POLICY NOTE

THE BOVINE VIRAL DIARRHOEA (SCOTLAND) AMENDMENT ORDER 2020

SSI 2020/86

The above instrument was made in exercise of the powers conferred by section 1 of the Animal Health Act 1981. The instrument has been laid before the Scottish Parliament in accordance with section 30 of the Interpretation and Legislative Reform (Scotland) Act 2010.

Purpose of the instrument: To increase the control measures in Phase 5 of Scotland's bovine viral diarrhoea (BVD) eradication scheme, an industry-led scheme that aims to remove this harmful cattle disease from the Scottish herd. The increase in control measures will raise the pressure on the keepers of infected animals in order to protect those herds that have succeeded in removing disease.

Policy Objectives

This Order ("the 2020 Order") amends the Bovine Viral Diarrhoea (Scotland) Order 2019 ("the 2019 Order").
The intention of the 2020 Order is to reduce spread of BVD within the herd and to neighbouring herds. The 2020 Order inserts a new article in to the 2019 Order that requires BVD positive animals to be housed and to be kept separately from any cattle with a BVD status of negative or with no BVD status. BVD positive animals are those for which the most recent BVD virus test gave a positive result, or those that are the offspring of BVD positive females. They include persistently infected (PI) animals that are the major source of BVD infection for unprotected animals.

By nature, cattle are herd animals and are normally kept in groups. The 2020 Order safeguards the welfare of the housed BVD positive animals by allowing them to be kept together. Where there is only one positive animal, it must be housed with the minimum number of other cattle, regardless of their BVD status, to protect the welfare of all animals. Cattle that are co-housed must not give rise to any appreciable risk of spreading BVD further. Guidance has been provided to cattle keepers and their vets on the selection of animals suitable for co-housing.

Consultation

The Scottish Government consulted on the content of Phase 5 of Scotland's BVD eradication scheme from 21 August 2017 to 6 November 2017. The consultation sought views on disease control measures that would be effective and proportionate for Scotland's cattle keepers, including separate housing of BVD positive cattle. 70 responses were received, 46 were from organisations and businesses, 24 from individuals. The main industry organisations responded (including National Farmers Union Scotland, Quality Meat Scotland, the Scottish Beef Association, Agriculture and Horticulture Development Board Dairy, Institute of Auctioneers and Appraisers Scotland) together with some local authorities, private veterinary surgeons and cattle keepers. A full list of those who consulted and agreed

to the release of this information is attached to the consultation report published on the Scottish Government website.

The responses were analysed and the report was published on 24 January 2018. The measures that were supported by respondents were put to the BVD Advisory Group, a steering group that represents industry and sets the direction of the Scottish BVD eradication scheme. The membership of the Advisory Group is listed on the BVD pages of the Scottish Government website. The Advisory Group agreed on the Phase 5 measures on 7 December 2017, and has continued to meet regularly to oversee progress of Phase 5 legislation and to develop communication strategy to introduce Phase 5 to their respective colleagues, clients and members.

Impact Assessments

A Business and Regulatory Impact Assessment (BRIA) has been completed for Phase 5 of Scotland's BVD eradication scheme and has been published online. It can be found at https://www.legislation.gov.uk/ssi/2019/310/pdfs/ssifia_20190310_en.pdf.

Financial Effects

The impact of this policy on business is the additional time required to care for animals that are housed separately from the main herd. The 2020 Order should not require construction of new buildings; under the Welfare of Farmed Animals (Scotland) Regulations 2010, every cattle keeper should already have access to suitable accommodation for isolation of sick or injured animals. The 2020 Order will impact on cattle keepers who have chosen to retain BVD positive animals, contrary to Scotland's BVD eradication scheme guidance. The evidence suggests that few (approx. 20% of) BVD positive animals are slaughtered in an abattoir. The majority die or are killed on farm before they reach slaughter weight. The presence of even one PI in a herd is costly; financial losses occur due to BVD infection in the herd and are calculated to be £35 per head in dairy herds and £55 in beef herds. The advantages of removing all PIs and eradicating BVD from Scotland would be increased productivity and reduced illness within all herds. The BRIA estimated these costs at £15,800 per year for the average dairy herd and £4,800 for the average beef herd.

Scottish Government
Animal Health and Welfare Directorate

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