the Society, or whose conduct in any other respect shall be, in the opinion of the Council, derogatory to the character or prejudicial to the interests of the Society... may be removed from the Society by the Council, by a resolution to that effect, passed by a majority of at least two-thirds of the Members of the Council, present and voting at a Special Council Meeting..."

We enclose a copy of the Society's Rules. Rule 56 similarly provides:

"Under the provision of the articles of association, the council may remove any member whose conduct shall be, in its opinion, derogatory to the character or prejudicial to the interests of the society or who does not conform to the rules, regulations and bye-laws."

Concerns about your clients' conduct

The Society has recently been approached by a number of its members with concerns regarding The Hereford Herd Book International Ltd (company no. 10988025) ("HHBI").

HHBI is a non-charitable company limited by guarantee with unrestricted objects. We understand that HHBI was founded by your client, David Fenton in 2017 with Juliet Fenton (presumably his wife). Your other client Peter Hall joined as a Director in May 2020. We understand David and Juliet Fenton are the sole members of HHBI.

Having investigated the matter, and in the absence of further explanation, the Society has reason to believe that HHBI may have been engaging in conduct that is derogatory to the character of the Society and/or prejudicial to the interests of the Society. We write to give your clients the opportunity to comment (if they wish) on the conduct of HHBI and whether (in their capacity as directors of HHBI) they have sanctioned that conduct.

In summary, the Society is concerned that HHBI may have (at the direction of your clients):

- (1) commissioned and/or influenced the contents of the Hegarty Report and promoted the outcome (which as you know is not peer reviewed or accepted by our client) so as to undermine the Society's impartial promotion of different breeds, tribes and strains of Hereford cattle;
- (2) undermined the integrity of the Society's Herd Book by seeking to establish an unofficial database of cattle and passing it off as the *"Hereford Herd Book"*; and
- (3) established its own system of unofficial DNA testing and advertised it in a manner which creates further confusion and threatens further to undermine the integrity of the Society's and its impartial promotion of different Hereford strains.

(1) Commissioning and/or influencing of the contents of the Hegarty Report

We understand that at some point between 2017 and 2020 HHBI commissioned and/or funded the Hegarty Report. That is the obvious inference from the title of the Report, namely *“Report prepared for Hereford Herd Book International Ltd”*. Your clients have not denied having commissioned the Hegarty Report through HHBI but we invite them to explain if this is not the case.

We have previously requested confirmation of the proportionate contribution made towards Dr Hegarty’s costs made by HHBI and the Rare Breeds Survival Trust respectively. We would be grateful if you would now provide this information. In the absence of such information, the Society reserves the right to draw the adverse inference that the Report was wholly or overwhelmingly funded by HHBI at the direction of your clients.

It appears that HHBI specifically instructed Dr Hegarty to conduct research that could be used *“to protect the [OP] breed both commercially through meat provenance and genetically via prevention of admixture with external bloodlines”* and to *“correctly inform new entrants regarding the genetics of the breed and educate the public in general about the purebred Hereford”*. These instructions are recorded at section 1.1 of the Report. As far as we can tell:

- The reference to protecting the OP breed *“commercially through meat provenance”* appears to mean that Dr Hegarty was asked to design a genetic test which will support the marketing of OP beef as somehow being superior to other Hereford beef.
- The references to *“correctly inform[ing] new entrants regarding the genetics of the breed”* and *“educat[ing] the public in general about the purebred Hereford”* appear to be euphemisms for telling new Hereford breeders, and members of the public, that NAD cattle are *“impure”* and not genuine Herefords. This is, of course, directly contrary to the firm longstanding view of the Trustees of the Society, acting in good faith and on scientifically rigorous grounds, as we have set out at length in previous correspondence.

If this is not what Dr Hegarty was instructed to do, it is open to your clients to clarify the situation. We have previously requested a copy of the instructions given to and / or agreement with Aberystwyth University when commissioning the Hegarty Report, as well as confirmation of the source of the genetic samples provided. We repeat our request for that information. In the absence of further explanation or disclosure of Dr Hegarty’s actual instructions, the obvious inference is that (as recorded in section 1.1) Dr Hegarty was specifically instructed by HHBI on the lines set out above.

If section 1.1 of the Report is indeed an accurate description of what HHBI instructed Dr Hegarty to do, then such instruction:

- (a) undermines the Society’s work of promoting *“impartially the breeding of all the various tribes, families, and strain[s], of [Hereford] cattle”* by seeking to promote the breeding of OP cattle at the expense of NAD cattle;
- (b) undermines the Society’s work of maintaining the purity of the Hereford breed of cattle by promoting a view of *“purity”* which is directly contrary to the established progeny verification process of the Society and the industry as a whole, as reasonably adopted in good faith by the Trustees;
- (c) seems to have been designed to provide ammunition for your clients’ ongoing campaign of attacking the work of the Society and its Trustees, thereby creating significant reputational

damage, inconvenience and expense to the Society (including the inconvenience and expense of corresponding with your firm).

All this has been highly prejudicial to the Trustees' ongoing efforts to continue running the Society. Quite apart from anything else, the Society has already spent in excess of £52,000 (exclusive of VAT) on legal advice in connection with issues raised by your clients with regard to the Hegarty Report, and it has taken up countless hours of the Society's employees that could have been spent on positively advancing the Society's objectives.

(2) Maintaining a rival Herd Book

HHBI describes its activity on its website as follows:

'HHBI provides a Herd Book of Hereford cattle which have satisfied the HTOPP test or an approved successor test and whose pedigrees have been registered in the official Herd Book or register of the country relevant to those Hereford cattle.'

The website also refers to the addition of cattle to *"the Hereford Herd Book International database"*.

It therefore appears that HHBI maintains a rival Herd Book to the one maintained by the Society which is designed to give further support to your clients' efforts to establish that OP cattle are the only true Hereford cattle, and that NAD cattle are impure and/or inferior.

By using the term *"Hereford Herd Book"* (including in its corporate name) HHBI appears to be deliberately attempting to create confusion in the eyes of cattle breeders and the general public. The only Hereford Herd Book is the one that dates back to the 19th century and has been maintained by the Society since its incorporation in 1878. The Society itself was called the *"Hereford Herd Book Society"* between 1878 and 1996 and its Memorandum of Association prominently refers to the keeping of the Herd Book. Moreover, the Society is designated by DEFRA as the recognised breed society for Hereford cattle under article 4 of Regulation (EU) 2016/1012 (as retained and amended in UK law). The result is that the Society's Herd Book is the legally recognised *"breeding book"* for the Hereford breed (a defined term in Regulation (EU) 2016/1012 which is equivalent to the expression *"herd-book"* from earlier EU legislation). We understand that HHBI sought to have a registered Herd Book and that DEFRA refused this request.

Your clients are, of course, perfectly entitled to maintain whatever records they like relating to whatever cattle they consider to be *"Traditional Herefords"*. But the fact that HHBI's unofficial database of OP cattle is being portrayed as the *"Hereford Herd Book"* is deeply unsatisfactory. Not only does it interfere with the impartial promotion of different strains of Hereford cattle, but it also threatens the integrity of the Hereford breed more broadly by establishing a rival (and potentially less rigorous) system of recognition which has no legal status.

(3) Provision of rival DNA testing

Further to the above, the HHBI advertise the 'Hereford Test for Original Population and Parentage (HTOPP)' as *'developed to determine whether an animal's DNA identifies it to be within the Original Population of Hereford cattle, or within another known or unknown population. This test is available to Hereford breeders all over the world using DNA sampling by hair or tissue.'* In addition, HHBI offer DNA testing for parentage verification and genetic disease screening.

As you know, we have previously raised our concerns about the validity of the Hegarty Report, on which the HTOPP test is based, and do not intend to repeat the same in this letter. We note, however, that Mr Hall in his email to Ian Archer on 19 March 2022 states '*Very rarely does scientific research provide a precise conclusion*' (copy enclosed). The Society's position is that your clients' HTOPP test is not approved by them, is not scientifically peer reviewed and the tests completed by HHBI cannot be used for the purposes of registration in the Herd Book managed by the Society, as registration in the Herd Book adheres to strict standards.

However, as a result of the testing HHBI are offering, at significant cost, our client's members have approached the Society to request automatic registration with the Society. This is clearly unsatisfactory.

(4) Promoting information about Hereford cattle which is contrary to the Society's views

Both HHBI and your clients have repeatedly sought to spread their views, in various public forums, that the overwhelming majority of Hereford cattle are not "*pure*" or "*true*" Hereford cattle. We refer by way of example to the enclosed advertisement in which HHBI describes the HTOPP test as a "*test for real Hereford genetics*" and tells members of the public not to rely on the Hereford Herd Book. Such communications are plainly intended to undermine the Society's work.

In light of the above we invite your clients to take the following immediate steps, which can be done relatively easily, to avoid confusion in the eyes of members of the public, or cattle breeders in particular, about the links between HHBI and the Society:

- To procure that HHBI adds a prominent explanation to its website to the effect that HHBI's unofficial list of OP cattle (i) is not the Hereford Herd Book (which is exclusively maintained by the Society); (ii) is not approved by DEFRA; and (iii) is not a designated breeding book for the purposes of Regulation (EU) 2016/1012; and
- To change the name of HHBI to avoid giving the misleading impression that it has an official connection to the Hereford Herd Book or the Society.
- To acknowledge in their marketing materials (and on their website) that HHBI are not affiliated with the Society and their HTOPP test is not approved or adopted by our client and will not result in automatic registration. Our client will in any event be placing similar clarification in their own materials.
- To cease to publish statements or communications which undermine the Society's work.

If your clients are unable to demonstrate they are taking suitable action, the Society reserves the right to draw the inference that they are deliberately seeking to interfere with the Society's activities.

Conclusion

The matters in this letter call for an explanation. Your clients appear to have engaged in conduct that is contrary to the best interests of the Society and its charitable objectives. Such conduct threatens to interfere with the Society's continuing work, to damage the reputation of the Society and ultimately to undermine the integrity of the Herd Book.

For the avoidance of doubt, this letter is not a formal notice under Article 8 of the Articles of Association. The Society is considering all its options and we should emphasise that no decision has been reached. We invite you (i) to explain your clients' conduct and (ii) to confirm what steps your clients will take to ensure that their actions do not cause further interference with the Society's work.

The Society reserves all other rights to protect its Members' interests by any other means necessary, including possible claims against HHBI in passing-off, defamation and/or slander of goods. The Trustees are, however, mindful of their duty to safeguard the Society's resources and have therefore not taken legal advice on such claims at this stage.

We look forward to your response by return and, in any event, within 21 days.

Yours faithfully



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Enc: Email from Mr Hall to Ian Archer
 Society's rules
 Advertising of HTOPP test (see (4))

Ian Archer

From: Peter Hellen Hall <cotmore1@bigpond.net.au>
Sent: 19 March 2022 12:27
To: 'Ian Archer'; davidfenton@freenetname.co.uk
Cc: serena_sykes@hotmail.co.uk; 'Peter Anthony Williams Talbot'; 'Rowan Banyard'; ayh@aber.ac.uk
Subject: RE: FW: Telephone Query

Hi Ian

Thank you for your emails of the last few day.

1. I assisted you to get your test results at a time when the administration of HHBI was moving, hence the delay you experienced.
2. The world of science is full of examples where research findings are explained in detail in order to show how a hypothesis is accepted or rejected.
3. Very rarely does scientific research provide a precise conclusion. Rather it relies on statistical relationships to provide an expression of confidence. For example, if the Covid vaccines provided a precise vaccination, you wouldn't get people reacting to them differently with some tragically.
4. Once the scientific research has accepted the hypothesis, it becomes the basis for commercialisation. The scientific research process and the commercialisation process are two separate and distinct activities connected by only the hypothesis. Accordingly, it does not automatically follow that because something is written in a scientific report that it gets incorporated in a commercial offering.
5. The HHBI HTOPP test uses 3 criteria to reach its conclusions with a degree of confidence. The decision of the HHBI Board is that we will not provide the level of detail in its conformance certificates that is written in the scientific report and that is its right to decide.
6. You have received your positive test results in the format HHBI has determined.
7. None of us know everything about everything. With respect, it became clear to me at the THBC meeting before last when I tried to explain some of these statistical concepts, you had difficulty understanding the concept of 'expressions of confidence'. That is not a criticism, it's a fact of human frailty, something we all suffer from.
8. Please respect my professional training as I will do of yours.

This is the last time I will communicate with you on this matter.

Kind regards

Peter Hall

-----Original Message-----

From: Ian Archer <ian@eastmoorfarm.co.uk>
Sent: Saturday, 19 March 2022 8:03 PM
To: davidfenton@freenetname.co.uk

Society rules



Membership

Method of application

1. Any person wishing to become a member of the society must make an application on the specified form. Every application for membership must be duly signed by the candidate and preferably proposed by an existing member of the society. Upon receipt, such applications will be submitted to the next meeting of the council for approval.

Eligibility for membership

2. A company, firm, partnership, corporation, association, etc., may be registered as a member under its registered name and address. It may be represented at any meeting of the society by one person nominated by such body who shall, on behalf of the company, etc., have one vote.
3. If an individual member of a partnership or other corporate body is registered as a member, it will not be necessary to additionally register that partnership or corporate body.

Transference of membership

4. The membership of an individual breeder who is deceased may be transferred without payment of entrance fee to the wife, husband, son, daughter, brother or sister. The transferee shall be responsible for the payment of any arrears in the subscriptions of the deceased.

Subscriptions

5. A member shall pay on election an entrance fee and an annual subscription of such sum as the council may decide for the financial year for which he or she was elected. On 1 July in every subsequent year, he or she shall pay such subscription.
6. Members whose subscriptions are in arrears for three months following the due date shall have their names removed from membership and shall only be re-admitted upon payment of a new entrance fee and subscription arrears.

Financial year

7. The year for calf registrations, membership subscriptions and all other matters connected with the society shall run from 1 July to 30 June.
8. Members shall be entitled to purchase volumes of the herd book at a figure to be decided by the council from time to time.
9. A member shall be entitled to receive the breed journal and breed news as and when published on such terms as the council may decide periodically.
10. Calf registrations will only be accepted from members of the society.
- 11.(a) The privileges of membership are not granted until members have actually been elected and all subscriptions paid.
(b) Prospective members wishing to register calves born prior to 1 June must apply for membership and pay the membership fees for that current financial year. Prospective members wishing to register calves born in the last month of the financial year (i.e. June) must apply for membership immediately and will be elected for the following year.

Retirement from membership

12. Any member who is up-to-date with their payments, may at any time cease their membership on giving notice in writing to the breed secretary.

Members' register and contact details

13. Every member shall periodically communicate his or her postal and email addresses to the society. All

notices or publications forwarded to such addresses shall be considered as duly delivered to such member and in accordance with general data protection regulations (GDPR).

Meetings

Admittance to meetings

14. No member shall be admitted to any meeting of the society, the council or any committee, or be entitled to any of the privileges of membership while his or her subscription is in arrears.

General meetings of members

15. Notice and agendas shall be sent to every member 21 days before the annual general meeting or any extraordinary general meeting for the purpose of passing any special resolution.
16. The annual general meeting shall, where possible, be held in November.

Council meetings

17. The ordinary meetings of the council shall, so far as possible, be held quarterly.
18. An extraordinary meeting of the council may be convened by the president, vice-president, chairman of council, or not less than 20 per cent of the members of the council and shall usually be held at a time decided by the convenor or convenors.
19. Notice of the meeting and the business to be transacted shall be sent to each member of the council no less than 14 days before every meeting of the council.
- 20.(a) No business shall be transacted at any meeting of the council except business of which notice was given as per the previous rule. If, however, an important item of an urgent nature which has not been given notice is brought up at a meeting, it may be dealt with provided:
- (i) the proposer can show it had been impossible to give notification in the usual way.
 - (ii) at least 10 members of council are present.
 - (iii) these members unanimously vote the matter to be of such urgency to warrant consideration at the meeting.
- (b) The council may at their discretion appoint a vice-chairman, who will be empowered to undertake the duties of a chairman in their absence.
- (c) The council may from time to time create committees for specific subjects provided no committee formed consists of less than three members of the council, including the chairman or vice-chairman.
21. The rules and regulations of the society shall not be varied or rescinded, or new rules instituted, unless a resolution is passed by a subsequent meeting of the council. Any member wishing to propose such a resolution shall give no less than 21 days notice to the society and the proposed resolutions shall appear on the agenda of the meeting.
22. Any question or matter brought before a meeting of the council shall be decided by a majority of the votes of the members actually present (each member having one vote) and in the case of an equality of votes, the chairman of the meeting shall have a second or casting vote in addition to their vote as a member.
23. A quorum of the council shall be seven members except as provided in rule 20(ii).

Registration - general

Definition of breeder

24. The breeder of an animal shall be the person who was the owner of its dam at the time of its birth.

The breeder is responsible for tagging and the registration of the calf except in the case of a female being sold for export and calving before leaving the United Kingdom. The firm or individual responsible for the export of the animal shall inform the Society and seek instruction regarding animal identification and registration.

Refusal of entries

25. All entries are subject to the decision of the council as to their eligibility for registration and the council shall have the right to refuse, cancel or reject any entry as they may think fit without being called upon to give a reason.

Herd inspection

26. (a) The council shall have the right to request a member's herd or any animal within that herd be made available for inspection by an authorised representative of the society. Should such a request be refused, no registrations or transfers will be undertaken from that herd until a satisfactory inspection has been conducted.
- (b) Registration of entries will be cancelled for any animal found to have had implantation of anabolic steroids and/or hormones.

Warranty (pedigree) certificate

27. A warranty (pedigree) certificate will be issued for each registered animal. No alterations will be permitted on such certificates, and duplicate certificates will only be issued under exceptional circumstances and on payment of a fee at the discretion of council.

Service sires

28. A 30-day interval must be left between two different bulls running with females or resulting calves will be subjected to a DNA sire verification

Service certificates

- 29.(a) If a member has a cow or heifer served by a bull owned by another breeder, a completed service certificate must be obtained from the owner of the bull. This certificate is to be forwarded to the society at the time of registering the resultant calf.

Service certificates are not required:

- (i) Where a bull is hired for service. The owner of the female is responsible for submitting to the society a letter from the owner of the bull giving the period of hire and is to be received within three calendar months of the first date of hire.
- (ii) Where a bull is owned by a syndicate, provided all the names of the syndicate members are reported to the society within three calendar months of ownership.

DNA testing

- 30.(a) (i) All bulls used for pedigree breeding must be DNA profiled and genetically tested for hypotrichosis with the results lodged with the society.
- (ii) All bulls and females (with the exception of calves sold with dams) entered in officially recognised society sales must be DNA profiled and genetically tested free of hypotrichosis with the results lodged with the society.
- (iii) All bulls eligible as superior carcass sires must be DNA profiled and genetically tested free of hypotrichosis with the results lodged with the society.

In the case of (i) before being used, thereby allowing resultant calves to be submitted for registration, (ii) by the date of the relevant official sale and (iii) before the sire can be qualified as a 'superior carcass

sire’.

(iv) All calves born by a sire known to be a carrier of hypotrichosis must be tested for the condition. The cost of testing will be borne by the calf owner, but registration fees will be refunded on calves found to be carriers if they are deregistered at the request of the breeder.

(b) (i) In the case of embryo transplant, all donor females must be DNA genotyped and three trait tested (hypotrichosis, diluter and idiopathic epilepsy) and the results lodged with the society.

(ii) Calves resulting from an embryo transplant programme will only be accepted for registration following a parentage DNA verification.

(c) All first-time calvers are to be genotyped (where possible) and sire verified, if the sire has been previously SNP tested. Testing for hypotrichosis is optional but recommended.

If breeders test their first-time calvers and they prove free of hypotrichosis, by putting them to a hypotrichosis-free sire, all future offspring will only require parentage verification. This will result in progeny becoming PVF (parentage verified free for three traits) or PVHF (parentage verified hypotrichosis free) and will save the cost of a test.

(d) In the case of a heifer that has conceived under the age of 12 months, the resultant calf will only be accepted for registration following a full DNA test to confirm the parentage.

(e) Calves submitted for registration may, together with their dams, be subject to DNA profiling and tested for hypotrichosis at the discretion of the council.

(f) In the case of an animal DNA tested and not matching with either its sire, dam or both:

(i) Its registration will be suspended.

(ii) The breeder shall pay all reasonable costs to determine the animal’s correct parentage.

(iii) Subject to a positive parentage verification being obtained, the subject animal may then be registered and a new certificate issued.

(iv) All calves born within six months either side of the date of birth of the subject animal, to be DNA tested at the breeder’s expense and will include any that have been sold.

(v) In the event of a subsequent calf being found incorrect, all calves born during the 12 months from the date of birth of the original incorrect calf, including any that have been sold, must be tested or cancelled. The DNA fees, plus any other costs incurred, are to be borne by the breeder.

(g) In all events, the council reserves the right at any time to refuse, restrict or terminate the registration of any animal where the DNA result suggests doubt as to the authenticity of its ancestry.

(h) All bulls (domestic and imported) used for artificial insemination (AI) must be DNA tested. Bulls should be genetically tested free of hypotrichosis, diluter, idiopathic epilepsy and maple syrup urine disease. Results must be lodged with the society before the first registration is submitted.

(i) (i) Females used for breeding by AI may be subject to DNA testing at the discretion of the council.

(ii) Calves got by AI may be subject to DNA testing at the discretion of the council.

(j) (i) In the case of all genetic imports a certificate of freedom from hypotrichosis, diluter, idiopathic epilepsy and maple syrup urine disease must be provided.

(ii) Should any female be in-calf, the same information as in (i) above will be required in respect of the service sire/s.

- (k) In the case of all genetic imports, including live animals, service sires, semen and sires and donor dams of embryos, a SNP (single nucleotide polymorphisms) DNA profile must be provided showing parentage verification together with the test results of the four genetic defects, as stated in (j)(i) above.
- (l) Random calf inspections
 - (i) Random bull calf inspections will be undertaken by council members. All bull calves randomly selected and their dams will be subjected to an inspection and a DNA test. Bull calves will be weighed, parentage verified and tested for hypotrichosis and maple syrup urine disease. Dams will be tested for hypotrichosis and maple syrup urine disease.
 - (ii) All heifer calves randomly selected and their dams will be subjected to a DNA test. Heifer calves will be parentage verified and tested for hypotrichosis and maple syrup urine disease. Dams will be tested for hypotrichosis and maple syrup urine disease.

Naming of calves

- 31.(a) Every breeder shall register and use a herd name (prefix) for all calves and no other breeder shall be permitted to use that herd name except by permission of the registered owner and the society council.
- (b) The name of an animal shall not exceed three words, including the registered herd name, but excluding a number. Four-word names will only be permitted in the case of breeders with a two-word herd name who wish to continue recognised family names (e.g. Hampton Court Gamester Girl).
- (c) All calves carrying poll blood shall be identified by following the herd prefix with the figure 1, and in the case of British Polled Herefords, the figure 3.
- (d) A breeder may, if they so wish, register and use a separate herd prefix for each strain, i.e. horned Herefords, poll Herefords and British Polled Herefords but the herd prefix shall still be followed by the appropriate number.

Registration of horned Herefords

Eligibility of registration

- 32.(a) Any animal born in the United Kingdom is eligible for entry in the horned section of the herd book of Hereford cattle provided at the date of its conception its sire and dam were both registered in the appropriate section. Any animal registered shall remain so and will be deemed to be a pedigree Hereford animal for all purposes. A condition of registration is that, if required, the animal shall be made available for inspection to any person authorised by the council.
- (b) Horned animals, embryos or semen from horned bulls, imported into the United Kingdom and their descendants are eligible for entry in the horned section of the herd book, provided they are fully registered in any of the herd books accepted by the World Hereford Council. Animals, embryos or semen will need to be parentage verified and tested for hypotrichosis, diluter, idiopathic epilepsy and maple syrup urine disease. Details of these conditions may be obtained from the Society.
- (c) Any polled or scurred calf born to horned parents already registered in the horned section shall have its entry cancelled or be transferred to the poll section. It is compulsory for a breeder to notify the society of any instance in their herd of a polled or scurred calf being born to horned parents.
- (d) A scur shall be defined as a hornlike growth fastened only to the skin and not attached to the skull.
- (e) Horned cattle with poll ancestry, where the poll ancestry appears in the sixth or previous generations (the subject animal being the first generation) may be entered in the society's records as horned-bred and, for reference purposes, the name of any such animal will be suffixed with the letter (X).

Calf registrations

33. (a) The date of birth of each calf, together with particulars of its sex, sire, dam and name of calf and tag number, shall be notified to the society on a calf registration/notification form or online within 27 days of its birth. When submitted for registration, calves which are between 28 and 60 days old inclusive will be accepted only on payment of the appropriate additional fee.
- (b) Breeders should submit a calf registration/notification for every calf born whether living or dead and must notify any instance of any genetic defect.
- (c) (i) Calves (bulls and heifers) previously notified within 27 days may subsequently be fully registered up to the age of 18 months at the appropriate fee.
- (ii) Calves (bulls and heifers) not previously notified within 27 days may subsequently be fully registered up to the age of 18 months at the appropriate fee, subject to the submission of:
- A. Copy of the DEFRA passport
B. DNA parentage analysis
- (iii) Calves (bulls and heifers) over 18 months of age previously notified within 27 days may subsequently be fully registered at the appropriate fee.
- (iv) Calves (bulls and heifers) not previously notified within 27 days may subsequently be fully registered at the appropriate fee subject to the submission of:
- A. Copy of the DEFRA passport
B. DNA parentage analysis

Tagging

34. Each calf must be tagged in accordance with the DEFRA ear tag allocation system.

Change of ownership

- 35.(a) (i) On the sale or transfer within the United Kingdom of any horned Hereford which is to maintain its pedigree status, a certificate of transfer must be supplied by the vendor or transferee. This certificate will be duly endorsed by the society and forwarded to the purchaser or transferee as soon as possible after the sale, provided the society does not exercise its powers under sub-clause (b). The appropriate fee for a certificate of transfer shall be payable by the vendor or transferee on application.
- (ii) The reverse side of the warranty certificate shall be used as a certificate of transfer.
- (b) The society reserves the right to refuse to issue or temporarily withhold a certificate of transfer for any reason whatsoever without being called upon to give a reason for such action.
- (c) In the event of the society receiving a request for a certificate of transfer of an animal and the society considers it necessary for the animal to be inspected, the vendor or transferee shall pay the society a fee for doing so, in addition to the appropriate fee referred to in clause (a)(i). If after such inspection, the society refuses to issue a certificate of transfer, the transfer fee shall be refunded to the vendor or transferee but the additional inspection fee shall not be refunded, and if not previously paid, shall become immediately due and payable to the society.
- (d) An animal that is sold without transfer, prejudices its pedigree status and may be lost to the breed.
- (e) No animal with a sire or dam that has changed hands without the issue of a certificate of transfer will be accepted for entry in the herd book.
- (f) Transfer fees shall be waived for transfers between wife, husband, son, daughter, brother or sister.

Designation in herd book of imported cattle

36. All imported horned animals shall, if eligible under rule 33, be registered within six months of entry into the country in the horned herd book with their full name followed by the abbreviation 'IMP', the

year of importation, the name and herd book reference number of country of origin and extended pedigree to three generations. The style to be used when the names of such animals are quoted in pedigrees shall be: American Lad (Imp. U.S.A. 1960) (12345).

Registration of poll Herefords

Eligibility of registration

- 37. (a)** Poll animals, embryos or semen from poll bulls, imported into the United Kingdom and their descendants are eligible for entry in the poll section of the herd book, provided they are fully registered in any of the herd books accepted by the World Hereford Council. Animals, embryos or semen will need to be parentage verified and tested for hypotrichosis, diluter, idiopathic epilepsy and maple syrup urine disease. Details of these conditions may be obtained from the Society.
- (b)** Any animal born in the United Kingdom is eligible for entry in the poll section of the herd book of Hereford cattle, provided:
- (i) its sire and dam were both registered in the section at the time of conception.
 - (ii) its sire was registered in the poll section of the herd book of Hereford cattle and its dam registered in the horned section of the herd book of Hereford cattle.
 - (iii) its dam was registered in the poll section of the herd book of Hereford cattle and its sire registered in the horned section of the herd book of Hereford cattle
- (c)** Any British Polled animal born in the United Kingdom is eligible for entry in the poll section of the herd book provided:
- (i) its sire and dam were both registered at the time of its conception.
 - (ii) its sire was registered in the poll section of the herd book of Hereford cattle and its dam registered in the horned section of the herd book of Hereford cattle.
 - (iii) its dam was registered in the poll section of the herd book of Hereford cattle and its sire registered in the horned section of the herd book of Hereford cattle.
 - (iv) its dam and sire were registered in the British Polled herd book.
- Any animal entered shall be designated British Polled and any animal registered shall be deemed to be a pedigree Hereford animal for all purposes, except for World Hereford Council reciprocal registration.
- (d)** A scur shall be defined as a horn-like growth fastened only to the skin and not firmly attached to the skull.
- (e)** Horned bull and heifer calves having any polled blood which are registered in the poll herd book, shall be designated as such.
- (f)** All progeny and descendants of a mating between an animal registered in the horned herd book and an animal in the poll herd book, shall remain in the poll herd book.
- (g)** A female in the horned section which has been mated to a bull not in the horned section and may have had progeny from such mating or matings registered in the poll section, shall be eligible to have progeny entered in the horned section if subsequently mated to a horned section bull.
- (h)** In any sale agreement, whether private or by auction, the vendor must declare in writing prior to the sale whether or not the animal concerned has or has ever had scurs. No guarantee can be given that an animal which is polled at the time of sale will not subsequently develop scurs.
- (i)** In the case of animals carrying poll blood and developing horns, such horns may only be removed on notifying the society to this effect. Scurs may not be removed or reduced. Any accidental removal

of the scurs must be notified to the society within one month.

Calf registration

- 38.(a)** The date of birth of each calf, together with particulars of its sex, sire, dam, name of calf and tag number shall be notified to the society on a calf registration/notification form or online within 27 days of the date on which the calf was born. Calves which are between 28 and 60 days old inclusive when submitted for registration, will be accepted only on payment of the appropriate additional fee. Breeders should indicate on the calf registration/notification form whether a calf is polled, scurred or horned.
- (b)** Breeders should submit a calf registration/notification for every calf born whether living or dead and must notify any instance of any genetic defect.
- (c)** (i) Calves (bulls and heifers) previously notified within 27 days may subsequently be fully registered up to the age of 18 months at the appropriate fee.
- (ii) Calves (bulls and heifers) not previously notified within 27 days may subsequently be fully registered up to the age of 18 months at the appropriate fee, subject to the submission of:
- A. Copy of the DEFRA passport
 - B. DNA parentage analysis
- (iii) Calves (bulls and heifers) over 18 months of age previously notified within 27 days may subsequently be fully registered at the appropriate fee.
- (iv) Calves (bulls and heifers) not previously notified within 27 days may subsequently be fully registered at the appropriate fee subject to the submission of:
- A. Copy of the DEFRA passport
 - B. DNA parentage analysis

Tagging

- 39.** Each calf must be tagged in accordance with the DEFRA ear tag allocation system

Change of ownership

- 40.(a)** (i) On the sale or transfer within the United Kingdom of any Hereford in the poll herd book which is to maintain its pedigree status, a certificate of transfer must be supplied by the vendor or transferee. This certificate will be duly endorsed by the society and forwarded to the purchaser or transferee as soon as possible after the sale, provided the society does not exercise its powers under sub-clause (b). The appropriate fee for a certificate of transfer shall be payable by the vendor or transferee on application.
- (ii) The reverse side of the warranty (pedigree) certificate shall be used as a certificate of transfer.
- (b)** The society reserves the right to refuse to issue or temporarily withhold a certificate of transfer for any reason whatsoever without being called upon to give a reason for such action.
- (c)** In the event of the society receiving a request for a certificate of transfer of an animal and the society considers it necessary for the animal to be inspected, the vendor or transferee shall pay the society a fee for doing so, in addition to the appropriate fee referred to in clause (a)(i). If after such inspection, the society refuses to issue a certificate of transfer, the transfer fee shall be refunded to the vendor or transferee but the additional inspection fee shall not be refunded, and if not previously paid, shall become immediately due and payable to the society.
- (d)** An animal sold without transfer negatively affects its pedigree status and may be lost to the breed.
- (e)** No animal with a sire or dam that has changed hands without the issue of a certificate of transfer will be accepted for entry in the herd book.
- (f)** Transfer fees shall be waived for transfers between wife, husband, son, daughter, brother or sister.

Designation in herd book of imported cattle

41. All imported poll animals shall, if eligible under rule 39, be registered within six months of entry into the country in the poll herd book with their full name followed by the abbreviation 'IMP', the year of importation, the name and herd book reference number of country of origin and extended pedigree to three generations. The style to be used when the names of such animals are quoted in pedigrees shall be: American Lad (Imp. P. U.S.A. 1960) (12345).

Export certificates

42. All animals sold for export from the United Kingdom require an exportation certificate duly certified by the society. Transfer certificates are not required for exported cattle. Fees chargeable for exportation certificates shall be as agreed by the council.

Breed requirements in respect of imported genetics

43. It is important for members importing genetics to arrange with vendors that all documentation required by the UK Hereford Cattle Society is provided, thus allowing the acceptance of imported animals into the UK herd book.

It is also essential the vendor in the country of origin provides their domestic society with details of genetics being sold for export. Please note the responsibility for ensuring this action is taken must lie with the breeder purchasing the genetics.

The society will enter into the breeding book, animals of the same breed, that are eligible for entry under the society's breed criteria, without discrimination on account of their country of origin.

Listed below are the documents the (UK) Hereford Cattle Society requires:

- (i) Five generation extended pedigree. In the case of embryos, both sire and donor dam must be provided.
- (ii) Official export certificate issued by the recognised registration authority providing full details of both breeder/vendor and purchaser.
- (iii) A certificate of freedom from hypotrichosis, diluter, idiopathic epilepsy and maple syrup urine disease.
- (iv) Should any female be in-calf, the same information as 1 to 3 above will be required in respect of the service sire/s.
- (v) In the case of all genetic imports including live animals, service sires, semen and sires and donor dams of embryos, a single nucleotide polymorphisms (SNP) DNA profile must be provided (showing parentage verification) together with the test results of the four genetic defects, as stated in 3 above.
- (vi) In the case of horned genetics, a certificate confirming clearance of poll animals in the first six generations, the subject animal being the first.
- (vii) In the case of embryos, a certificate/form issued by the embryo company confirming the identity and details of the sires used and donor dams.
- (viii) Initial entry export fee of £25 (plus VAT) to be paid per animal, including service sire/donor dam/semen

Shows and sales

44. Entries for shows and sales are accepted subject to the shows and sales regulations approved annually by the council and issued to members prior to such shows and sales.

Artificial insemination

Insemination certificate

45. The breeder shall be responsible for supplying to the society with each birth notification form, a certificate signed by the veterinary surgeon or inseminator authorised by the society of the name and tag of the bull and female concerned and the date. The breeder shall ensure the cow has not had access to a bull for 30 days before and 30 days after the insemination.

Designation in herd book and pedigrees

46. The progeny will be designated AI in the herd book and must bear the designation AI immediately following the name or names, in any reference to that animal or animals. If the semen is imported, an abbreviation IMP must also be inserted.

Designation upon sale

47. It shall be compulsory to disclose on private or public sale if an animal is either by or in-calf to AI. The designation shall be as required in point 46.

DNA testing

- 48.(a) All bulls (domestic and imported) used for AI must be DNA tested in accordance with the Society's rules. Bulls should be parentage verified and genetically tested free of hypotrichosis, diluter, idiopathic epilepsy and maple syrup urine disease. Results must be lodged with the Society before the first registration is submitted.
- (b) Females used for breeding by AI may be subject to DNA testing at the discretion of the council.
- (c) Calves got by AI may be subject to DNA testing at the discretion of the council.

Breach of rules

- 49.(a) Any breach of the AI rules will be subject to any such penalty as the council may decide.
- (b) The society reserves the right at any time to refuse, restrict or terminate the use of any bull under these rules.

Specific usage

- 50.(a) An owner may use artificial insemination within their own herd and using their own bull without restriction.
- (b) Subject to DEFRA regulations, bulls owned by partnerships, which must be registered with the society as a partnership, may be used by AI in the partners' own herds without restriction.
- (c) The use of bulls standing at AI centres in the United Kingdom, is allowed subject to the general rules and can be used without restriction.
- (d) Subject to agreement with the purchaser, semen from an exported bull may be retained and used for artificial insemination.

Export of semen

- 51.(a) Export of semen for pedigree purposes is allowed if in agreement by the recipient country.
- (b) Exportation certificates will be issued at a fee decided by council and payable by the vendor.

Import of semen

- 52.(a)** Registration of calves will be limited to progeny got by semen from bulls fully registered in any of the herd books accepted by the World Hereford Council and owned by a member of an association which represents a member country of the World Hereford Council.
- (b)** Payment of an initial registration fee for the bull concerned at the normal rate for bull registrations.

Research and development

- 53.** The council may at its discretion give special permission for AI to be used for any project of which it may approve.

Approval of AI centres and inseminators

- 54.(a) AI centres** – If a DEFRA licence has been issued to the centre, approval is given.
- (b) Inseminators other than those employed by an approved centre** - A certificate of competence must be lodged with the society.

Embryo transfer procedure

- 55.(a)** The sire and donor dam must be DNA profiled (genotyped) with the results lodged with the Society. Additionally, all service sires and donor dams are to be parentage verified (*where possible) and three trait tested for hypotrichosis, diluter and idiopathic epilepsy.

*When the donor dam has not been DNA tested, resulting calves can only be used in the herd of origin and not for semen collection or as donor dams

- (b)** An embryo transfer form to be completed in full and the top copy returned to this office following the pregnancy test of the recipient females, only details of those in calf should be included.
- (c)** In the event of some embryos being transplanted and others frozen, details relating to the transplant of the frozen embryos may be submitted to this office on the duplicate copy of the ET form, following the recipient females being pregnancy tested in-calf.
- (d)** The recipient dam's details must be supplied at the time of calf registration: tag number, date of birth and breeding i.e. Hereford x Friesian.
- (e)** Calves resulting from an embryo transplant programme will only be accepted for registration following parentage verification (and a test for hypotrichosis, idiopathic epilepsy and diluter, if either parent, or both, have not been three trait tested).

Powers of council

Removal of members

- 56.** Under the provision of the articles of association, the council may remove any member whose conduct shall be, in its opinion, derogatory to the character or prejudicial to the interests of the society or who does not conform to the rules, regulations and bye-laws.

Settlement of disputes

- 57.** Any case of dispute or question referred to the society for arbitration and settlement shall be dealt with by the council and the following procedure shall be observed:
- (i)** A statement in writing shall be sent to the society's offices setting forth all the facts in

dispute and the contentions of the respective parties 21 days before the meeting of the council at which the case is intended to be brought forward. This statement shall be laid before the council.

- (ii) The council in any such investigation may proceed in any manner they think best.

Arbitration

- 58. The council shall not undertake arbitration upon or settlement of any dispute or question unless both parties to such a dispute or question have signed an undertaking to accept the decision of the council. It shall be left to the council to settle the amount of expenses incurred by the parties, or by the council in the arbitration proceedings and to award payment accordingly.

Common seal

- 59. The common seal of the society shall be kept at the society's offices and shall not be fixed to any documents other than investment transactions and exportation certificates, except in the council room during a meeting of the council or as otherwise decided by council.

Disciplinary powers

- 60. Any case of doubtful or suspect pedigree or any case of apparent irregularity of registration by any member shall be dealt with by the council and the following procedure shall be observed:
 - (i) In the event of any information being received by the society concerning any member, the chairman shall have the power to decide whether the case requires investigation and to give instructions, if necessary, to an employee of the society, to make further investigations. Where a subsequent investigation is necessary due to a breeder's own fault, the society shall be entitled to claim an appropriate sum towards the expenses involved.
 - (ii) The member concerned will be informed of the nature of any complaint and shall receive a copy of any report thereon. Such member shall also be invited to attend, be represented at, or submit written evidence to that meeting at which the case will be considered.
 - (iii) When the case has been investigated the council shall take such action as they may think fit.



HEREFORD

ORIGINAL POPULATION



THE ONLY HEREFORDS WHICH CAN TRACE THEIR ANCESTRY OF BOTH SIRE & DAM BACK TO THE 1886 OR EARLIER HERD BOOKS.....

And fulfil the mandatory "OBJECT" of breed purity prescribed by the Memorandum & Articles of the Hereford Cattle Society a Charity & the CLOSED Herd Book of 1886, which the Hereford Cattle Society has a DUTY to uphold

THEY ARE THE ONLY HEREFORDS WHICH RETAIN ALL THE VIRTUES THAT MADE THE BREED GREAT

Renowned natural grazing ability - Thrive on even poor forage - Fatten off grass without grain or concentrates and give high quality well marbled meat - Undemanding & resilient in all seasons & conditions - Superior fertility & longevity of dams & sires - Easy calvers and good mothers - Superior temperament for easy handling - Low daily maintenance costs - Low incidence of disease, low veterinary costs - only one genetic fault. (non lethal)

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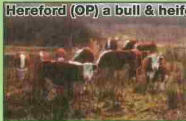
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- Test your herd for real Hereford genetics & confirm parentage+hypotrachosis. Test for all other genetic diseases (not necessary for Herefords(OP))
- Know the DNA Profiles of your Herd - **YOUR cattle are YOUR Property and the DNA IS YOURS!**
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