RURAL DEVELOPMENT COMMITTEE

AGENDA

5th Meeting, 2002 (Session 1)

Tuesday 5 February 2002

The Committee will meet at 2.00 pm in the Chamber, Assembly Hall, the Mound, Edinburgh

1. Item in Private: The Committee will consider whether to take item 5 in private.

2. Foot-and-Mouth Disease: The Committee will take evidence from Ross Finnie MSP, Minister for Environment and Rural Development regarding the control of animal movement.

3. Subordinate Legislation: The Committee will consider the following instrument under the negative procedure—

   The Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) (Scotland) Regulations 2002 (SSI 2002/6).

4. Land Reform (Scotland) Bill (in private): The Committee will consider a draft stage 1 report.

5. Witness Expenses: The Committee will consider a claim under the witness expenses scheme.

Tracey Hawe
Acting Clerk to the Committee
The following papers are attached or are relevant to this meeting:

**Agenda item 2: Foot-and-Mouth Disease**

Draft Statutory Instrument The Livestock Movement (Interim Measures) (Scotland) Order 2002 is attached (*for Members only*).

Scottish Executive consultation letter and other documentation is attached.

**Agenda item 3: Subordinate Legislation**

The Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) (Scotland) Regulations 2002 (SSI 2002/6) is attached.

The Subordinate Legislation Committee’s 5th Report is attached.

**Agenda item 4: Land Reform (Scotland) Bill**

A draft report is attached (*for Members only*)

Members are reminded to bring with them a copy of the Land Reform (Scotland) Bill (SP Bill 44) and Policy Memorandum and Explanatory Notes

**Agenda item 5: Witness Expenses**

A claim for expenses is attached (*for Members only*)
Mark Brough  
Room 3/7  
Committee Chambers  
George IV Bridge

Copy to:   David Crawley  
Jake Thomas  
Mary Bradley  
Paul Cackette  
Graham Fisher

RURAL DEVELOPMENT COMMITTEE – MEETING ON 5 FEBRUARY

1. Further to our telephone discussions, and in advance of the Minister’s presence at the Committee on Tuesday 5 February, I am attaching a short covering note on the interim animal movement regime for 2002 together with the Consultation Letter which issued on Tuesday of this week. An advanced draft of the Statutory Instrument will follow separately from Graham Fisher by 4pm this evening.

2. I would be grateful if all three items could be forwarded to members of the Rural Development Committee.

D R DICKSON

D R DICKSON  
SEERAD-AH  
Pentland House  
Room 331  
Ext 46401  
25 January 2002
Dear Sir/Madam

FOOT AND MOUTH DISEASE: INTERIM ANIMAL MOVEMENT REGIME FROM FEBRUARY 2002
20 DAY ANIMAL MOVEMENT STANDSTILL

1. I am writing to explain the arrangements which the Scottish Executive Environment and Rural Affairs Department proposes to put in place concerning the operation this year of the 20 day animal movement standstill.

SUMMARY

2. The veterinary advice available to the Scottish Ministers indicates that a residual risk remains of re-emergence of Foot and Mouth Disease (FMD) and that the risk of fresh disease being introduced in Great Britain is significant. Against this background the Executive proposes:

- to maintain **during 2002** the principle of the 20 day movement standstill;

- to allow **from mid-February** a number of limited exemptions to the 20 day standstill (for breeding animals, calves, foster lambs and kids, away wintered animals, common land, show animals, animals for import and export and movements to slaughter).

- to allow **from 18 March for cattle and 18 May for sheep** an option to apply the 20 day standstill only to animals brought onto the farm (or to animals to be moved off) and not to the rest of the animals on the holding on condition that they are kept separate and that the biosecurity measures at Annex A are observed.
Legislation must be put in place rapidly to implement these proposals by mid-February. Your comments are invited by 31 January, to be sent to Ian Strachan at the above address.

GENERAL

3. Foot and Mouth Disease had a major impact on Scotland’s agriculture industry. It caused enormous distress to those directly affected and badly disrupted other farming and agricultural businesses throughout Scotland. It also had a serious effect on other rural businesses, particularly tourism.

4. During the outbreak itself, rigid animal movement and other controls were applied. Since the last infected case in Scotland on 30 May 2001, these controls have been progressively relaxed as the disease position has improved, cleansing and disinfection of premises has been completed and restocking has progressed. From 1 January, all cattle movements became subject to a General Licence. Pig movements from that date reverted to PRIMO rules. From mid-February, all sheep movements will be covered by a General Licence. In parallel with this improved disease situation, the European Union has progressively lifted restrictions on meat exports. At last week’s Standing Veterinary Committee it was agreed that most of the remaining FMD meat export controls could be removed, which is excellent news, in particular, for Scotland’s sheep producers. We now look to final steps being taken soon to restore full normal trading arrangements within the EU. The final step will be the re-establishment of our international disease free status by the OIE.

DISEASE THREAT

5. Ministers must have regard to veterinary advice on the risk of disease in determining the controls which should continue to apply. That advice indicates that although it is almost 8 months since the last case of FMD in Scotland (less than 4 months in England) there remains a small risk of re-emergence of latent disease from the 2001 outbreak. This could arise because of:

- **Unrecognised infection in sheep.** Most sheep in Scotland have now been gathered and handled in the normal way for some months and the statistical serological screening carried out in Scotland has been completely negative. Both factors give confidence that any risk is extremely low. In Great Britain as a whole large-scale statistical surveillance of sheep suggests that any risk of re-activation of carrier status or latent infection is extremely small. However, some limited risk remains. That applies especially in areas of Great Britain where disease has been most recent but it could not of course be guaranteed that any virus which re-emerged could be confined to those areas. A precautionary approach in Scotland would therefore be prudent until the period of maximum stress for the sheep during this year’s lambing has passed.

- **Contamination of the environment.** In Scotland the possibility of this happening is low because cleansing and disinfection of farms in Scotland was largely completed by October. A small number of premises remain under Form A restriction for 12 months because they are too difficult or fragile to clean. Cleansing and disinfection and slurry disposal is not as advanced in England.
There is, therefore, some risk of survival of virus in buildings. The risk of survival of virus in pasture is negligible.

- **Import of a fresh intake of FMD.** The change in trading patterns both internationally and within the Community has extended the movement of live animals and animal products. This also applies to the human population. Increased migration and changing eating patterns have led to an increased risk of illegal or inadvertent import of animal products by individuals. A scientific assessment of the risk of introducing FMD has been commissioned by DEFRA which will be shared with SEERAD. However, import of contaminated meat and meat products is the most likely means of reintroducing imported FMD virus. Once introduced it remains the case that it could be spread quickly.

**EXECUTIVE RESPONSE: KEY POINTS**

6. Notwithstanding the vastly improved disease position, the Executive believes that it is only responsible and prudent to maintain measures which safeguard Scotland’s vital agriculture industry, as well as the wider rural economy, against a recurrence of Foot and Mouth Disease. The Executive believes that action is called for in four key areas.

**Firstly, there is a need to strengthen controls over imported meat and meat products.** These imports are the most likely sources of the reintroduction of infection into this country. Discussions are taking place at UK level, involving the devolved administrations, on improving the effectiveness and visibility of import controls.

**Secondly, the Executive believes that rapid movement especially of traded animals must stop.** A higher level of biosecurity should apply where markets are held and rapid movements of animals between markets should continue to be prevented. Measures are already in place with the support of The Institute of Auctioneers and Appraisers to achieve this.

**Thirdly, the Executive also believes that a higher degree of on-farm biosecurity should be applied on livestock enterprises generally.** Work in preparing an on-farm biosecurity code is now underway.

**Fourthly, it is the Executive’s view that on-farm movements ought, for 2002, to remain subject to a 20 day standstill.** Its impact on farming practices should however be moderated by a number of exemptions and derogations. This consultation concentrates on how the 20 day standstill should operate for this year.

**20 DAY STANDSTILL**

7. A 20 day standstill on animal movements is an effective way of slowing down the spread of any new disease and consequentially limiting its impact. The Veterinary Laboratory Agency’s recent Risk Assessment confirms this (this Assessment is available on request). However, it is clear from the discussions which the Executive has had with its Stakeholders’ Group that the 20 day standstill which has operated since the disease first emerged is considered to be disruptive to many Scottish livestock businesses.
8. In the light of these discussions the Executive proposes to maintain the principle of the 20 day movement rule, but is prepared to allow various exemptions to it to allow business to function yet without unduly increasing the risk of any disease spread. It should be stressed, however, that what is proposed is an interim arrangement covering 2002. The measures will be reviewed later in the year. That review is likely to take account of any relevant recommendations by the various Inquiries set up to review the FMD outbreak. The EU is likely also this year to consider proposals for prevention and control of FMD. Any measures agreed at an EU level will of course have to be taken into account.

9. A series of specific exemptions to the 20 day rule is therefore now proposed to take effect from mid-February. Additionally, it is proposed to exempt from the 20 day controls animals which are held separately subject to prior authorisation and compliance with the biosecurity conditions set out in the Annex to this Paper. These exemptions will be phased in starting with cattle on 18 March and sheep, after the main lambing, on 18 May.

10. Sections A and B set out these exemptions.

A. Specific Exemptions

These exemptions will take effect from mid-February, as soon as the necessary legislation comes into force. Once the derogations in Section B come into force, the farmer will have the option of using those derogations if he can offer the necessary separation and biosecurity.

i. Breeding Animals

Movement of Breeding Bulls will not trigger a 20 day standstill on the holding of destination

A “breeding bull” is any entire male intended for breeding purposes. The exemption will only be available for bulls destined for breeding on the premises concerned, not for moves of breeding stock generally. The clear intention must be to breed with the bulls from an early stage after the move rather than to stock-pile younger animals for future use.

Breeding pigs will be covered by the exemptions from the 20 day standstill as set out under the PRIMO rules.

Breeding rams and billy goats will also not trigger the 20 day standstill on the holding of destination as per the arrangements above for breeding bulls.

Any camelid moving from premises on which no other susceptible livestock was present will not trigger a 20 day standstill on the holding of destination. Any camelid (including breeding animals) moving from premises where susceptible livestock was present will trigger a 20 day standstill on arrival). Camelids will move under General Licence.

No exemptions from the 20 day standstill are envisaged for deer. Deer will move under General Licence.
ii. Young Calves and Foster Calves

Calves less than 30 days old may move off their holding of birth even if other animals have moved onto the holding of birth in the previous 20 days but only to (a) another holding where they are to be fostered or (b) specialist calf rearing premises (see iii) below. In both these circumstances they will not trigger the 20 day standstill on the holding they go to.

In each case calves must be tagged under the Cattle Identification Regulations and be accompanied by a full passport issued by BCMS. Exceptionally and to cater for an immediate foster situation, it will be acceptable for young calves to move under temporary calf passports. Calves travelling from any other source than the holding of birth, including a market, will trigger a 20 day standstill on the holding of destination.

As a matter of good farming practice proper hygiene precautions should be observed and close attention paid to any disease risk in any situations like this.

iii. Specialist Calf Rearing Premises

The arrival of calves less than 30 days old travelling (tagged and passported) from their holding of birth will not trigger the 20 day standstill on arrival at specialist calf rearing premises. (These premises will need to be notified to the Department’s local DVM in advance of any movements so that authority to treat the premises as biosecure can be granted.)

iv. Foster Lambs and Kids

Lambs and kids less than 7 days old will be allowed to move in order to be fostered even although other livestock have moved onto their holding of birth in the previous 20 days but only to nearby holdings (up to 10 kilometres). The movement of these lambs/kids from their holding of birth to another holding will not trigger the 20 day standstill on the destination holding. Lambs and kids must be tagged in accordance with sheep ID Regulations. Again, proper hygiene precautions should be observed.

v. Away Wintered Animals

The 20 day standstill will not prevent the movement of breeding sheep home to their original holding/business after a period of agistement ie away wintering of hoggs. This movement will impose the 20 day standstill on the holding of return unless arrangements have been made in terms of the separation derogation – see Section B.

vi. Common Land

Sheep moving to or from common grazings to holdings that have grazing rights on the common will not be subject to the 20 day standstill, nor will the sheep with which they come into contact.
vii. **Show Animals**

When animals attending a show return home they will not trigger the 20 day rule. Animals which are intended for regular showing within the 20 day cycle may attend these shows provided they are maintained separately from other animals on the farm and biosecurity requirements are met.

Detailed conditions for holding shows will be circulated in due course.

viii. **Imported Animals and Animals destined for Export**

Imported livestock must be detained for 20 days at the first holding they are kept at, not at ports. Livestock for export will have to comply with EU residence time requirements.

ix. **Movements to Slaughter**

Movements direct to an abattoir or to a slaughter market are not subject to the 20 day standstill. Animals which are unsold at a slaughter market may be returned to the farm of origin but will trigger the 20 day standstill.

B. **Animals Which Are Held Separately**

SEERAD recognises that the 20 day standstill on the movement of stock off a holding (except to slaughter) arising from the arrival of animals on to the holding presents difficulties for farming businesses. This applies particularly to mixed livestock enterprises, especially during spring and autumn. The potential contact between brought in animals and those already on the farm, however, significantly increases the risk of disease spread. This, of course, is why the 20 day standstill has been rigorously applied hitherto.

Following lengthy discussions with its Stakeholders’ Group, SEERAD is now prepared to allow exemptions from the 20 day standstill to apply to certain categories of animals in two sets of circumstances. These are:

1. **where brought on stock are held separately from other stock on the farm.** The 20 day movement restriction will then only apply to the brought on animals.

2. **where the farmer identifies animals to be moved off his farm and holds them separately from stock which have been brought on and mixed with other farm animals.** In this case the animals to be moved off will not be subject to the 20 day standstill applying to the rest of the animals.

In both these circumstances this exemption will only be allowed if biosecurity rules, set out in the Annex to this Paper, are adhered to. If a farmer wishes to take advantage of these arrangements he must apply to his local Animal Health/Area Office for authorisation. Any authorisation will only be issued on receipt of a farmer declaration to the effect that he will comply with the biosecurity rules set out in the Annex of this Paper. All authorisations will be held centrally alongside the central
movement database which SEERAD has established which allows co-ordinated cross-checking of compliance with the 20 day movement rule to be carried out. Any breach of the conditions applying to such authorisations may lead to their withdrawal. It should be noted also that non-compliance with the 20 day rule is a criminal offence.

**TIMING AND LEGISLATION**

11. It is proposed to incorporate the 20 day standstill rule together with the exemptions set out at A and B above in a new Statutory Instrument. The SI will be made under the powers set out in particular at Section 8 of the Animal Health Act 1981. In addition to incorporating the provision covering the 20 day standstill, the new legislation will carry over important provisions from the existing Foot and Mouth Orders, including the powers to make the General Licences which will apply to the susceptible species. New measures to help identify, trace and record sheep and goats will also be included. Details are being worked up with industry interests and a producer letter will issue shortly explaining the arrangements. The new legislation should be in place by mid-February.

12. As indicated earlier the exemptions at A will take effect from the date on which the new legislation comes into force ie by mid-February. The arrangements described at B will take effect on a phased basis. Cattle held separately will qualify for the exemptions under B from 18 March 2002. The exemptions at B will apply where sheep and goats are moved from 18 May ie after the lambing season in Scotland and Northern England is over. What this split-timing arrangement under B will mean in practice is that from 18 March if brought on cattle are held separately from other cattle and sheep on a mixed farm, the cattle in the mixed group will be eligible to move within the 20 days but not the sheep. So until 18 May all sheep on the holding will always have to be held the full 20 days when susceptible species have been brought on to the farm.

13. The Executive, of course, is already aware of the views of its Stakeholders’ Group. Nevertheless, it would value views and comments from other interests. As is normal, comments received will be held in the Scottish Executive Library, Room 031, St Andrew’s House, Regent Road, Edinburgh EH1 3DG and can be made available on request. An administrative charge to cover copying and postage will be made. To enable requests to be dealt with efficiently and to avoid undue delay for those calling in person, it would be appreciated if personal callers could give the Library at least 24 hours notice of their requirements.

14. It would be extremely helpful if these views could be provided by **Wednesday 31 January at the latest to Ian Strachan, Pentland House, Room 358E, 47 Robb’s Loan, Edinburgh EH14 1TY.**

Yours faithfully

D R DICKSON
ANNEX

INTERIM ANIMAL MOVEMENT REGIME FROM FEBRUARY 2002 ONWARDS
EXEMPTIONS FROM 20 DAY RULE
BIOSECURITY REQUIREMENT FOR ANIMALS HELD SEPARATELY FROM OTHER STOCK

1. As explained in the Consultation Letter attached, subject to prior authorisation, SEERAD is prepared to exempt from the 20 day standstill animals held separately. **The exemptions will not cover any animals brought on to a holding.** Those animals must remain there for 20 days unless they are going for slaughter. The exemption applies to the rest of the herd/flock where those brought on animals have been held separately. Under these arrangements newly arrived brought on animals would have to go directly to separate accommodation or grazing without having contact with other livestock. These other livestock would not then be bound by the 20 day standstill.

2. Conversely, animals which the farmer knows will be moved from the farm (and which would have to be retained for 20 days because of brought on livestock) may also be exempted from the standstill provided they are put in separate accommodation before the oncoming animals arrive.

3. In the case of both the circumstances described above, exemption will only be authorised if the Department is satisfied the following basic biosecurity conditions are met:

   a. Fields, paddocks or buildings used as separate accommodation must be escape proof.

   b. The fields, paddocks or buildings where animals are held separately from the rest of the livestock must have separate feeding and water troughs.

   c. Stock in the separate area should ideally be well separated from home or neighbours’ stock by natural barriers such as empty fields or woods or solid barriers in sheds. At the very least, nose to nose contact must not be possible.

   d. Any brought on stock which are to be kept separately to avoid the remainder of the livestock being caught by the 20 day rule must remain separate for at least 20 days and must be closely inspected by a reliable stockman/woman every day for signs of disease. Suspected notifiable disease must be reported to the local Divisional Veterinary Manager without delay. Daily inspection is vital if disease is to be detected quickly.

   e. Stockmen/women carrying out close handling of brought in stock must observe proper, reasonable biosecurity measures when the operation is complete. Also stockmen/women responsible for separated stock must wear footwear which, like rubber boots, can be properly cleansed and disinfected or which, if not, must be changed before contact with home stock.

   f. Uncontrolled access by visitors to accommodation holding animals in separation should be actively discouraged. Where visitors are allowed it must be in a controlled manner subject to biosecurity measures being undertaken.

   g. Vehicles, including quad bikes, should not be taken into separate accommodation unnecessarily. If it is essential, their wheels and arches should be cleansed and disinfected before contact with other stock.
h. Farm staff and visitors should be made fully aware of these conditions. They should also be kept well informed of those animals which are being segregated as to be exempt from the 20 day standstill themselves or so that the rest of the herd/flock is exempt.

SCOTTISH EXECUTIVE ENVIRONMENT AND RURAL AFFAIRS DEPARTMENT