

**Department for Environment, Food and Rural Affairs**

# **Proposals for new bovine TB control measures: tackling transmission between cattle herds**

**A consultation exercise on delivery of the Government's Strategy for Achieving "Officially Bovine Tuberculosis-Free" Status for England**

**November 2013**

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## **Part A: Background**

### **1. Purpose of the consultation**

1.1 Bovine TB is the most pressing animal health problem in the UK. The seriousness of the situation for our cattle farmers, their families and their communities cannot be overstated. It is a devastating disease which threatens our cattle industry and presents a risk to other livestock, as well as wildlife species (such as badgers), pets and humans. The Government remains determined to tackle bovine TB by all available means. Only if we use every tool at our disposal, including enhanced cattle controls, will we begin to check the progress of this devastating disease.

1.2 Defra is inviting views from stakeholders on proposals for new control measures to further reduce the risk of bovine TB transmission between cattle herds. We would welcome views from any individual or organisation that would be affected by, or is otherwise interested in, these proposals. Details on how to respond to this consultation are at Part D.

1.3 The proposed new control measures are based on sound disease control principles, seek to build on the changes implemented in 2012 and 2013 (see below) and, if adopted, will reinforce the accelerated bovine TB eradication programme that we are obliged by European Union law to maintain.

1.4 The proposed changes are:

- To abolish the pre-movement testing exemption for movements of cattle to and from common land by the end of April 2014, with the possibility of a waiver for movements from the common land back to the premises from which the cattle were turned out where the distance moved does not exceed a set distance limit.
- To phase out the practice of de-restricting parts of TB-restricted premises by the end of September 2014. After that date all parts of a single holding would be either officially TB free or under TB restrictions.
- To publish the location information on all new TB breakdowns, in order to aid livestock keepers' risk management decisions.
- To clarify that wild or un-testable cattle will be culled.

1.5 Details on each of these proposals are set out in Part B.

### **2. How this consultation links to the Government's wider Strategy for Achieving "Officially Bovine Tuberculosis-Free" Status for England**

2.1 The Bovine TB Eradication Programme for England laid the foundation for the Coalition Government's comprehensive and balanced approach to tackling bovine TB. Launching the Programme in 2011, Defra Ministers said:

*"We already have a robust set of measures in place to tackle transmission between cattle including compulsory testing, slaughter of infected animals and movement restrictions on infected herds. We are committed to maintaining these controls and strengthening them where it makes sense to do so, taking a risk-based approach."*

2.2 On 26 September 2013 Defra completed a consultation on a new comprehensive TB eradication strategy - the "Draft Strategy for Achieving 'Officially Bovine Tuberculosis-Free' Status for England". The aim of the draft Strategy is to achieve Official bovine TB Free (OTF) Status for England within 25 years, whilst maintaining a sustainable livestock industry. The proposals in this consultation exercise flow from the draft Strategy, the Secretary of State's foreword to which stated:

### **Draft Strategy for Achieving "Officially Bovine Tuberculosis-Free" Status for England**

Extract from the Secretary of State's foreword

*The Strategy is comprehensive and risk-based, using all available tools to:*

- *reduce the spread of bTB between cattle both within and between herds;*
- *deploy market measures, regulation, incentives and deterrents to reduce the risk of disease spread due to cattle movements.*

## **3. Other recent enhancements to TB control measures in cattle**

3.1 In line with the draft Strategy referred to above, in developing new cattle controls we aim to strike an appropriate balance between robust disease control aimed at achieving official bovine TB freed status for England while maintaining a sustainable livestock industry. As such, our controls have been incremental, giving livestock businesses time to adapt to the various changes.

3.2 Changes to bovine TB controls in cattle over in the last two years can be summarised as follows.

- Since 1 January 2012 cattle movements into TB breakdown herds with OTF status withdrawn (OTFW) have only been permitted following the herd's first test under movement restrictions and subject to a satisfactory Veterinary Risk Assessment (VRA) by AHVLA.
- On 1 July 2012, we:

- Removed the pre-movement testing exemption which allowed cattle held on a farm for less than 30 days to be moved without a test.
- Removed the pre-movement testing exemption for movements within SOAs (Sole Occupancy Authorities) which include holdings in high and low risk bovine TB areas.
- Removed the pre-movement testing exemption for movements to agricultural shows where cattle are housed or are held on site for more than 24 hours.
- Reduced compensation rates for bovine TB reactor cattle found in herds with overdue tests.
- Introduced a moratorium on both the approval of new SOAs and requests for the addition of new holdings to existing SOAs.
- Stopped the establishment of new Cattle Tracing System (CTS) links between holdings in high and low TB risk areas, and began removing existing links between high and low risk areas.
- On 1 January 2013 we:
  - Enhanced our surveillance regime such that all herds in high risk areas and in the edge area have to be tested every year – with four yearly testing as the default regime for herds in the rest of England.
  - Reduced the pre-movement testing window for the small number of cattle moved between herds restricted for TB control reasons from 60 days to 30 days.
  - Allowed re-stocking of herds with Officially TB Free status suspended (OTFS) only after the herd's first post-breakdown test and subject to a satisfactory VRA.
  - Began the phasing out of Approved Quarantine Units (AQUs) - since 1 January 2013 existing AQUs have not been permitted to re-stock, and all AQUs must be de-stocked and closed by 31 December 2013.
- And in line with our commitment to monitor the testing burden on farm businesses, from 1 June 2013 we:
  - Removed the requirement for cattle kept in non-grazing Approved Finishing Units to be routinely tested.

## Part B: Proposals for Change

### 4. Specific proposals

4.1 The proposals on which we are inviting comments are set out in this section.

#### **Proposal 1: To Abolish the Pre-Movement Testing Exemption for Movements of Cattle To (And From) Common Land By April 2014**

4.2 The Schedule to the Tuberculosis (England) Order 2007 lists a number of exemptions to the general requirement to pre-movement test cattle in annually tested herds. It includes provisions enabling owners of herds to move cattle without pre-movement testing: (i) to and from land to which they have rights of common; and (ii) to and from land owned by others with rights of common for the same land. Since those untested animals may then mix freely with cattle from other herds grazing on the same common, the risk of disease spread on the common and when the cattle return after grazing the common is one that we must address.

4.3 Veterinary advice is that there is a difficult to quantify (but not negligible) risk of transmission of bovine TB between cattle holdings when untested animals graze common land used by annually tested herds. Therefore, the current pre-movement testing exemption undermines our efforts to reduce the spread and incidence of bovine TB. Against the backdrop of a complicated disease situation in England, we need to mitigate this risk.

4.4 We recognise, however, that for herd owners in many parts of the country the practice of grazing common land is critical to both the sustainability of their business and the environmental quality of the land. So we will use the period of the consultation to look for ways to mitigate the impact on often small and economically vulnerable businesses. One option, on which we wish to seek views, is to make use of a waiver from pre-movement testing for movements from the common land back to the premises from which the cattle were turned out, subject to a distance limit. The cost benefit analysis (included in the consultation package) would support this since removal of the pre-movement testing exemption for movements to common land yielded a higher net present benefit than the option to remove it for movements both to and from common land.

4.5 We also recognise that bovine TB testing cattle on some open common land can be difficult and dangerous, even with appropriate equipment. So we also propose to allow post-movement testing - instead of pre-movement testing (where required) - to be carried out on cattle after their removal from the common.

#### **We propose:**

- A. From April 2014, the common land section in the Schedule to the Tuberculosis (England) Order 2007 should be removed in full. Normal pre-movement testing requirements would then apply to all cattle moving onto and back from common land.**
  
- B. To allow post-movement testing - instead of pre-movement testing (where required) - to be carried out on cattle after their removal from the common.**

**We would welcome:**

- C. Your views on the option to legally waive the pre-movement testing requirement for movements from the common land where this is back to the premises from which the cattle were turned out, subject to a distance limit.**

### **Proposal 2: To Phase Out the Practice Of De-Restricting Parts of TB-Restricted Premises By September 2014**

4.6 At present, when a cattle holding is affected by a TB breakdown AHVLA may consider excluding certain parts of the holding from the movement restrictions. It is also possible for restrictions to be lifted from discrete and isolated groups of cattle in an affected holding that have been TB tested with negative results before the whole herd has regained its Officially TB Free (OTF) status.

4.7 The necessary levels of isolation and separation of different groups of stock, in a single holding with parts of differing bovine TB status are difficult to achieve and maintain for the duration of the breakdown, and ongoing monitoring for enforcement purposes is particularly problematic. This represents a significant, unacceptable weakness in our current disease control arrangements. So our proposal is to prevent such sub-division of single holdings for this purpose in future.

**We propose:**

- D. To phase out the partial de-restriction of premises affected by TB breakdowns. This would include closing existing TB Isolation Units once the cattle within them have been released from TB restrictions and allowing no new units to be set up.**

### **Proposal 3: Sharing of TB Breakdown Information**

4.8 A common frustration, as borne out by the recent consultation on a new TB strategy, from cattle keepers is that they are not able to access sufficient information on the bovine TB herd status of neighbours or owners of land in the vicinity of any temporary grazing they may want to use. Without such information, their opportunity to properly manage the TB risks to their herds is constrained.

4.9 To put that right, we propose making TB breakdown location details available in future. Given the resource costs of providing an enquiry service, it is likely that we would choose to do this by publishing details via the GOV.UK website, so it would be necessary for herd owners to access that data themselves for their own purposes. In the longer-term, we would look to provide the information in the most accessible format.

4.10 A voluntary scheme is currently underway in south Wales but this depends on herd owners agreeing to make information available. In England, we propose to make the information available as a matter of course, which we believe is compatible with data protection and other legislation. Further details on this will be developed over the coming months.

**We propose:**

- E. From a date still to be determined, to publish location details of all bovine TB breakdowns as a matter of course.**

**Proposal 4: Culling Of Wild and Untestable Cattle**

4.11 The Tuberculosis (Wales) Order 2010 stipulates that, where it is impractical or unsafe to gather cattle for testing, such cattle can be treated as if they were affected with bovine TB and culled without testing. We propose adopting the same approach in England, which would require a change to the Tuberculosis (England) Order 2007.

4.12 Untested cattle pose an unknown disease control risk. The worst case scenario might lead to transmission of disease from the untested cattle to wildlife, thereby posing a risk of new bovine TB hotspots in England. Although we envisage that this new provision would be used as a last resort - when access for testing has been refused or the animals prove to be impossible to handle – it is important to have the ability to cull the cattle if we are to ensure other efforts to rid the country of bovine TB are not undermined.

**We propose:**

- F. From 1 April 2014, the Tuberculosis (England) Order 2007 is amended to include provision to cull untestable cattle in England.**

**Part C: Additional Measures on Which We Are Seeking Your Views**

5.1 A further consultation on specific cattle controls is planned for the spring of 2014. At this stage, we are not consulting on specific proposals but we would welcome any general points you wish to make so they can be taken into account as we take our work forward.

5.2 The measures are:

- The remaining pre-movement testing exemption for movements within a Sole Occupancy Authority situated entirely in an annual testing area – and how the impacts on livestock businesses could be mitigated if this is removed.
- The remaining pre-movement testing exemptions for cattle movements to shows.

**We would welcome your views on the pros and cons of these existing pre-movement testing exemptions.**

**Part D: Tell Us What You Think**

**6. Your comments invited**



6.1 The proposed changes would cover England only. They are likely to be of interest to individuals, organisations and businesses that have an interest in livestock farming.

6.2 If you wish to respond, please submit your comments by **10 January 2014**.

6.3 You can respond in one of three ways.

- **Online** by completing the questionnaire at <https://consult.defra.gov.uk/>.
- **Email** to [bTBengage@defra.gsi.gov.uk](mailto:bTBengage@defra.gsi.gov.uk)
- **Post** to:

Cattle Measures Team Defra  
Area 5D, Nobel House  
17 Smith Square  
London  
SW1P 3JR

6.4 Our preferred method is online because it is the fastest and most cost-effective way for us to collate, analyse and summarise responses. If you require a different format please let us know.

6.5 Given our obligations under the Freedom of Information Act, the responses we receive may be published. If you do not wish to be identified as the author of your response, please state this clearly.

6.6 Final decisions on whether to proceed with the proposals will be made by Ministers.

## **Bovine TB Programme**

**November 2013**

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