

SUMMARY OF CONSULTATION RESPONSES ON DRAFT FOOT AND MOUTH DISEASE (SCOTLAND) REGULATIONS 2005

Background

Stakeholders were originally consulted on the draft EU Foot and Mouth Disease Directive in 2003. As part of the transposition of the finalised Directive into Scottish legislation, views were then sought from stakeholders on the draft Foot and Mouth Disease (Regulations). The draft regulations were accompanied by a Regulatory Impact Assessment.

The consultation paper was issued to 24 organisations on 29 July 2005 with a closing date of 23 September 2005. The consultation paper was also available on the internet and open to all to contribute. The closed consultation paper can be found at the following address: <http://www.scotland.gov.uk/Publications/2005/08/0192025/20264>. In addition, a stakeholders meeting was held in September 2005 where stakeholders were taken through the draft Regulations and their views sought.

A list of the organisations or individuals who responded to the consultation is provided at Annex A.

Copies of the individual responses are available from the Scottish Executive Library at Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD (tel no: 0131 244 4565).

Responses

We received 12 written responses to the consultation. All respondents supported the legislation as a whole. Some issues were identified that fell out with national discretion or the scope of the legislation. Others related to the practical implementation of any disease control response. The overwhelming consensus was that the draft regulations will aid the objective of achieving disease control and eradication as quickly as possible in the event of disease outbreak. All respondents who indicated a preferred option as laid out in the partial Regulatory Impact Assessment, selected option 3 as their preference.

Specific Points

Access

The decision to keep land outside the Protection and Surveillance Zones open was welcomed, although two thought the proposals unworkable due to new access legislation. One respondent felt that keeping land open, out with protection and surveillance zones, would provide a loophole in what were otherwise comprehensive disease control measures.

Hunting, shooting and stalking

There was one request that the ban on hunting, shooting and stalking in a restricted zone be removed from draft legislation as the respondent considered measures found elsewhere in the legislation, applicable to wild animals in infected areas, to be sufficient in order to control disease spread.

Biosecurity – licensing of mobile workers

One respondent suggested that the licensing of activities undertaken by mobile workers should be extended to include clipping, foot-pairing, freeze branding and scanning of cattle which is often done by contractors. Another requested that industry be involved in drawing up licenses for the provision of work such as shearing or livestock markets out with restricted areas.

Prohibition of movements of (susceptible) animals

Again, there was broad support for these restrictions with one respondent stressing movement restrictions need to be in place as soon as possible after an outbreak is confirmed. Another considered it important to ensure there is a programme of importing feed into these areas to safeguard the welfare of animals.

Slaughter of animals

Slaughter of infected animals was accepted as the main disease control policy. One respondent raised concerns over the potentially excessive use of precautionary slaughter coupled with suppressive vaccination. Another had reservations about implementing a contiguous cull policy retrospectively behind the disease. One respondent questioned why susceptible animals to be slaughtered are required to be moved from a slaughterhouse or border inspection post?

Vaccination

One respondent particularly welcomed the provisions for emergency vaccination and hoped to see protective vaccination rather than suppressive vaccination used wherever possible. Another expressed significant reservations about suppressive vaccination. One respondent argued that ring vaccination to slaughter was deeply unpopular and was unlikely to gain producer support. The same respondent recognised that ring vaccination to slaughter may have a role but only as a last resort.

Treatment of vaccinated meat

There were mixed views with regard the cost implications, practical issues and level of demand for products from vaccinated animals that are subject to various treatments such as heat treatment, de-boning, and extended maturation. One queried who would bear the cost of these processes and argued there should be a withdrawal time for vaccinated animals after which extra treatment of their meat becomes unnecessary. Another thought that there should be little difficulty with the boning and maturing requirements for cattle but there would be for lamb. It was highlighted that heat treating facilities are not readily available in slaughtering premises which would suggest a preference for withdrawal periods to be met. Another suggested that government undertake a survey of suitable premises prepared to process and market products from vaccinated animals.

One respondent argued that work should be carried out to identify the time period over which vaccines are deemed to have carrier status. Another called on SEERAD to be proactive in urging international bodies such as the OIE to identify protocols for allowing vaccinated animals back into the food chain.

Industry respondents urged caution over how meat from vaccinated animals is marketed. In the event that disease is confirmed, one industry respondent requested that they be involved in any discussions regarding labelling of either carcasses, boxes or retail packs of meat. It was argued that mishandling of the labelling issue, coupled with the increased processing costs, will have welfare implications as farmers face pressure for disposal via other methods or keeping animals longer in the hope that the market soon recovers. The respondent thought it very important that no stigma be attached to vaccinated meat at retail or consumer level as this would affect demand and values. Another respondent thought it important that government engage with the UK food chain on the safety of products from vaccinated animals. Without access to export markets, if UK retailers, food service, processors or consumers do not accept such reassurances then government is requested to intervene in the event of market disruption.

Zones definition

There was a suggestion that motorways should be added to the list of physical boundaries for establishing 'protected', 'surveillance', and 'restricted' zones.

Measures to maintain zoo and rare breed animals

On measures to maintain zoo and rare breed animals, there was a request for more rigid protocol for owners. It was suggested this includes heightened biosecurity and restrictions on public access, but also include issues such as disease recognition and an exit and disposal strategy should animals become infected.

Wild pigs

One respondent requested that the legislation allow for the complete removal of wild pigs on the grounds that they are highly susceptible to FMD, could be vectors for other transferable pig diseases, and because they are a risk to the public.

Environmental issues

One respondent highlighted a number of environmental issues which biosecurity measures may impact upon. The respondent would like to see measures included in order to protect the environment, particularly surface and groundwater resources. Areas of concern include the disposal of livestock manures and slurries, the handling of waste disinfectant / cleaning solutions and the disposal of waste sheep dip.

Compensation

There was one request that new legislation should allow for compensation for farmers who successfully keep their holding free of FMD yet incur extra feed costs and disruption of breeding cycles. Another asked that those businesses who experience disruption due to disease outbreak are offered support, regardless of whether or not the business is based in the countryside.

**Animal Health and Welfare Division
SEERAD
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ANNEX A

Organisation

National Beef Association
Scottish Beef Council
NFU Scotland
Deer Commission for Scotland
Ramblers Association Scotland
Scottish Association of Meat Wholesalers
Quality Meat Scotland
SEPA
CND Scotland
SSPCA
SRPBA
RICS Scotland