



Department
for Environment
Food & Rural Affairs

www.gov.uk/defra

Bovine TB: Improving TB cattle controls, including a proposal for statutory post- movement testing

**A summary of responses to the consultation
exercise and way forward**

17 December 2015



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TB Programme

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1. Introduction

1.1 This document provides a summary of responses to Defra's public consultation on new cattle measures to tackle Bovine TB, which ran from 28 August 2015 to 23 October 2015. Defra received 172 written or online responses to the consultation, of which 139 were from individuals, including farmers and vets, and 32 were from organisations. The organisations are listed in Annex A.

1.2 The purpose of this document is to provide a summary of the responses received. Copies of responses can be obtained from:

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

2. The measures

2.1 Bovine TB is the most pressing animal health problem facing cattle keepers in England. The financial (and other) impacts of the disease on rural businesses can be devastating, which is why this government remains determined to tackle it using all available means, including through enhanced cattle control measures.

2.2 In line with the "Strategy for Achieving 'Officially Bovine Tuberculosis-Free' Status for England", in developing new cattle controls we aim to strike a balance between robust disease control aimed ultimately at achieving official bovine TB free status for England and helping to maintain a sustainable livestock industry.

2.3 Defra believes the proposed new TB control measures are based on sound disease control principles. They would build on changes introduced since 2012 and also reinforce the accelerated bovine TB eradication programme which we are obliged by European law to maintain.

2.4 Defra invited views from stakeholders on a proposal for statutory TB post-movement testing of cattle moved (directly or via a market) from herds in Great Britain on annual (or more frequent) surveillance testing to all herds in the Low Risk Area (LRA) of England. This new policy would not apply to cattle slaughtered within 120 days of arrival at the destination herd in the LRA. A small number of other post-movement testing exemptions were also proposed. Also included within the consultation were:

- A proposal for a more robust approach for dealing with TB breakdowns in the High Risk Area (HRA).
- A call for views on allowing cattle to move to/from rented grazing within a 10 mile radius of the herd owner's home premises without pre-movement testing.
- A proposal to phase out Exempt Finishing Units (EFUs) in the LRA.
- A proposal to reduce TB risks from Approved Finishing Units (AFUs).
- A call for views on options for reducing TB risks from sales of cattle from four-yearly tested herds.
- A call for views on the case for enhanced TB surveillance in additional counties in the Edge Area.
- A call for views on the situations in which private interferon-gamma (IFN- γ) blood testing could be permitted.
- Updates on some other policy developments.

3. Responses

Compulsory post-movement TB testing of cattle entering (directly or via a market) the Low Risk Area of England from herds in Great Britain on annual (or more frequent) surveillance testing, including those in the Low Risk Area

...our proposal is to amend The Tuberculosis (England) Order 2014 to require post-movement testing of cattle entering (directly or via a market) the LRA of England from herds in England on annual (or more frequent) surveillance testing and from herds in designated counties in Wales ...

3.1 The majority of respondents supported this proposal. The breakdown of responses was as follows:

Agree – 80%; Disagree - 12%; Other – 6%; Not answered - 2%

3.2 Copies of all responses can be obtained from Defra (see paragraph 1.2 above). The following is a selection of comments from a number of stakeholder organisations on behalf of their memberships.

3.3 The main veterinary bodies – the British Veterinary Association (BVA) and the British Cattle Veterinary Association (BCVA) strongly supported the proposal:

“BVA supports the proposal to introduce strategic post-movement testing of cattle entering (directly or via a market) the low risk area (LRA) of England from a high risk area (HRA) in England or Wales. This is a sensible measure to reduce spread of disease within and between cattle herds and may start to pave the way for parts of the country to be declared bTB Free along with Scotland. It is also consistent with the Risk-Based Trading Board proposals and with the probable CHeCs guidelines.

We assume that cattle movements from a HRA in England or Wales to a LRA in Wales would also be subject to post-movement testing.”

3.4 Although the National Beef Association (NBA) supported this proposal in principle they did have some concerns, pointing out:

“Many NBA members in the Low Risk Area would agree with this approach which would improve bio-security, however farmers in the HRA see that this will further hinder trade and are worried that any increased testing requirement for purchasers (along with potential for a breakdown) would make it near impossible to do business outside their hinterland. It is essential that the mixed picture of risk in the Edge and High Risk Areas is better communicated and that any changes are only introduced when we have a live point of sale database providing up-to-date information on the risk.”

3.5 The Livestock Auctioneers Association (LAA), the Association of Show and Agricultural Organisations (ASAO), Forest of Dartmoor Commoners Association and the Central Association of Agricultural Valuers (CAAV) did not agree with the proposal and raised similar concerns about its implications for trade:

“From a commercial perspective, an LRA purchaser of an apparently clean animal would have to pay for post-movement testing. It is doubtful that such purchasers will generally choose to stand the additional cost of such a test, nor the prospective risks to their otherwise four-yearly tested herd - except for higher value animals. As a result, the flow of cattle from annual or more frequent testing areas to the LRA would be reduced.”

3.6 The National Farmers Union (NFU) accepted the proposal in principle, acknowledging that the greatest TB threat for cattle herds in the LRA is through the movement of infected cattle from higher risk areas. However, it commented:

“A ‘blanket approach’ to post-movement testing (PoMT) is a very blunt tool – we would support it being used in a more targeted fashion which caters more to high risk animals and trading activities. We feel that the risk models could be further refined to introduce more exemptions based on risk rather than purely geographic placement.

Defra should consider whether the cost of industry PoMT testing over 100,000 animals a year (as proposed) is likely to be cost effective compared to a targeted approach that makes better use of CTS data.

Members in the LRA have commented that the testing clock should be sixty days from the on movement of an animal, rather than the date of the TB test. This would align the system with measures in place for Scotland, namely that the window for testing is from 60-120 days after the animal has moved onto the destination holding in the LRA.”

Way forward

3.7 Most respondents fully supported our proposal to introduce risk-based compulsory post-movement testing in the LRA for reasons summarised succinctly by the BCVA:

“Limiting the spread of TB into the Low Risk Area is a high priority and post movement testing should limit the possibility of spread from any infected animals that were missed by the pre-movement test. This is in line with protocols in Scotland and is consistent with the aspiration of freedom from disease for this area.”

3.8 Introducing post-movement testing would be an important step on the road to achieving officially TB free status for the Low Risk Area of England. Reaching this significant milestone – which we are on track to do by 2019 – would bring financial (and other) benefits for industry and provide scope for reducing TB surveillance testing in the Low Risk Area. These benefits were not fully articulated in the preliminary Impact Assessment (IA) attached to the consultation but will be included in the final IA to be submitted to the government’s Regulatory Policy Committee.

3.9 The government has, therefore, decided to proceed as proposed in the consultation exercise, subject to one adjustment. As a result of representations received we will change one element of our proposal. The window for completing a post-movement test will be between 60-120 days after an animal arrives at a farm (rather than 60-120 days after the animal was last tested).

Post-movement test type – proposal to supplement the tuberculin skin test with the interferon gamma (IFN- γ) blood test

... we could make blood testing compulsory for the purpose of statutory post-movement testing, in addition to the skin test. We are keen to receive consultees’ views on the merits of doing so...

3.10 Consultees were asked to consider whether in the future we should supplement the tuberculin skin test with the more sensitive (but less specific – i.e. a slightly increased probability of false positive results) interferon gamma (IFN- γ) blood test. The breakdown of responses was as follows:

Agree – 66%; Disagree – 23%; Other – 7%; Not answered – 4%

3.11 Of the stakeholder groups that opposed the proposal, the BCVA stated:

“We disagree with this measure. It is over and above procedures in Scotland and places an undue burden on the farmers in the area. Any animals coming into the area will have been subjected to two skin tests and this should be adequate. This can always be reviewed if there is subsequent evidence of breakdowns occurring in spite of the pre and post-movement testing.

It should also be borne in mind that the specificity of gamma interferon testing is lower than that of the skin test. Even if we take the higher estimate of specificity and assume that it is 98% you could get 2,000 false positives for every 100,000 tests conducted. The risk of conducting unnecessary herd tests is 100 times higher than it is for the skin test.”

Way forward

3.12 For the reasons best expressed by the BCVA, the government has decided that it will not require use of the interferon gamma (IFN- γ) blood test to supplement the skin test for the purpose of a post-movement test. The added benefit from use of the gamma test would be limited, whereas the cost for industry of applying both tests would be more than three times greater than the cost of skin testing only.

A more robust approach to dealing with TB breakdowns in the High Risk Area (including Officially TB Free-Withdrawn (OTFW) as default)

We are therefore considering the merits of the following approach:

i. That all new breakdowns in the HRA, regardless of post-mortem or laboratory culture results, will require two consecutive short interval herd tests with negative results, read under severe interpretation, before restrictions are lifted. Thereafter, any further tests that might be necessary would be read under standard interpretation provided that no post-mortem or laboratory evidence of TB is found. This is the policy that currently applies in the TB Edge Area of England.

ii. In the LRA, by contrast, TB breakdown herds with no post-mortem evidence of disease would continue to require one short interval skin test with negative results at standard interpretation before restrictions are lifted. However, there would be some exceptions to this rule: herds in the LRA that suffer a TB breakdown and are contiguous to another TB breakdown herd with post-mortem evidence of TB, or had a history of any type of TB breakdown in the previous three years, or are permanently subject to annual TB testing by virtue of their business pattern (e.g. hirers of bulls, dealer herds, regular importers of Irish cattle, etc.) will also require two consecutive short interval tests with negative results at severe interpretation.

3.13 The breakdown of responses was as follows:

Agree – 80%; Disagree – 12%; Other – 6%; Not answered – 2%

3.14 This proposal received strong support from wildlife related interest groups. Some of those in support highlighted the limitations of the current skin test. Some felt more frequent testing, including the parallel use of the interferon gamma test, would help to resolve persistent herd breakdowns. Others suggested that similar measures should be introduced in the Low Risk Area.

3.15 On the other hand, the NFU and the Livestock Auctioneers Association, felt that the tougher testing of breakdown herds should be applied only in areas where wildlife culling (for TB control purposes) was happening. Dairy UK and the National Beef Association also opposed the proposal.

Way forward

3.16 After considering points made by those opposed to the proposal, the government's view is that the high TB recurrence rates in breakdown herds in the HRA, coupled with the known limitations of the skin test, must be addressed. There is very strong evidence that in some cases TB restrictions have been lifted too soon. The disease control rationale for the original proposal remains sound. The government will, therefore, proceed with the proposal.

Allowing cattle to move to/from rented grazing within a 10 mile radius of the herd owner's home premises without pre-movement testing.

We invite your views on allowing cattle to move to/from rented grazing within a 10 mile radius of the herd owner's home premises without pre-movement testing.

3.17 The breakdown of responses was as follows:

Agree – 29%; Disagree – 64%; Other – 5%; Not answered – 2%

3.18 Many who disagreed with the proposal felt that pre-movement testing was a valuable disease control measure, regardless of the movement distance. They felt that allowing cattle to move to rented grazing land without a pre-movement test would increase risks for neighbouring herds.

3.19 Most respondents involved in farming (or representing farmers) supported the proposal. Several mentioned that pre-movement testing cattle moving to local rented grazing land achieved little if the problem of TB infected wildlife was not addressed. Some felt that existing rules were too much of a burden and a barrier to business growth, particularly for smaller farm businesses.

3.20 The RSPCA suggested that, in the case of rented land used by multiple herds, there should be a 60 day period between grazing use. The RSPCA also stressed the importance of robust biosecurity and ensuring untested cattle do not come into contact with a neighbouring herd or pose a risk of infection of badger setts.

3.21 The BCVA supported the proposal, albeit with some reservations, making the point that holdings within 10 miles should be linked to prevent disease transmission - and to that end Defra should remove its current prohibition on the establishment of new Sole Occupancy Authorities. In addition, the BCVA suggested that there should be an approval process, but questioned who would provide and pay for this.

Way forward

3.22 Given the importance of ensuring that the aim of achieving official national TB freedom is not at the cost of maintaining a sustainable cattle industry, the government has decided that there should be a presumption in favour of such moves without pre-movement testing. There will be exceptions, however – for example, when the rented grazing is adjacent to land on which TB restricted herds are grazed. We will work with

APHA to determine the processes by which such decisions on individual cases will be made and make further announcements in due course.

Phasing out Exempt Finishing Units (EFUs) in the Low Risk Area

... We therefore propose phasing out EFUs in the LRA over a 12-month period and invite owners of these units to consider applying to become “Licensed Finishing Units” without grazing...

3.23 The breakdown of responses was as follows:

Agree – 77%; Disagree – 12%; Other – 5%; Not answered – 6%

3.26 Most respondents that expressed support for this proposal did so on the basis that cattle moved from herds in the HRA to the LRA should always be pre-movement tested.

3.27 Of those that opposed the proposal, Dairy UK felt it would have an adverse impact on unrestricted herds in the HRA since EFUs provided a useful trade outlet for such herds. Others expressed the view that cattle entering an EFU present a limited risk since they would not mix with neighbouring herds and would go to slaughter within a few months.

3.28 The NFU said it could support the phasing out of EFUs if there was robust evidence that they contributed to disease outbreaks in the Low Risk Area.

Way forward

3.29 Since counties in the Low Risk Area of England are on a track towards achieving official TB free status, the government’s view is that the phasing out of EFUs is a sensible and proportionate measure which will protect the good progress made. The impact on the seven affected EFUs would be mitigated should they choose to convert to Licensed Finishing Units (LFUs) without grazing. government officials will work with the operators of affected EFUs with a view to supporting the conversion of their units to LFUs.

Reducing TB risks from Approved Finishing Units

We propose that an AFU with grazing must comprise only contiguous parcels of grazing land. To enable a transition for the existing AFUs with dispersed grazing land, we propose allowing a 6-month period of grace from the date of publication of this consultation for operators to bring their units into compliance. Until final decisions are taken following this consultation, no new applications for AFUs with non-contiguous grazing land will be approved.

3.30 The breakdown of responses was as follows:

Agree – 75%; Disagree – 14%; Other – 5%; Not answered – 6%

3.31 Although a majority of respondents agreed with the proposal, there were concerns expressed by a number of cattle industry representative bodies. The NFU together with the

Dartmoor Commoners Council and the Livestock Auctioneers Association (LAA) opposed the proposal on the grounds that the change would damage existing businesses. The NFU's view was that AFUs with grazing did not present an unacceptable disease risk due to the rigorous controls in place, including fencing and biosecurity requirements and the statutory 90 days testing.

3.32 One respondent in opposing the proposal noted:

“AFUs are a life saver for farms which find themselves heavily overstocked following a TB breakdown. Most of the animals sold to them are young and pose very little risk. Any effort to decrease the number of, or restrict the current AFUs is likely to be detrimental to animal welfare.”

3.33 The National Beef Association (NBA) also considered AFUs to be essential to the cattle industry. However in principle they supported the proposal to end the inclusion of non-contiguous land, they said:

“AFUs are essential to the cattle industry and their use has prevented welfare issues and cash flow problems on affected herds. We do see that there is a need to maintain high levels of bio-security and integral to that is the presence of a secure boundary, however we do wish to see any move to contiguous parcels of land to be hand in hand with wildlife control in the area.

NBA respondents are keen to have a clear definition of what would compromise a contiguous parcel of land and what would not make the piece of land a contiguous parcel.”

3.34 The Country Land Owners Association also supported the proposal, stating:

“The risk of infection from cattle from an AFU with grazing, which is non-contiguous, is high and that goes against the policy of what an AFU must be. Allowing an AFU to send cattle to graze on land not contiguous is creating a risk of spreading the disease to holdings away from the AFU. This is not acceptable and is counterproductive.”

Way forward

3.35 On the basis of clear veterinary advice, the limited number of AFUs with non-contiguous grazing and the opportunity for those affected to reconfigure their Units, the government's view is that AFUs should normally consist only of contiguous land. We will work with the owners of the small number of existing AFU with non-contiguous grazing to consider how they can transition from their current state. If it is clear that one or more of those Units: (i) could not transition without significant adverse impacts on their business; and (ii) the grazing of TB-restricted cattle on the non-contiguous parcels would not pose unacceptable disease risks, an extension of their approval in their current form may be permitted. In all other cases, the government will seek to complete the transition by 31 December 2016.

Reducing TB risks from the sale of cattle originating from 4-yearly testing herds

... we have been working with an industry group to develop a voluntary scheme to mitigate the risk of TB transmission via dispersal sales (and other sales of large groups of cattle from a single herd) from 4-yearly tested herds. The aim would be to encourage eligible cattle keepers looking to sell a sizeable proportion of their herd to take advantage of a Defra-funded TB herd check test before presenting animals for sale.

3.36 The breakdown of responses was as follows:

Agree – 72%; Disagree – 9%; Other – 12%; Not answered – 7%

3.37 This proposal was supported by most respondents, some suggesting that a voluntary test would increase the value of cattle and provide assurances to the purchaser.. Some called for compulsory pre-movement testing of all cattle. In supporting the proposal, the NFU commented that take-up might be low.

3.38 Those who did not support the proposal, including the Livestock Auctioneers' Association, felt that the scheme should be compulsory rather than voluntary. Some suggested that all herds in England (including those in the Low Risk Area) should be on annual TB surveillance testing.

3.39 The BCVA supported the proposal, but expressed disappointment that it was limited to pre-movement testing. They felt that including an option for funded post-movement testing would increase farmer uptake.

Way forward

3.40 The government is minded to pilot such a scheme to gauge likely levels of uptake and the potential impact. A pilot would follow further work on the details, which will be developed in partnership with industry representatives.

Enhanced TB surveillance in the Edge Area

Experience from the first year of radial testing in the Edge Areas of Cheshire and Derbyshire indicates there could be benefits in rolling out radial (or six-monthly) testing to other counties in the Edge Area. It would improve our understanding of transmission routes for TB in these counties and ensure earlier identification of disease

3.41 The breakdown of responses was as follows:

Agree – 63%; Disagree – 2%; Other – 9%; Not answered – 26%

3.42 The majority of respondents were in agreement to this proposal on the grounds that the short term costs would be outweighed by the long term benefits.

3.43 The small number of respondents who did not agree with the proposal, all of whom were individuals, cited that the proposals were not sufficient unless wider roll-out of wildlife control was also introduced. Dairy UK and the CAAV, while not opposed to enhanced surveillance in edge areas, shared the view that introducing additional testing would not prove popular with farmers unless there was a parallel roll-out of wildlife control

3.44 A number of other issues were raised. Several respondents stated that annual testing should be introduced for the whole of the country. The Livestock Auctioneers' Association stated that enhanced testing should only be implemented when epidemiological evidence supports it on an individual farm basis.

Way forward

3.45 The government will use the evidence gathered from the consultation, plus a full cost benefit analysis, to inform the next steps in relation to testing in the Edge Area. It will be important to ensure any proposed changes to the current testing regime are supported by epidemiological evidence, proportionate and affordable.

Situations in which private interferon-gamma (IFN- γ) blood testing could be permitted

We are seeking your views on the circumstances in which a private interferon gamma (IFN- γ) test might be useful

3.46 Respondents were given the facility to choose more than one option. The breakdown of responses was as follows:

- Supplementary pre or post-movement TB testing of cattle that are not subject to (or have passed) a compulsory pre-movement skin test – **63% agreement.**
- TB screening of animals joining “high-value” herds, including pedigree bulls entering semen collection centres - **63% agreement.**
- A marketing tool for herds/animals intended for sale – **58% agreement.**
- Ad hoc testing of herds/animals following a negative routine or tracing skin test – **57% agreement.**
- Private rapid re-testing of inconclusive reactors (IRs) to a skin test – **64% agreement.**
- Supplementary testing of non-reactor cattle in TB breakdown herds (i.e. animals that have passed a short interval skin test and do not qualify for a government-funded parallel IFN- γ test) – **57% agreement.**

3.47 The open comments section to this proposal revealed a variety of views. A number of respondents highlighted that both the comparative skin test and the IFN- γ test were unreliable or not accurate enough. Several respondents suggested the use of the Enferplex test as an alternative.

3.48 The majority of the industry and welfare organisations supported the idea of private IFN- γ testing. The proposal was supported by the RSPCA, Badger Trust, CLA, Dairy UK and NBA.

3.49 The BCVA was also supportive of the proposal, noting that it should be a farmer's choice to use the IFN- γ test as part of their own disease management programme, rather than making its use compulsory for post-movement testing. It stated that the cost of conducting private IFN- γ tests needed to be known in order to see if the option would be taken up by farmers. BCVA also added that it was:

'...encouraging isolation and testing of purchased animals through the national biosecurity programme and through the development of a CheCS bTB module. Isolating purchased animals for over 60 days to allow appropriate timing of the SICCT test is often impractical. Giving farmers the option of using the IFN- γ test would allow them to test at an earlier stage and would therefore facilitate the use of an appropriate isolation period as part of their biosecurity plan.'

3.50 The BVA was broadly supportive of the proposal, but that support contained caveats:

'...we would be cautious about the use of IFN- γ as a screening test in HRA herds because the loss of false positive animals removed from the herd in order to achieve free status while leaving an uncontrolled reservoir of disease in the local wildlife as a source of reinfection cannot be justified. Consequently, we would support its use in the following circumstances and under the assumption that test positive animals are compensated at normal values and the herd enters the control/ testing cycle as with normal routine testing:

- *TB screening of animals joining 'high value' herds, including pedigree bulls entering semen collection centres;*
- *Ad hoc testing of herds/animals following a negative routine or tracing skin test.*
- *For farms wanting extra security when buying in animal*

3.51 The NFU was also broadly supportive of the proposal, though noted that the cattle industry should not be faced with additional costs. The NFU suggested that non-veterinary lay blood testers could conduct IFN- γ tests as a cost effective alternative for farmers and their private vets. The NFU recommended that Defra work with the EU to try and get the IFN- γ test approved as a standalone test.

Way forward

3.53 We are minded to introduce private IFN- γ testing in pre-prescribed circumstances, as outlined in the consultation. All private IFN- γ tests would need to be approved by APHA. We hope to make this private test available from mid-2016.

Annex A: List of organisations and sectors that responded to our consultation exercise

Animal Welfare Group
Badger Trust
badgerrescue.co.uk
British Cattle Veterinary Association (BCVA)
Born Free Foundation
British Veterinary Association (BVA)
Central Association of Agricultural Valuers (CAAV)
Country Land Owners Association (CLA)
Dairy UK
Dartmoor Commoners Council
Dorset Badger & Bovine Welfare Group
Dorset Badger Vaccination Project
Dyfi Badger Group
Forest of Dartmoor Commoners Association
GABS
High Peak Badger Group
Livestock Auctioneers Association (LAA)
National Beef Association (NBA)
NBA Pedigree Breeders Committee
National Farmers Union (NFU)
NFU (Isle of Wight)
Oxford Renewables
RSPCA
Save Me Trust
Somerset Against The Badger Cull (SABC)
Somerset Badger Patrol
South Yorkshire Badger Group
Staffordshire Badger Conservation Group
The Association of Show and Agricultural Organisations [ASAO]
The Wildlife Trusts
West Surrey Badger Group
Wirral & Cheshire Badger Group