EXECUTIVE NOTE
THE ENZOOTIC BOVINE LEUKOSIS (SCOTLAND) AMENDMENT REGULATIONS 2011

Legislative Context

1. The above instrument was made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. It amends the Enzootic Bovine Leukosis (Scotland) Regulations 2000 in so far as it relates to the statutory requirement for sampling of milk by primary purchasers to test for evidence of disease.

Policy Background

2. Enzootic Bovine Leukosis (EBL) is a viral disease of cattle which causes malignant tumours, loss of appetite, weight loss and a fall in milk production. Once these clinical signs appear the disease rapidly leads to death.

3. Great Britain (GB) has been officially free of EBL since 1999 and since then has operated a surveillance programme to maintain this status which is now more stringent than required by EU legislation (Council Directive 64/432/EEC). As a condition of that Directive, GB was required to maintain a surveillance programme for 5 years after achieving EBL free status. Since this period has elapsed, the Scottish Ministers are entitled to use discretion in deciding what level of surveillance is now applied, including the option to stop routine milk testing

4. Scotland will continue to meet surveillance requirements of 64/432/EEC through statutory notification of the disease in live animals and carcases, post import serological testing and AI bull monitoring.

Policy Objectives

5. This amendment is required to remove the current legal obligation in the Enzootic Bovine Leukosis (Scotland) Regulations 2000 on primary milk purchasers to submit two samples of milk for testing at approved laboratories every fifth calendar year.

Consultation

6. There has been no external consultation as the changes being introduced will have no negative impact on stakeholders.

Financial Effects

7. The withdrawal of milk sampling/testing will reduce Government costs currently associated with EBL surveillance. No additional financial burden was imposed on the laboratories which previously carried out the testing as contracts had expired before testing was withdrawn. No Business Regulatory Impact Assessment has been prepared.

Animal Health and Welfare Division
Scottish Government
Rural Affairs and Environment