

EXECUTIVE NOTE TO
THE BLUETONGUE (SCOTLAND) AMENDMENT ORDER 2008
SSI 2008/234

Introduction

The above Amendment Order is made by Scottish Ministers under the Animal Health Act 1981. It is not subject to Parliamentary procedures.

Policy Objective

This Amendment Order amends the Bluetongue (Scotland) Order 2008 (SSI 2008/11). It makes specific provision for vaccination against bluetongue, including: powers to make vaccination compulsory for sheep and cattle; a requirement for veterinary certification of vaccinated animals moving to free areas in Scotland and an extension of the requirement for notification of animal movements from a restricted zone to include indirect moves via other areas in order to allow the monitoring of such movements.

Background

Bluetongue is a notifiable midge-borne viral disease which can infect all ruminants, such as cattle, goat, deer and, in particular, sheep. Bluetongue is different from many other exotic diseases in that disease spreads via biting midges rather than from animal to animal or via contaminated material or equipment. Bluetongue is therefore confirmed only when there is evidence of it circulating in the midge population, rather than when a single infected animal is identified. The disease usually causes no apparent illness in cattle or goats; however, cattle are displaying clinical signs during the current outbreak. The severity of the disease depends on the strain of the virus and the species and breed of the host. Bluetongue is currently present in much of Continental Europe and in South-East England.

The need for this amending Order arises from the recent development of an inactivated vaccine against bluetongue. Defra and the Welsh Assembly Government are currently undertaking a vaccination campaign that will cover those areas already containing disease and those considered at risk of getting the disease this summer. Vaccination may only be undertaken within a protection zone, and becoming part of a protection zone will enable free movement of infected animals to Scotland. The additional distance from any infected premises means that Scotland is not considered to be at a high risk of an incursion this summer, and veterinary advice is therefore that, in the continued absence of disease, Scotland should wait until the next vector-free period (next winter) before vaccinating.

Although there are no immediate plans to vaccinate in Scotland, there is still a need to ensure that the legislation is in place to allow vaccination in case of unexpected disease this summer. There is also a continued emphasis on keeping disease and the associated restrictions out of Scotland, and there is an urgent need to protect Scotland's livestock in light of the animal movements allowed by the vaccination campaign south of the Border.

The primary purpose of this amending Order is to make provision for a vaccination zone to be declared. In Scotland, it is likely that sheep and cattle will be subject to compulsory vaccination in line with the call by the Scottish livestock industry for a compulsory

vaccination campaign. However, as the vaccine is currently only licensed for use in cattle and sheep, vaccination of other susceptible species within the vaccination zone is likely to be voluntary and undertaken under the Veterinary Cascade system. Provision is also made to the effect that no person can obtain vaccine or vaccinate unless authorised to do so, and that vaccinated animals entering areas of Scotland free from bluetongue are accompanied by a veterinary certificate confirming that the animals have been vaccinated.

The opportunity has also been taken to refine other provisions in the existing Order:

- The definition of animal has been expanded to include camelids as well as ruminants in light of veterinary advice.
- The requirement for keepers to notify Scottish Government within three days of receiving animals originating in a bluetongue restricted zone has been clarified as including indirect moves via free areas outside Scotland. An ‘indirect move’ is defined in the Order.
- The requirement for a licence has been introduced for the slaughter of animals from the Protection Zone at slaughterhouses in the Surveillance Zone.
- Consolidates and refines powers of inspectors presently set out in various provisions of the current Order

Consultation

There has been no formal period of public consultation; however the issues covered by the proposed amendment have been discussed with the Scottish Livestock Industry Stakeholder Group.

There is an urgent requirement to put in place the requirement for veterinary certification of vaccinated animals and to clarify the requirement to notify of indirect moves enabled by the current vaccination campaign in England. Under the current English bluetongue legislation, animals may move from the protection zone into areas free of bluetongue in England without a veterinary certificate confirming that they have been vaccinated. In the absence of this amending Order, such animals would then be free to come to Scotland, putting Scottish livestock at risk.

The other main change to the existing Order, introducing the power to require compulsory vaccination, is done so at the express request of livestock industry stakeholders.

Impact

No Regulatory Impact Assessment has been prepared for this instrument; however, there are a number of potential impacts:

- The requirement for a veterinary certificate confirming that animals identified in the certificate have been vaccinated will mean that livestock keepers at the point of origin will need to pay a veterinary surgeon to attend the holding in order to undertake, or at least supervise, the vaccination of these animals. It is possible that some additional cost will be passed on to the buyer.
- The requirement for compulsory vaccination in sheep and cattle will mean that keepers of such animals will need to pay for sufficient vaccine for their own livestock. The Scottish

Government is securing vaccine on behalf of the Scottish livestock industry and the Stakeholder Group is working with Scottish Government to finalise details of the vaccine delivery plan.

- Livestock keepers who vaccinate susceptible animals other than sheep and cattle will also incur veterinary costs as vaccine administration to animals for which the product is not specifically licensed must be performed by a veterinary surgeon under the cascade system. However, this will be at the choice of the keeper concerned.
- The extension of the requirement to notify Scottish Government of movements to indirect movements means that more livestock keepers will be required to notify, and that livestock keepers will need to be more aware of the origin of any livestock that they buy. There are no financial costs attached to this.
- The requirement for slaughterhouses in the Surveillance zone to have a licence to slaughter animals from the protection zone has no financial impact, though there may need to be some management changes to accommodate conditions set out in any licence, for example on the timing of the slaughter of these animals.
- The Scottish Livestock Industry Stakeholder Group is aware of these potential impacts, which overall do not represent a significant burden. These provisions have been fully discussed and agreed with the Scottish livestock industry Stakeholder Group. They are designed to provide additional protection for the Scottish livestock industry, or to provide the legal framework to undertake actions required by the Scottish livestock industry.

Scottish Government Rural Directorate
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