

## **ERRATA:**

[Consultation on Bovine TB – Proposal to introduce changes to compensation arrangements in Scotland and update the Tuberculosis \(Scotland\) Order 2007 on other disease control measures – Summary of Consultation Responses.](#)

### **Introduction**

This correction notice retrospectively summarises the consultation responses received from the National Farmers Union Scotland (NFUS) and the British Veterinary Association (BVA) whose responses were not included in the original consultation analysis or the summary of responses document published on 21 May 2018. This oversight, which only came to light in June 2018, was the result of a technical issue with the dedicated consultation mail box set up to receive responses submitted by email instead of through the Scottish Government's (SG) preferred online consultation platform Citizenspace.

### **NFUS Consultation response:**

The NFUS and its members were generally supportive of the changes proposed and recognised the importance of protecting Scotland's Officially TB Free status and the necessity for tighter controls to ensure compliance.

They supported the use of incentives such as reduced or no compensation for illegal moves and overdue testing to act as a deterrent and help protect Scotland's cattle industry, but cautioned the need for a process of appeal for exceptional circumstances. They also supported the proposal to tighten the rules on post movement testing which they saw as a critical part of Scotland's defence against TB.

They did however oppose the introduction of a £5,000 cap on compensation payments for individual animals affected by TB. On this, they held the view that compensation should fairly reflect the value of the animal, and instead suggested an alternative option whereby only cattle purchased from high incidence areas for TB should attract capped compensation. They felt that this alternative option would discourage movement of high value animals into Scotland from England and Wales to attract higher compensation payments, and discourage keepers that might be tempted to take a risk on buying cheap high risk cattle.

Question 14 of the consultation specifically asked whether there were any other controls that SG should consider to help meet the aims of this consultation. The additional controls suggested by NFUS were;

- A ban on cattle from high incidence areas entering Scotland.
- A requirement for cattle coming from high incidence areas to be housed and isolated on coming to Scotland, until they have passed a clear post movement test.
- Reduced compensation for cattle coming from high incidence areas.
- Proposed compensation cap only be applied to high risk cattle.
- Review of testing protocols for herds on common grazing's.
- Review of the introduction of charging for vets to be certified for Official Veterinary work such as TB testing.

### **BVA Consultation response:**

This organisation supported the principle of introducing proposals to develop a compensation system which incentivises compliance and best practice while being financially sustainable for the future, and so were mainly supportive of the changes proposed by the TB Consultation.

They welcomed the use of incentives such as reduced or no compensation for illegal moves and overdue testing, to keep disease out of herds and not reward those who undertake risky practices. They also felt the proposal to tighten the rules on post movement testing was a sensible measure which was in line with other guidelines.

In relation to the £5,000 cap they supported the principle of having a comparable regime with other parts of the UK but sought clarification on the rationale behind the proposed figure, and how the cap would interact with the penalties also proposed.

Question 14 of the consultation specifically asked whether there were any other controls that SG should consider to help meet the aims of this consultation. The additional control suggested by the BVA was;

- To be consistent with other countries and regions of the UK, SG should also consider compensation reductions where animals are legally introduced into a TB breakdown herd that then become TB reactors.

### **Action Taken**

To address the issue of the above consultation responses not being included in the analysis, it was considered appropriate to engage further with these stakeholders to ensure that due process was followed correctly. A series of meetings were held with both the affected organisations and additionally with the Scottish Beef Association (SBA) to provide clarification where needed and to discuss their concerns relating to the proposed £5,000 compensation cap. NFUS and SBA were concerned that such a cap would disadvantage keepers/breeders of higher value pedigree animals, and argued that these animals are high quality animals which are statistically lower risk in terms of TB and should not therefore be covered by this cap. Both organisations asked that SG consider whether an alternative approach for pedigree cattle would be possible. SG agreed to carry out a further review of the cattle valuation data which focussed on all TB reactors valued at £5,000 and above in the last five year period.

### **Conclusion**

These discussions provided the SG with useful feedback on the TB policy changes proposed and further helped inform our thinking on how this policy should be developed in Scotland.

Following completion of the agreed review of the cattle valuation data, the SG maintains the view that the £5,000 cap is proportionate and fair to both industry and the taxpayer. However, in recognition of the arguments put forward by both the NFUS and the SBA in relation to pedigree animals the SG now intend to retain the proposed £5,000 cap for all non-pedigree animals, but with the addition of an extended cap set at £7,500 for all fully certificated pure-bred pedigree animals which qualify for entry into the main section of the relevant breeding society herd book.

### **Next Steps**

It is the intention of the SG to introduce a revised amendment to the Tuberculosis (Scotland) Order 2007, which is timetabled to be laid before Parliament at the end of October and is expected to be in place by December 2018.

The NFUS and the BVA consultation responses are now available to view on the SG online consultation platform Citizen space and this Errata will be published on the SG website alongside the original Summary of Consultation responses published on 21 May 2018.