

Consultation on sharing the cost of BSE sampling between the farming industry and the taxpayer

A Consultation

September 2018



Scottish Government
Riaghaltas na h-Alba
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Consultation on sharing the cost of BSE sampling between the farming industry and the taxpayer

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Introduction

On 11 December 2006, Defra published a GB consultation document aimed to engage with all those who have an interest in developing policy on responsibility and cost sharing for animal health and welfare. The consultation set out the principles around which decisions on sharing responsibilities and costs could be made (Annex 3 refers). Most respondents welcomed the consultation as a positive step forward and agreed in general with the principle of responsibility and cost sharing.

Further consultations on the next step were held in England, Scotland and Wales in December 2007, inviting views from 375 stakeholders across GB on plans to share further responsibilities and costs for maintaining and improving animal health and welfare with livestock keepers and others associated with animal health and welfare. The consultation document detailed seven specific responsibilities and cost sharing proposals in respect of certain TSE related activities that government was funding but where the principal beneficiaries were specific livestock sectors or individuals participating in specific schemes. The proposals were to transfer responsibility for these activities or the cost of these activities to industry or, in the case of the scrapie proposals, to stop the activity if industry were unwilling to assume responsibility for it. Some respondents to this second consultation acknowledged that the cost of the TSE measures needed to be balanced more fairly between the taxpayer and industry. However, others felt that TSE controls were a public health issue that should be funded by the public purse. A number of respondents highlighted the need to apply the proposals evenly across industry and on a GB basis.

Purpose of the consultation

Transmissible Spongiform Encephalopathies (TSEs) are fatal brain diseases that include Bovine Spongiform Encephalopathy (BSE) in cattle and scrapie in sheep and goats. Exposure to BSE through the consumption of infected or contaminated meat is believed to be the primary cause of variant Creutzfeldt - Jakob disease (vCJD) in humans. The European Food Safety Authority (EFSA) has advised that BSE is the only animal TSE that has been shown to be a risk to human health.

There are two forms of BSE: classical BSE, which is believed to be transmitted due to cattle eating contaminated feed primarily through deliberate or accidental inclusion of infective meat and bone meal; and atypical BSE, which is regarded by the World Organisation for Animal Health (OIE) as a condition believed to occur spontaneously in all cattle populations at a very low rate.

Regulation (EC) No. 999/2001 of the European Parliament and the Council, as amended (the EU TSE Regulation) lays down rules for the prevention, control and eradication of TSEs, including BSE in cattle and scrapie in sheep and goats. The government seeks to implement TSE controls, in line with EU requirements, and in the interest of public health and animal health protection. The current domestic TSE legislation in Scotland is the Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010.

Proposal to share the cost of BSE sampling between the farming industry and the taxpayer

To establish national incidences of BSE it is an EU requirement that all EU-born cattle (excluding those born in Romania and Bulgaria) over 48 months of age that die or are killed other than for human consumption (commonly known as 'fallen stock') are tested for BSE. (For fallen stock cattle born in Romania and Bulgaria or outside the EU the relevant age for testing is 24 months or older, but there are a negligible number of these cattle in the UK.)

The carcasses of fallen stock cattle that require BSE testing are transported to government approved sampling sites where trained staff takes a small sample of brain material for testing before the carcasses are incinerated. The farming industry currently pays all the costs of transportation and destruction of the carcasses by disposal sites, with the cost of taking fallen stock samples, at a price of £6.25 excl VAT/ £7.50 incl VAT (per sample), transporting the samples to the relevant laboratory, and the laboratory tests being borne by the taxpayer.

We propose to transfer the cost of taking fallen stock samples for mandatory BSE testing from the taxpayer to the farming businesses that already have to submit these carcasses to such disposal sites for sampling and processing. This would result in a more equitable sharing of the cost of BSE surveillance between the farming industry and the taxpayer, by transferring the cost from the taxpayer to those farming businesses in Scotland that receive and benefit from the EU BSE surveillance programme, while continuing to safeguard public and animal health (by monitoring for incidence) in a proportionate way. The taxpayer would continue to

pay for the cost of transporting the samples to the government approved testing laboratory and for the testing itself.

Over the financial years 2016 and 2017, the average number of samples taken annually in Scotland was 22,083. On this basis, the total annual average cost of this proposal to the cattle farming industry in Scotland would be £165,622 (incl VAT) per year, with an equivalent saving to the taxpayer. The cost per holding would depend upon its number of fallen stock cattle aged over 48 months per year. As there are approximately 12,619 cattle holdings in Scotland, the average would be two fallen stock cattle aged over 48 months per year, giving an average annual cost per holding of £15.00 (incl VAT)

Questions

Have you any comments on the proposal to transfer the cost of sampling fallen stock cattle from the taxpayer to the businesses in Scotland, which benefit from the service?

Responding to this Consultation

We are inviting responses to this consultation by 09/11/2018

Please respond to this consultation using the Scottish Government's consultation platform, Citizen Space. Alternatively you can complete respondent information form (Annex 2). You view and respond to this consultation online using Citizen Space (<http://consult.scotland.gov.uk/>). You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 09/11/2018.

If you are unable to respond online, please complete the Respondent Information Form (see "Handling your Response" below) to:

BSE Cost Sharing Consultation
P Spur
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD

Handling your response

If you respond using Citizen Space (<http://consult.scotland.gov.uk/>), you will be directed to the Respondent Information Form. Please indicate how you wish your response to be handled and, in particular, whether you are happy for your response to be published.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form attached included in this document. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.scotland.gov.uk>. If you use Citizen Space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to BSEConsultation@gov.scot

Scottish Government consultation process

Consultation is an essential part of the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.scotland.gov.uk>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Consultations may involve seeking views in a number of different ways, such as public meetings, focus groups, or other online methods such as Dialogue (<https://www.ideas.gov.scot>)

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

Annex 1

Principles of consultation on responsibility and cost sharing for animal health and welfare, December 2006 - March 2007

1. Preserving public safety and maintaining confidence both nationally and internationally
2. in UK food production.
3. Preserving the principles of the Animal Health and Welfare Strategy for Great Britain (AHWS) – especially that prevention is better than cure.
4. Maintaining and improving capability to deliver policies.
5. Sharing responsibilities so that achievement of animal health and welfare outcomes is
6. effective and efficient.
7. Focus cost sharing where it is most likely to reduce disease risk.
8. Responsibilities should be shared at least where costs are shared.
9. Accountability for both industry and government.
10. The regulatory burden should be reduced and measures simplified wherever possible.
11. Consistency with EC and international developments.

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RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:

<https://beta.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

Consultation Question

Question: Have you any comments on the proposal to transfer the cost of sampling fallen stock cattle from the taxpayer to the businesses in Scotland, which benefit from the service?

Comments:



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