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NFU response to Defra’s consultation on ‘Proposals to simplify surveillance testing in the High Risk Area of England and other disease control measures’

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1. The NFU represents 55,000 farm businesses in England and Wales involving an estimated 155,000 farmers, managers and partners in the business. In addition we have 55,000 countryside members with an interest in farming and the country.
2. The NFU has a very robust process for consulting its membership: a process which is driven by the democratic structure of the organisation and which works from ground level up to central / Officeholder sign off. In the process of this consultation, the NFU has consulted and advertised the policy proposals to members via Regional and County meetings, on-line through our (gated) NFUOnline pages, in commodity and Regional newsletters, through our National Livestock and Dairy Boards, with the NFU Joint National Boards' TB Focus Group and with NFU Policy Board. Our response has been jointly signed off by the Deputy President and the Chairs of the National Dairy and Livestock Board.
3. The NFU has been assured in the past that recognition is given to the scale of our consultation process and membership, and therefore we trust that this single, but collective response, reflecting the voice of many, is not counted as a direct comparison against the 'single voice' or 'voice of a few' responses which Defra often report receiving for bTB issues.
4. In 2013, when Defra first consulted on a 25 year strategy for the eradication of bovine TB, the NFU offered its broad support. This support was predicated on eliminating the disease while maintaining a viable cattle industry. Over the years our support for the high level principles of the Defra eradication strategy remain – but there is growing concern amongst our membership at the lack of transparency demonstrated by Defra in developing detailed policy regimes. This in turn, is raising questions about Defra's commitment to engage with the industry in an open manner and with genuine principles of partnership engagement at its core.
5. Our broad support was communicated to members and the public at large in 2013, as summarised below:

'We support a comprehensive set of measures to tackle TB, as outlined in the strategy. In brief this means:

 - I. Preventing the spread to low risk areas, principally by appropriate cattle movement controls, surveillance and testing*
 - II. Preventing the spread in the "edge" areas, principally by vaccination of uninfected badgers*
 - III. Stamping out the diseases in high risk areas by tackling the wildlife source'*
6. It is important that this Government, and successive governments, recognise that our continuing support remains guided by this position. The NFU membership has made it clear during this consultation process that their support will be withdrawn if the Government's own badger culling policy is abandoned for any reason other than one dictated by developing scientific evidence.
7. The livestock sector, and NFU members, cannot sustain an industry where the cost of government failure to adequately address a recognised source of bTB in the wildlife population is mitigated by ever increasing cattle restrictions, and where the perceived main focus remains with the reliance of a test and slaughter policy which only addresses one part of the disease dynamic.
8. In our consultation response to the Government's strategy in 2013, we also stated, in relation to questions of compensation that:
 - I. 'The NFU is deeply concerned by this element of the strategy and we note the government's intention to consult further and carry out an impact assessment.*
 - II. The very suggestion that the current levels of compensation are in some way adding to the level of TB in England is regarded by the many farming families whose businesses and lives have been affected by this disease as deeply insulting.'*

9. Whilst we will comment specifically on individual questions posed around compensation, we would remind Defra that this is an area which strikes at the very heart of many farm businesses and their ability to remain trading. We are very aware of the pressure on budgets around controlling this disease, so we recognise that whilst tabular values do not cover the market value or consequential losses incurred in many cases, they do at least provide some assistance for those farmers who have the misfortune to lose cattle to this disease.
10. We would also commend Defra for their continued consideration for the British taxpayer, but remind Defra that this group of the population also includes farmers amongst its ranks.
11. Compensation for TB is not considered an incentive by farmers to engage in bad practice, nor is it sufficient in quantity to be considered as a pseudo insurance policy. We also consider it disingenuous to view tabular valuations as a contributing factor for continued disease incidence.
12. Using the Welsh compensation / disease control policy as a justifiable mirror for the English compensation policy places the English farmer at a further disadvantage whilst the Welsh farmers can still receive a market value for their TB reactor cattle.

Introduction

13. In July 2017, Defra opened a consultation on proposals to simplify surveillance testing in the High Risk Area of England and other disease control measures.
14. Summary of proposals to be introduced:
 - **Proposal 1:** Streamlining and simplifying TB testing in the High Risk Area, based on default six-monthly routine herd testing with less frequent testing on lower risk herds
 - **Proposal 2:** Compensation for replacement cattle and for cattle presented for slaughter in an unclean state and introduction of an individual animal compensation cap
 - **Proposal 3:** TB Testing costs for certain types of herds subject to more frequent testing
 - **Proposal 4:** Extending the role of private vets to improve TB control
 - **Proposal 5:** Delayed slaughter of in-calf TB test reactor cattle
 - **Proposal 6:** Slaughter sales of TB restricted cattle in the Low Risk Area
 - **Proposal 7:** Reducing the risks from the spreading of slurry and manure from TB restricted herds
 - **Proposal 8:** Minor changes to the Tuberculosis (England) Order 2014 – costs of slaughtering wild/untestable cattle
15. This document will now detail our response to each proposal and question in turn.

Proposal 1: Streamlining and simplifying TB testing in the High Risk Area, based on default six-monthly routine herd testing with less frequent testing on lower risk herds

16. Defra intends to introduce default six-monthly routine surveillance testing of cattle herds in the High Risk Area, with flexibility around the timing of these tests to allow for uncertainty on when some cattle can be moved to and from grazing. Defra suggests that keepers would be required to select two testing dates (six months apart) and complete the tests no more than 30 days before or after those two dates.

17. Within this proposal Defra have proposed to retain annual, and for a small number of very low risk herds offer biennial, surveillance testing in herds which have good TB history and / or are taking action to increase their resilience to the disease providing herds meet any of the following criteria:
- **Annual:** The herd has been in existence for at least 10 years and has never had a TB Breakdown;
 - **Annual:** The herd has been in existence for at least 6 years, has not had a TB breakdown in that six year period and has not had cattle from the High Risk Area added to it in the last five years;
 - **Annual:** The herd is Cattle Health Certification Standards (CHeCS) accredited at levels 5 to 9 (Defra would be willing to revise this to incorporate herds with a lower CHeCS, depending on responses);
 - **Biennial:** The herd has been in existence for at least 10 years, has never had a TB breakdown and has not had cattle from the high risk area added to it in the last five years; and
 - **Biennial:** The herd is CHeCS accredited at level 10 (Defra would be willing to revise this to incorporate herds with a lower CHeCS, depending on responses).
18. Defra also suggests widening the interval between short interval testing in TB breakdown herds from the current minimum of 60days to a minimum of 90 days.
19. They will discontinue the 6- and 12-month check tests following withdrawal of movement restrictions on 6-monthly tested breakdown herds.
20. They will continue the testing of 6-monthly tested herds that are contiguous to a TB breakdown.
21. Tests of cattle traced from a TB breakdown herd to herds in the HRA would be limited to animals traced to herds not due a routine surveillance test within the next six months.
22. *Defra have asked for our views and offer an invitation to answer the following questions:*
- Q1. Do you agree that the default surveillance testing interval should be six months in the HRA?**
- Q2. Do you agree that the minimum 60-day period between SIT should be replaced by a minimum 90 day period in TB breakdown herds?**
- Q3 Do you agree with the suggested criteria for annual or biennial surveillance testing for herds in the HRA?**

NFU Responses and comments

Q1. Do you agree that the default surveillance testing interval should be six months in the HRA?

A1 There is a certain logic here which in principle the NFU agrees with – if you want to find disease, then it makes sense to conduct more testing, and consolidate testing frequency to set periods as this should reduce business disruption and help farmers manage their transactional certainties. Our support however, cannot be given unconditionally and the NFU has some suggestions, caveats and concerns:

- i. From the annex, it is apparent that cost savings to the tax payer is a major policy consideration for Defra – and this could be an acceptable enough reason for a policy change if the livestock farmer gains as well. It is however stated that the potential increase in tests will cost the industry around £83,231 per year. Defra cannot quantify the disease incidence benefit which will accompany this cost. **Defra must provide a true cost benefit analysis to the cattle keeper /**

industry before this move is progressed and our support can be considered as wholeheartedly given.

- ii. NFU members have taken a great deal on trust that ongoing changes to the cattle testing regime will bring about substantive, but positive, reductions in disease incidence. At the time of writing, the TB statistics for England show that whilst there is a 1% drop in new herd incidents in the 12 months to June 2017 compared to the 12 months to June 2016, there has been a 4% rise in cattle slaughtered over the same time period and a 6% rise in the number of herds not officially TB free at the end of the period due to a bTB incident. For many of our members, this does not suggest a successful eradication strategy is in play.
- iii. NFU members must have confidence that **testing flexibility is built into the system** from the start, and that it will remain a priority with APHA resourcing and testing abilities. **The NFU suggests that testing is brought in in a phased approach, with consideration given to key management times throughout the year when testing could be conducted with as little disruption as possible on farms.** For example, beef units will be better suited to testing regimes which coincide with winter housing periods, whereas dairy units could be tested throughout the year (accepting flexibility needs to be built in around calving and where dry cows are located away from the main holding).
- iv. **A further suggestion from the high risk area was that instead of dictating that testing was conducted every 6 months, cattle keepers should, in consultation with APHA, be given leave to have 2 tests in a year.** This would, of course, have to acknowledge and mitigate the risks of desensitising animals to the skin test but would allow farmers to fit testing in around housing and turnout, which is often more of an 4:8months ratio.
- v. The NFU is concerned that the veterinary profession will not be able to cope with the changes in testing being proposed.
- vi. If a farmer has a late test, he will be placed under movement restrictions and the RPA will penalise him. Whilst there is a mechanism for an appeal, it is a relatively passive mechanism, with the initial assumption that the farmer is at fault, and therefore herd restrictions, financial penalties and increases in inspection frequency are the automatic response. Whilst the farmer can appeal, and we have been verbally assured that if testing was delayed through no fault of the farmer, the appeal would be successful; this is not an acceptable situation. **Defra should develop a process which can quickly and manually over-ride the RPA / overdue testing intolerance protocol, with the aim of saving the cattle keeper from any additional financial and emotional strain caused by possible veterinary resource limitations. If an override mechanism can't be developed, then we call on the RPA and APHA / Defra to expedite any appeal process and ensure that the cattle keeper is wholly compensated for any emotional and financial losses created as a consequence of this situation. We would also expect his risk status and inspection frequency to remain unaffected by this situation.**
- vii. The NFU suggests that if this policy change is made, **there is a 12 month grace period** and any farmer who finds himself in the unfortunate position of being unable to test within the decreed timeframe is treated sympathetically and is not subject to the usual zero-tolerance penalties of late testing. We do not believe that this sympathetic response would detrimentally affect the efforts of the industry to eradicate disease in the HRA, but it would have a significant benefit to individual businesses struggling to cope with yet more policy changes.

Q2. Do you agree that the minimum 60-day period between SIT should be replaced by a minimum 90 day period in TB breakdown herds?

A2. Again, the logic behind extending the SIT timing in combination with more frequent routine testing is difficult to disagree with, but **many NFU members have expressed concern that in practise this will extend the length of restriction time facing an OTF-W farm.** There must be a balance between disease eradication and business survival.

- I. Question 1 and 2 rely on **timely removal of reactor cattle.** At the moment, it is impossible for a farmer to plan around this (Defra have stated that the average interval between SITs is 78 days currently – this will be impacted on how quickly reactors get removed), for both testing and management tasks. It cannot be stressed enough though how angry members feel when they are doing everything they can to reduce the risk of disease on their holding and then they find that known reactors are 'left' on their farm, with all of the variable costs and disease risk still carried by the cattle keeper, until such time as they can be removed at Defra / APHA's convenience. The NFU understands that Defra are opening a Tender exercise on reactor removal so we look forward to a more streamlined and efficient service in the future.

Q3 Do you agree with the suggested criteria for annual or biennial surveillance testing for herds in the HRA?

A3. Tenant farmers can have unique business needs relating to their legal liabilities and contractual conditions. **Feedback from our Tenant Forum suggests that tenant farmers may prefer annual testing over biennial testing** on the basis that it allows earlier diagnosis and the ability to offer a greater degree of control over the situation. In turn, this would allow a tenant to move or relocate holdings, especially where a tenancy agreement was due to terminate.

The NFU does not support the use of CheCS as a risk based trading tool for TB eradication and therefore does not support its inclusion as a criteria point. The NFU is not prepared to support the inclusion of CheCS as suggested in this consultation – that is with a comment in the annex that 'The proposed CheCS accreditation levels [...] are not final and open for consultation'. Whilst the NFU is willing to play a key role as a major industry stakeholder in any such consultation process, we cannot commit our members' support based as it would be now on high level principles and with no detail.

This position has also been discussed in a **Defra TB Biosecurity Strategy** meeting, held in Defra on the 14th Sept. The NFU's position was also complemented by invitees to a Defra Biosecurity workshop in the summer. Defra appeared initially unwilling 'to risk their reputation by doing a U-turn' on CheCS even in the face of such negative feeling. **At the Biosecurity Strategy meeting the NFU representative suggested that Defra could instead demonstrate positive attributes by listening to stakeholders and working with the NFU to develop risk based trading tools which worked for both the industry and the eradication of bTB.**

- I. The NFU is supportive of risk based trading (RBT) where it can be linked to earned recognition and the creation of a more profitable and sustainable cattle (and other livestock) sector. **We do not however feel that CheCS is an appropriate RBT solution for TB control.**
- II. There have been many discussions between Defra TB policy teams, CheCS and the National Livestock and Dairy Boards within the NFU. Those discussions have consistently concluded our concerns as:
 - A perception that the scheme (for bTB) is not practical or workable on farm.
 - The CheCS TB scheme does little to reduce the risk imposed on farms by wildlife, or through the bad practise of a few cattle keepers in an area.
 - Whilst 'incentives' are being discussed including linking CheCS to compensation, giving 'sign-ups' improved access to a new TB Advisory Service, seeing Government

subsidise CHeCS membership renewal fees, etc, there is a feeling amongst members that these are more about forcing farmers to join the scheme. If the scheme was genuinely valued by farmers and their vets as a route to reduce TB incidence on farm, then these 'incentives' wouldn't be needed.

- Conversely CHeCS is viewed in a more positive light by those in areas with reduced disease incidence and badger / cattle infectivity potential. In these areas biosecurity measures can provide genuine risk mitigation.

Proposal 2: Compensation for replacement cattle and for cattle presented for slaughter in an unclean state and introduction of an individual animal compensation cap.

23. Defra compensates livestock keepers for cattle compulsorily slaughtered in England for bovine TB control purposes. Compensation payments in 2016/17 totalled nearly £30 million, with the net cost to Government reduced by receipts (almost £9 million in 2016/17) for salvageable carcasses.
24. Defra propose three targeted compensation plans intended to improve the implementation of control measures and to incentivise on farm practices that reduce disease risk:
1. **Restocking TB breakdown herds:** Defra recognises the importance of enabling owners of TB restricted herds to bring in new and/or replacement stock in defined circumstances. Defra proposes to follow the example of Welsh Government and pay a reduced rate of compensation - 50% of the table market values used for TB compensation purposes (or 50% of market value for individually valued animals) - for any animals brought into a TB breakdown herd after the service of movement restrictions which are removed as reactors to a TB test or as direct contacts before the breakdown is resolved.
 2. **Cattle presented for slaughter in an unclean state:** Defra is proposing to pay a 50% compensation rate for cattle that cannot be processed (for human consumption) at a slaughterhouse because they are unclean.
 3. **Compensation cap:** Table valuations are used in England to determine compensation payments for over 99% of TB affected cattle. In England compensation payments exceeding £5,000 have been paid 27 times since January 2014. These were determined through individual rather than tabular valuation. Defra therefore proposes to introduce a £5,000 cap on compensation for any single animal -this would apply to table valuations as well as individually valued cattle.

25. *Defra have asked for our views and offer an invitation to answer the following questions:*

Q4. Do you agree that 50% compensation should be paid for animals introduced into a TB breakdown herd that become test reactors before the breakdown is resolved?

Q5. Do you agree that 50% compensation should be paid for cattle that cannot be processed (for human consumption) at a slaughterhouse because they are unclean?

Q6 Do you agree that a £5,000 cap on compensation should be introduced for any single animal?

NFU Responses and comments

Q4 Do you agree that 50% compensation should be paid for animals introduced into a TB breakdown herd that become test reactors before the breakdown is resolved?

A4. **The NFU does not support this proposal** – our reasons, in no particular order, are given below.

- I. Cattle can only be brought into a restricted herd under licence and with a veterinary risk assessment (VRA) completed by APHA. If Defra does not have sufficient confidence in this process then they should be looking to APHA to improve their approvals system, not financially penalising the cattle keeper if the VRA has failed to correctly identify risk.
- II. If the cattle keeper is fully compliant with cattle keepers' legal responsibilities relating to TB, including full compliance with testing regimes and veterinary risk assessments, and has acted with due consideration for any biosecurity guidance provided by an official veterinary surgeon, there is little justification for withholding 50% of the compensation.
- III. Defra has failed to demonstrate a strong enough financial justification for this option.
- IV. Has Defra considered, and discussed with APHA the legal implications of this proposal?
- V. There is insufficient detail for consultees to give genuinely informed support to this proposal: if a bought-in animal becomes a reactor, after entering a new herd (time scale not known at the moment) what criteria will be used to state with absolute certainty that that animal contracted disease from other cattle within its destination herd, and at what point will Defra decide that an animal is no longer a 'migrant' to the herd.
- VI. Defra continually emphasises its commitment to industry sustainability, yet this measure could place businesses in financial and contractual jeopardy. Dairy contracts often have a clause which penalise unplanned and uncorrected milk supply. This proposal could penalise those farms that are forced to buy in herd replacements to meet contractual obligations.
- VII. There is a risk that the quality and welfare of cattle will be threatened by this proposal. No farmer wants to assume that he will be exchanging his cattle for TB compensation in the near future, but this proposal will force some cattle keepers to pursue a replacement stock policy which will place quality of stock lower down the choice criteria. We might see more live imports coming into the country, with their inherent risk of imported disease and perceptions of reduced welfare through transport, or more farmers using open markets rather than buying quality stock through private sales.
- VIII. The livestock owned by a tenant farmer is his or her main asset. An ability to trade and sufficient cash-flow are vital to the survival of tenant farmer businesses due to the need and obligation to pay rent. Restocking as soon as possible is essential to maintain those businesses. Reducing compensation to 50% in this instance penalises tenant farmers who have no other option but to take a risk on re-stocking before the breakdown is resolved. In addition, any factor which has the effect of decreasing the value of stock may affect the ability of tenant farmers to secure capital from a lender.

Q5 Do you agree that 50% compensation should be paid for cattle that cannot be processed (for human consumption) at a slaughterhouse because they are unclean?

A5. **The NFU does not support this proposal** – our reasons, in no particular order, are given below. **We do however, suggest that if this policy is pursued, Defra should allow cattle keepers the option to pay the slaughterhouse to retrospectively clip, thus protecting the compensation value to the farmer and receipt value to Defra.**

- I. This assumes an inability to belly clip is an indication that the animals can't be handled or are unfit for human consumption. In some circumstances, the animals may react badly to belly clipping, even when held in the race, or the race may not allow safe access for the operator. The

decision not to clip on farm will sometimes be a response to a human health and safety issue. Some abattoirs will charge the cattle keeper a set fee to clip the hung up cattle retrospectively, thereby protecting and reducing the risk of injury to the human and welfare stress to the animal.

- II. This proposal also assumes that the animal leaves the farm in a dirty state – and that the haulier or lairage facilities would play no contribution to the state of an animal on reaching the killing line. If it is APHA who arranges the haulier to collect the cattle then the haulier is responsible for the cattle from that point. The removal of compensation seems a rather disproportionate penalty in this instance, particularly if it cannot be determined whether the cattle were unclean when they left the farm.
- III. Have Defra considered how they will cope with potential legal challenges being brought forward on the basis that Defra are penalising a farmer for a third parties' actions with no proof or evidence?
- IV. Perhaps Defra/APHA should instead highlight the importance of clean cattle in guidance documents to farmers?
- V. There is also a need to consider that most cattle which go for slaughter due to TB are not at a stage in their production or conditioning which is 'normal' for finished animals, ie they may not have spent any time on dry pasture or bedding to help 'clean' them. This proposal, if taken forward, will further penalise a cattle keeper who is already losing the production potential of the early taken animal.

Q6 Do you agree that a £5,000 cap on compensation should be introduced for any single animal?

A6. **The NFU does not support this proposal** – our reasons, in no particular order, are given below.

- i. This proposal will penalise the pedigree cattle producers and could force them out of business. Without their improved genetics entering the commercial herd, we could struggle to achieve the genetic improvements required for the Country's aspirations of high health and welfare production and improved UK food security.
- ii. The NFU does not agree with Defra's assumption that there is already suitable and affordable private sector insurance available to provide the gap in compensation required – **we are however, willing to work with Defra and the private insurance sector** to resolve this.

Proposal 3: TB Testing costs for certain types of herds subject to more frequent testing

26. Currently Defra meets the direct costs of most TB testing with the exception of pre- and post-movement tests. This is because movements of cattle are perceived to be a business choice the costs of which the benefiting business should pay for.
27. There are other individual business models which Defra considers to constitute a higher TB risk and therefore warrant additional TB testing requirements. Defra believes it is right to therefore expect at least some of the direct costs of the additional testing to be met by those benefitting directly, rather than wholly by the Government. Defra's initial proposals are as follows:

1. **Operators of Approved Finishing Units with grazing** to receive one Government funded routine test a year (or two if the proposal to simplify testing in the High Risk Area is accepted) with the additional testing paid for by the operator of the Approved Finishing Units with grazing.
2. **Businesses in the Low Risk Area producing raw cow's drinking milk and unpasteurised dairy products** for human consumption should benefit from just one routine herd test every four years, with additional testing over and above this paid for by the business.

28. *Defra have asked for our views and offer an invitation to answer the following questions:*

Q7. Do you think the costs of the additional surveillance testing in AFU with grazing should in future be met by the operators?

Q8. Do you agree Businesses in the LRA producing raw cows drinking milk and unpasteurised dairy products for human consumption should benefit from just one routine herd test every four years, with additional testing over and above this paid for by the business?

NFU Responses and comments

Q7. Do you think the costs of the additional surveillance testing in AFU with grazing should in future be met by the operators?

A7. **The NFU does not support this proposal** – our reasons, in no particular order, are given below.

- I. Defra continually fails to appreciate the wider industry benefit provided by grazed AFUs. These business owners have already made substantial business investments to ensure that they are compliant with increased licence conditions and do not present any increased risk to their local area than other cattle farmers.
- II. AFUs with grazing provide an important functional benefit for the cattle sector and the wider rural economy. Without their presence and ability to take clean stock from restricted herds, the UK would experience a lot more welfare culls due to TB restrictions which would impact on the retail supply chain.
- III. **The NFU has worked with grazed AFU operators to put forward an improved operations protocol – this is included in Appendix 1 for Defra's consideration.**

Q8. Do you agree Businesses in the LRA producing raw cows drinking milk and unpasteurised dairy products for human consumption should benefit from just one routine herd test every four years, with additional testing over and above this paid for by the business?

A8. **The NFU does not support this proposal** – for the reason below

- I. The NFU does not agree that the sole beneficiary in this case is the business owner – they merely provide a product which consumers demand. The increased testing and surveillance in raw milk production is to provide a food safety service to those consumers, which they do not get through the 'normal' pasteurisation route. The NFU therefore argues that the beneficiary is the consumer choosing to consume raw dairy products, and therefore the current Government / tax payer cost coverage of enhanced additional testing is entirely appropriate.

Proposal 4: Extending the role of private vets to improve TB control

29. At present, APHA has responsibility for collecting and assessing the evidence needed to reach decisions on applications to re-stock TB restricted herds and to approve units to receive cattle from TB restricted herds. These are crucial decisions, the consequences of which can affect many businesses in the vicinity. APHA also has responsibility for monitoring the compliance of approved units with the rules designed to mitigate the risks they pose.
30. Defra intends to give accredited, non-Government vets a bigger role to ensure good evidence – based decisions are made on approval requests.
31. **Approval and policing of Approved Finishing Units and TB restricted markets:** Defra is of the view that it is necessary to provide APHA with strong evidence in order for the Agency to take a decision on the approval of candidate Approved Finishing Units and applications for TB-restricted markets. They feel that ‘suitably trained and accredited private vets’ would be well placed to provide that evidence.
32. Defra is also of the view that once approved, Approved Finishing Units and TB restricted markets should appoint an ‘accredited private vet’ (from what would be a new panel of suitably trained vets) who would be required to provide regular reports to APHA confirming that to the best of their knowledge the premises continues to meet the approval criteria.
33. Detailed guidance – for operators and private vets – would be developed and shared if / when a decision to proceed with this option is taken. If these changes were to come into effect Defra envisages the services of the private vet being paid for by the beneficiary Approved Finishing Unit or market operator.
34. **Re-stocking in TB restricted herds:** Decisions on applications to re-stock TB restricted herds are made by APHA on the basis of Veterinary Risk Assessments. The number of approval requests and herd owners’ need for such decisions to be made quickly can mean that decisions have to be made without an APHA vet visiting the premises.
35. Defra proposes that re-stocking decisions made by APHA should be informed by an on-farm assessment carried out by a ‘suitably qualified’ private vet. Defra suggests that the assessment would identify risks and could include recommendations to APHA on steps which the herd owner should take before re-stocking should be approved – they suggest that this would normally require a single visit to newly TB restricted herds only.
36. Defra envisages that if these proposals come into effect then the services of the private vet will be paid for by the beneficiary herd owner.
37. **Defra has asked for our views and offer an invitation to answer the following questions:**
- Q9. Do you agree that suitably trained and accredited private vets should be required to provide evidence to APHA in order for the Agency to take a decision on the approval of candidate AFUs and applications for TB-restricted markets?**
- Q10. Do you agree that once approved, AFU and TB-restricted markets should be required to appoint an accredited private vet to provide regular reports to APHA confirming that to the best of their knowledge the premises continues to meet approval criteria?**
- Q11. Do you agree that re-stocking decisions made by APHA should be informed by an on-farm assessment carried out by a suitably qualified private vet?**

NFU responses and comments to Questions 9, 10 and 11 (combined)

A9, 10, 11. **The NFU supports proposal 4 in part as it should engage private vets in improving TB control on their clients' farms. This is something which our members have missed since the creation of the VDC. Private vets often have a better local knowledge of farms, management systems, the farmers and the animals under their care. The NFU does not support the aspect of the proposal which would see the vet's duties being paid for by the farmer. This would threaten the impartiality and vital independence of a vet undertaking official duties.**

We have some questions and concerns which have not been properly answered in the consultation document – in no particular order:

- I. We understand that additional training will be undertaken by these vets – what conditions will be set against this, and how will vets' compliance and ongoing CPD be measured and monitored?
- II. The VDC came about because APHA were unable to manage the relationships and associated costs of several hundred private vets providing official veterinary services, with mixed service quality as well – this feels like a return to that previous situation. What steps or mitigations will Defra / APHA put in place to ensure that history does not repeat itself?
- III. Across all other aspects of animal health policy, farmers are being encouraged to build strong, collaborative relationships with their private vet in a proactive, farm health planning mode rather than using the profession as a 'firefighter service'. Would private vets be able to use their wider knowledge of a farm to help make TB based decisions?
- IV. Whose veterinary decision will take precedence in key decisions which will impact an individual farm business? This is particularly important where VRA are involved, especially those which may impact business viability, but also levels of compensation. Have Defra / APHA considered the legal impacts around this proposal.
- V. Some of our members, and some vets, have expressed concern that this proposal could damage the farmer / vet relationship. Does this concern Defra / APHA?
- VI. An unpleasant consequence of this proposal being enacted would be the developing situation where the farmer pays for his own vet to police his business, and act as 'whistle-blower'. What appeal process or system will Defra / APHA introduce to ensure that all parties are treated fairly if such a situation arises?
- VII. How will the Government ensure that 'backroom admin' charges incurred by private vets are controlled and not passed back at exorbitant levels to the cattle keeper? This proposal must not become an exercise in cost transfer.

Proposal 5: Delayed slaughter of in-calf TB test reactor cattle

38. Defra states that most TB reactors are removed from farms within 10 working days, though APHA will consider allowing reactors close to calving to remain on farm for up to 28 days. This approach reduces the need for on-farm slaughter of TB reactors in the last tenth of their pregnancy (which cannot be transported to an abattoir) and also enables herd owners to retain the calves.

39. Defra believes there is scope is allowing longer retention of heavily in-calf reactors on farm, but effective controls are needed to manage the risk posed to remainder of the herd. These controls may differ from farm to farm and need to be assessed on an individual basis.
40. Defra proposes that subject to compliance with standard bio-containment and isolation requirements - supplemented where necessary by additional conditions drawn up on a case by case basis by APHA vets in liaison with the herd owner's own vet - cattle keepers should be permitted to retain in calf TB test positive animals for up to 60 days to allow them to calve.
41. To assure APHA that the conditions for retention are met, Defra also proposes that a named private vet should be appointed by the herd owner to monitor compliance. The private vet's costs would be met by the herd-owner.
42. *Defra have asked for our views and offer an invitation to answer the following questions:*

Q12. Do you agree that, subject to compliance with basic biocontainment / isolation requirements, supplemented where necessary by conditions drawn up on a case by case basis by APHA vets in liaison with the herd owner's own vet, cattle vets should be permitted to retain in calf TB test positive animals for up to 60days to allow them to calve?

Q13. Do you agree that a named private vet should be appointed by the herd owner to certify and monitor compliance with biosecurity and isolation requirements for retained in-calf reactors and notify APHA of any transgressions?

NFU responses and comments to Questions 12 and 13 (combined)

A 12 & 13. This proposal has proved contentious for the NFU membership as it sends a confusing message about TB eradication but can provide animal welfare benefits. The NFU has considered how this welfare / disease balance can best be achieved in a responsible manner. **The NFU suggests that the current 28 days remains as the default retention position, but a cattle keeper can make a declaration on the test read date whether a reactor is known to be in calf, and if so, whether he wishes to make use of the 60day retention. This request should then be granted on the approval of a veterinary examination confirming the status and stage of pregnancy.**

- I. The NFU does recognise that the timely removal of a reactor, and lose of the unborn calf, is preferable to having a known TB reactor on farm, with all the potential onward disease risks to the herd and wider community, however, there is an individual animal welfare benefit in that the in-calf animal is not culled in the late stage of pregnancy – a situation which is hugely distressing to all involved.
- II. If proposal 5 were implemented as drafted, the NFU would seek urgent clarification from Defra on the definition of basic biocontainment / isolation.

Proposal 6: Slaughter sales of TB restricted cattle in the Low Risk Area

43. In August 2016 Defra invited views on whether sales of TB restricted cattle destined for slaughter (TB red sales) should be limited to the High Risk Area and Edge Area of England.
44. 73% of respondents agreed that proposals should be developed on this with a view to ending such sales in the Low Risk Area, which in recent years have been limited to occasional sales in just three of four markets.

45. Those who disagreed, including the NFU, argued that instead of withdrawing licences, Defra should work with the markets that operate TB red sales in the Low Risk Area to ensure that biosecurity standards are implemented in these units and that any concerns are addressed. We also expressed concerns about the economic impact of the loss of these sales and the possibility that animals might need to be transported greater distances.
46. Defra now claim that they have sufficient evidence that the Low Risk Area of England has met the criteria for Officially Bovine Tuberculosis Free status, and that there is a poor case for TB red markets to remain.
47. Defra propose that licences for the operation of TB red markets in the Low Risk Area should no longer be awarded from January 2018.
48. *Defra have asked for our views and offer an invitation to answer the following questions:*

Q14. Do you agree that sales in the LRA of TB restricted cattle intended for slaughter should not be permitted from 1 January 2018?

NFU responses and comments

A 14. **The NFU stands by its previous position and does not support Proposal 6** – we have some comments (listed below, in no particular order)

- I. We would like to remind Defra of our response to the previous call for views – which stressed that better enforcement of biosecurity standards should be the preferred route – Defra have failed to justify or provide the evidence for discounting this option.
- II. We recognise that Defra are referring only to bTB Red Markets on this occasion but we seek reassurance that if this proposal goes ahead as drafted and we see licences rescinded, should the need arise, either because of bTB or any other disease, for a Red Market option to be opened up in the LRA, a re-issuing of such a licence would not be unduly withheld, providing proportionate biosecurity measures had been implemented.
- III. Defra will need to take responsibility for any negative public perception which may arise out of this proposal if animals from the LRA need to travel longer distances to reach a Red Market elsewhere in the country.

Proposal 7: Reducing the risks from the spreading of slurry and manure from TB restricted herds

49. The most common route of TB transmission between cattle is by direct animal to animal contact through respiratory aerosols generated by infected animals, but there is also a lower risk presented by manure and slurry. Research suggests that under optimum conditions *M.bovis* can survive in slurry for up to six months. Therefore Defra proposes that slurry is stored for at least six months before it is spread on pasture. Further recommendations advise that manure and slurry should be spread on arable land only and not grazing pastures.
50. To control the potential risk posed by slurry and manure from TB restricted herd, Defra states that they have the powers under Article 16(c) of the Tuberculosis (England) Order 2014 to require keepers to;
- store and/or treat manure/slurry;

- not to spread manure or spray/spread slurry;
- not to remove manure, slurry or other animal waste from the premises except under the authority of a licence issued by an inspector

51. Defra proposes enhancing controls of this risk by explicitly including this latter provision by default in the cleansing and disinfection notice routinely issues to keepers following disclosure of TB reactors.

52. In order to move slurry/manure off a TB restricted premises to another premises, the keeper would be required to apply to APHA for a specific license. Licenses would be permitted on an individual basis following a veterinary risk assessment.

53. *Defra have asked for our views and offer an invitation to answer the following questions:*

Q15. Do you agree that cleansing and disinfection notices issued to owners of TB breakdown herds should always include a requirement not to remove manure, slurry or other animal waste from the premises except under the authority of a licence issued by an APHA inspector?

NFU responses and comments

A 15. **The NFU rejects Proposal 7** – for the reason given below

- Farmers are already required to comply with significant obligations in terms of manure and slurry storage by virtue of legislation governing nitrates. In addition, those farmers who find themselves in Nitrate Vulnerable Zones are also required to meet additional compliance obligations.
- To require farmers to potentially store slurry for longer periods of time or to restrict their ability to dispose of slurry will create serious financial consequences for farmers who would not necessarily have the infrastructure in place to meet the sudden storage demands placed upon them as a result of a TB breakdown. Slurry storage is extremely expensive and farmers risk breaching cross compliance requirements if statutory obligations are not met. It is not as simple as merely retaining manure and slurry on-farm; particularly in the case of dairy farms who are already within Nitrate Vulnerable Zones. The legislative power at Regulation 16(1) is in our view designed to be discretionary; it states that the veterinary inspector 'may by notice require the keeper to..'. The NFU takes the view that the requirement not to remove slurry or manure should only be implemented following an individual risk-based evaluation. It would be entirely disproportionate to include this requirement in respect of every TB breakdown.

Proposal 8: Minor changes to the Tuberculosis (England) Order 2014 – costs of slaughtering wild / untestable cattle

54. Currently there are provisions in place which require the slaughter of wild / unmanageable cattle and will be used in exceptional cases where a keeper has repeatedly failed to present cattle for testing.

55. The costs of culling wild or untestable cattle can be high, therefore Defra proposes that the herd owners have a duty to ensure testing can be carried out safely and if they fail to take action to allow that to happen they should be responsible for the costs of compulsory slaughter.

56. *Defra have asked for our views and offer an invitation to answer the following questions:*

Q16. Do you agree that owners of cattle that are compulsorily slaughtered because they are wild and untestable should be responsible for the costs of slaughter?

NFU responses and comments

A 16. The NFU cannot give full support to Proposal 8 without further clarification of the following

- I. This particular section is entitled 'minor changes to the Tuberculosis (England) Order 2014', however the consultation document does not provide sufficient detail as to the way in which Defra intends to amend the TB Order. Safety is important, however it should be recognised that the environment surrounding TB testing is stressful for cattle and the categorisation of cattle as 'wild' or 'aggressive' is a subjective consideration. If the result of this categorisation is the removal of compensation for the owner, then at the very least the owner should be consulted and other options considered. In addition, the person allocated to carry out the test should document written reasons for his or her decision.

Appendix 1

NFU's suggestion for Grazed AFUS – 'Bio-secure Finishing Unit (BFU) with grazing', with the opportunity to develop into a 'Linked Area BFU with grazing' in time.

The background

1. On the 30th August 2016, further measures to tackle bovine TB in England were announced by Defra as part of the Government's 25-year strategy to eradicate the disease and protect the livelihoods of dairy and beef farmers.
2. In addition to the consultation, the following changes were announced by Defra: *"In line with existing rules for Approved Finishing Units (AFUs), operating licences for AFUs with grazing in cull areas will be withdrawn, with 12 months' notice, after at least 12 months of successful culling. Enforcing the existing strict licensing rules on AFUs helps to reduce the potential risk of disease spread and protect the hard work of our farmers and livestock keepers to eradicate bovine TB"*.
3. The NFU has met with Defra on several occasions to express concern, and to request that they reconsider their position on AFUs with grazing. As of yet, Defra have been resolute that they will proceed with their planned action.
4. This paper sets out an alternative framework policy which we urge Defra to consider. This would update and modernise the grazed AFU protocols, creating an alternative system proportionately based on disease risk, high welfare, industry sustainability and disease testing.

What are AFUs?

5. Approved Finishing Units provide an outlet to rear and finish cattle from farms which are under TB restrictions, but do not have the facilities to finish their own stock.
6. These AFUs can source animals from officially TB-free (OTF) herds, as well as herds under restrictions. Only AFUs located in the annual testing areas of the country can source cattle from restricted herds. They are set up under licence from the APHA.
7. If they can offer grazing, they are subject to a 90 day testing regime. Without grazing the unit is exempt from testing.
8. AFUs do not have OTF status, so cattle moving off them must go direct to slaughter (red market or abattoir) or to another AFU.
9. There is no requirement to test animals on AFUs without grazing, and the cattle are housed indoors all year round in wildlife proofed housing. These units can be set up to take calves for rearing, as well as store animals for finishing. Clear-tested cattle from herds under restrictions can move onto an AFU under licence within 90 days.
10. Strict biosecurity rules apply to the grazing land including clear set boundaries and double fencing with 3m gap (or something that effectively serves the same purpose).

11. The NFU is adamant that AFUs with grazing do provide a vital risk-based trading option for farmers in areas where bTB is endemic. They provide an essential outlet to help maintain cattle trading in the high risk areas, by providing an effective and secure environment for rearing and finishing cattle.

Why are they important?

12. Native breeds need grass to finish to quality

Native breeds benefit from one to two grazing periods. They need at least 12 months to grow some frame. The aim would be to finish a native breed animal in around 24 months. They don't do so well on intensive / housed systems as they don't get time to develop that frame, they would finish at much smaller carcass weights – which is not an economic model to grow these breeds. Periods of grazing are also important for any ½ or ¾ bred beef animal, (Charolais, Limousin etc) they need frame to deliver the desired carcass weight of 340 to 400kgs. Many of these AFU's are in areas that grow forage particularly well, and using grassland effectively is key to a successful and profitable business. Housing requires straw and other feed products in addition to conserved forage which are costly commodities. The economics of rearing and finishing cattle entirely indoors does not work, grazing and forage must be utilised. Young bull (bull beef) slaughtered under 16 months can be reared and finished indoors, but UK retailers have limited need for bull beef and returns are c.25p/kg less than the steer/heifer average

13. Quality standards stipulate at least 1 year grazing

Many UK retailers have fairly tight specifications that require a period of grazing. This sits within the native breed/Angus USP.

14. Keeps animals in controlled environments

All grazed AFU's would be required to meet strict biosecurity requirements, double fencing etc...

15. Welfare considerations – provides an outlet – overstocking impacts of TB restricted farms, lack of food and housing

The need for multiple outlets for restricted cattle is extremely important, this gives those farmers under restrictions options to market stock closer to home and receive a decent price. Take away outlets and you reduce competition and the prices for restricted cattle would fall. Many dairy units will be using AA and other beef breeds on their cows and heifers, as mentioned these ½ dairy/beef bred animals need a period of grazing and do not do so well in completely housed systems. Most dairy farms need to sell calves as they do not have the room (building and available grassland) and time to graze and finish cattle. Many traditional and upland suckler producers sell weaned calves as stores, again they wouldn't have the facilities to retain on farm to finish.

16. Can limit the movement of cattle

Retailer specs also stipulate a max of 3 moves and 4 residencies. Therefore, it works best for the animal to move onto an AFU that has the ability to graze and finish the animal, hence reduces the need to move the animals between holdings.

17. As the Government's 25 year TB eradication strategy develops, farmers accept that there must be adjustments to the way in which AFUs with grazing are managed. It is not in the interest of cattle farmers or the English meat trade to do anything to exacerbate the TB problem – we are all invested in eradication. However, we are also invested in the future sustainability of our sector and our ability to provide safe, high quality cattle, raised to our already high welfare standards.

The Proposal:

18. **Bio-secure Finishing Unit (BFU) with grazing** – to reflect the focus on biosecurity and management system.
19. These units would have to apply strict biosecurity protocols and conditions to operate. A licence would only be granted on satisfactory proof that the business was able to achieve, and maintain, those conditions.
20. GENERAL CONDITIONS:
 - a. BFUs would be able to graze cattle outdoors, but within a defined area.
 - b. No new grazed AFU licences would be granted once BFU licences were available.
 - c. All current grazed AFUs are provided with an option to transition to a BFU with grazing over a 12 month period, or to have their licence revoked at the end of 12 months. This would include those grazed AFUs in wildlife control areas.
 - d. An individual licence would be required for each unit, reflecting the biosecurity conditions

New Name:

21. Bio-secure Finishing Unit, with grazing (BFU)

The Rulebook:

22. **Sourcing policy** - There would be a commitment of 'responsible sourcing' by the operator, based on veterinary risk assessments of the 'seller' farm.
23. The BFU operator would commit to further extend this to only sourcing cattle from farms with a reactor or disease incidence rate of a low enough level not to present a heightened risk to that of his location.
24. If approved, a BFU would have to appoint an accredited private vet (from what would be a Defra / APHA panel of suitably trained vets) and would have to provide this vet with information on a regular basis to demonstrate continued compliance with set approval criteria. (This paragraph fits with a new proposal being suggested in Defra's current TB consultation.)
25. No pregnant or breeding farmed stock would be permitted.
26. In summary:
 - a. Responsible sourcing
 - b. Defra Vet risk assessments of incidence rates when purchasing in.
 - c. Named/approved sources
 - d. No breeding stock

Testing policy - To improve testing results, testing would remain at 90 days.

27. If using the skin test, all routine tests would be read at severe interpretation.
28. Post movement tests, with mandatory isolation units should be considered, based on veterinary risk assessment.
29. Pre-movement testing would remain as per current AFU licencing.

30. In summary:

- a. **Testing**
- b. Post movement tests with isolation units
- c. Severe interpretation when using the skin test

Compensation –

31. The BFU will play an important function in the sustainability of the English cattle industry, and applying for a licence will need commitment and dedication. Whilst compensation is often seen as a way to modify negative behaviours, we need to also recognise the effort and responsible behaviours which these units will demand therefore we do not envisage any need to modify the current compensation rules – they should remain at least equivalent to those cattle farmers not operating under the strict licence rules of a BFU.

32. If needed, behaviours leading to the failure to maintain the conditions of a licence could be modified by reducing compensation by a percentage rate – this would be linked to transparent risk assessment criteria. The ultimate sanction would be the rescinding of the licence if corrective action is not undertaken in a satisfactory manner.

33. In summary:

- a. Compensation
- b. No changes would be required to current compensation rules.
- c. Potential risk assessment for % reduction in compensation

Turnover – The age and turnover of the animals should complement the risk assessments and market function.

34. As with all animal systems, the welfare of the animals should be considered. It is better for animal welfare if populations can be as stable and status equivalent as possible. Animals should be age and sex grouped to reduce bullying and stress.

35. Whilst these units do not require the same ‘closed’ conditions as isolation units, practical biosecurity precautions and testing should allow stock introductions, whilst being mindful of protecting animal welfare.

36. In summary:

- a. **Turnover**
- b. Reduce age to slaughter/ age limit on farm
- c. Animals held in age and sex appropriate management groups

Other TB susceptible farmed animals - These units must prioritise bovines and be bio-secure to the highest level possible.

37. It would be inappropriate to place other TB susceptible farmed animals in close proximity, unless they are also subject to the similar testing and management regimes as the cattle.

38. This policy would stipulate that there should be no other TB susceptible farmed animals on the unit unless deemed through veterinary risk assessment to pose no additional disease risk to the BFU or the surrounding area.

39. Where other animals are allowed, for example sheep (low risk of onward disease transmission), they should be kept separately (no shared grazing or feed areas) and follow a similar regime of non-breeding stock only.

40. In summary:

- a. **Sheep and other TB susceptible farmed animals**
- b. No shared grazing
- c. No TB susceptible farmed animals, unless approved under APHA veterinary risk assessment
- d. No breeding sheep

One movement – As with current AFUs, BFUs would not have OTF status, so cattle moving off them must go direct to slaughter (red market or abattoir).

41. To reduce the risk of disease transmission via movement of cattle, there should be no ‘movement to live’ of any TB susceptible farmed animals permitted from the BFU.

42. In exceptional circumstances where animal or human welfare is threatened, movements to live could be permitted following a veterinary risk assessment. These moves should be limited to other BFUs only.

43. In summary:

- a. **One movement**
- b. In ‘normal’ circumstances, animals can only move from the BFU direct to slaughter.
- c. Risk based movement testing in response to exceptional circumstances.

Animal health requirements - Each BFU licence would demand compulsory vet-led health plans, with risk resilience and evidence of veterinary inspection built in.

44. Each BFU should be part of a recognised quality assurance scheme, accredited to EN45011 standards.

45. In summary:

- a. **Animal health requirements**
- b. Compulsory vet-led health plans
- c. Evidence of monitoring and continuous farm health planning
- d. Membership of an officially recognised quality assurance scheme

Mitigation measures and exit strategies – Defra’s concern around the BFU’s predecessor has been the risk to the surrounding area, and the wildlife in particular, of cattle of potentially higher TB breakdown risk, coming into contact with non-infected TB susceptible animals, including wildlife.

46. To mitigate against this, BFUs with grazing would be required to use all natural barriers at their disposal to separate themselves from other farms and animals, to double fence with at least 3m gaps between fences and to ensure (to the best of ability) badger and wildlife proof perimeters, buildings, feed and water areas.

47. Business options

48. If situated in a wildlife control zone, there would be strict licence longevity terms. As soon as the intensive wildlife cull period closed after a 3rd successful cull, the BFU would enter a 12 month transition period which would cease at the end of the 4th intensive badger culling licence period. This transition period would provide the BFU owner with 3 options for the future:

Option 1

- a. If disease prevalence within the defined catchment for cattle entering the BFU falls below a certain % (as defined by previously agreed parameters of a veterinary risk assessment), then the option to transfer to an AFU (without grazing) should be offered.

Option 2

- b. The BFUs with grazing licence would be rescinded and the unit would be allowed to revert to standard management practises, with normal trading freedoms and conditions corresponding with the local area.

Option 3

- c. The BFU with grazing could become a '**Linked Area BFU with grazing**'. More details of this option are provided below.

49. The challenges to the successful adoption of **Option 1** for an individual business could come from the ability to provide housing for cattle in a 12 month transition period. Planning permission, if a permanent structure is required, and the resultant costs may prohibit uptake.
50. **Option 2** would allow a business to revert back to a conventional cattle unit. The current need for grazed AFUs to adhere to depopulation and time limits for restocking would not be carried into the new licence protocols. This reflects the fact that the cattle in a BFU with grazing have been subject to more frequent TB tests and potentially subject to more biosecure surroundings than conventional neighbouring farms have to meet. The ex-BFU animals should however, be limited to red-movements only, but there need be no further limits on restocking or testing of newly introduced cattle as the disease risk will be at least that of the surrounding area.
51. It will be important therefore that APHA and the BFU owner maintain a strong and positive dialogue during this process. The individual business owner must be able to plan and structure his business so that it can remain viable during this period. Against this is the need for APHA to demonstrate fairness and transparency to the wider industry, and to meet its obligations for disease control.
52. At the start of this 12 month transition period, the BFU owner should submit a business plan stating his intentions to APHA. Any refusals or challenges to this business plan from APHA should be timely, evidence based, clearly set out and should present an opportunity for further discussion.
53. The above addresses the needs of an individual business in TB intensive culling areas, but as highlighted at the beginning of this proposal, the benefits to the wider industry of a mechanism for cattle from restricted herds to be finished off grass, are also important. The sustainability of our cattle sector is a recognised component of the Eradication Strategy.
54. There will be a situation very soon where large swathes of the HRA will be involved in intensive or supplementary culling, and whilst this is an important element in controlling this disease, there is also a need to support the viability of the cattle industry, especially as individual BFU units find their licences rescinded in the ways described above.
55. **Option 3** would address this sustainability issue but would apply only to BFU with grazing in HRA or Edge areas where intensive or supplementary badger culling is taking place.
56. As the transition period is reached, (end of 3rd successful cull licence period, as described previously), a BFU with grazing would have the option to apply for a new licence to become a '**Linked Area BFU with grazing**' providing certain conditions were met:
- a. 75% of stock going in to the unit would have to come from TB restricted herds in that culling area or contiguous culling areas which have successfully completed 1 year of culling.
 - b. The unit would have to be engaged in intensive wildlife or supplementary culling.

- c. The unit can show through badger sett audits (conducted in intensive culling years) that there are no active badger setts on the unit, or contiguous to the unit.
- d. The Linked Area BFU with grazing would only last as long as supplementary culling in the surrounding area was going on.
- e. As part of the business case and licence application, the unit would have to demonstrate a business or market need, and would have to prove 'no objection' from neighbouring cattle farms. The business or market need should be supported by wider industry such as the red meat processors, retailers and trade representative bodies.
- f. Additional biosecurity conditions could be placed on the unit relating to physical barriers but these should be bespoke to the unit's location and surrounding area.

57. In summary:

- a. **Mitigation measures and exit strategies**
- b. Double fencing, with at least 3m gaps.
- c. Use of natural barriers (rivers, etc).
- d. Badger / wildlife proofing around perimeters, feed and water areas and buildings.
- e. Licence rescinded at the end of 4 year intensive badger culling if BFU situated in a cull zone. Options to revert to standard management practices, an AFU (without grazing) or a Linked Area BFU with grazing would be offered.

Wildlife measures – In addition to the above mitigation measures, it will be important to understand the risk posed to the BFU by infected (or potentially infected) wildlife.

58. Basing management decisions around movements and testing, and veterinary risk analysis, would dictate that knowledge of wildlife population densities and dynamics will be a vital component. BFUs with grazing should undertake a badger sett survey at the start of the licence period) with inspections against biosecurity and mitigation measures carried out annually.

59. In summary:

- a. **Wildlife measures**
- b. Opening licence badger sett surveys
- c. Annual biosecurity and mitigation measures audit