

**EXPLANATORY MEMORANDUM TO
THE CATTLE IDENTIFICATION (AMENDMENT) REGULATIONS 2013**

2013 No. 517

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Purpose of the Instrument

2.1 This amendment to the Cattle Identification Regulations 2007 expands the choice of official channels available to cattle keepers to use in order to comply with their existing duties to notify cattle births, movements and deaths to the British Cattle Movement Service (BCMS). It removes, also, a requirement for the Official Veterinarians of the Food Standards Agency (FSA) or their representatives to collect cattle passports for all cattle slaughtered in slaughterhouses and return them to BCMS. These will now be returned by slaughterhouse operators, simplifying the process. The change will improve the efficiency of the cattle tracing system, making it cheaper and more accurate, and decreasing the costs to businesses of complying with legislation.

2.2 The amendment also introduces a provision requiring the Secretary of State to review the Cattle Identification Regulations 2007 and publish a report no later than 6 April 2018, and every five years after that.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Context

4.1 This instrument amends the Cattle Identification Regulations 2007 to update the methods available to cattle keepers to notify births, movements and deaths.

4.2 A robust and efficient cattle tracing system is an EU requirement under Regulation (EC) No 1760/2000, as well as an integral part of the UK Government's strategy in a variety of policy areas. The Regulation requires, amongst other things, that all cattle keepers in each Member State notify all births, deaths and movements of animals on and off their holding. The methods of notification are set up domestically and have been updated regularly to reflect new methods available due to technological advances.

4.3. The amendments to the Cattle Identification Regulations 2007 further update the methods of notification available to cattle keepers, to allow for cheaper and quicker electronic methods. The amendment is deregulatory, as it decreases the cost to businesses of complying with the requirements of the Regulation. It is also a permissive measure, as it allows but does not require the use of additional methods of notification.

5. Territorial Extent and Application

5.1 This instrument applies to England only.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The EU cattle tracing regime was set up in 1998 to ensure full traceability of all cattle in the wake of the BSE crisis to protect public health and restore consumer confidence in the beef market. The regime was updated through EC Regulation 1760/2000 and it requires, amongst other things, that all cattle keepers in each Member State notify all births, deaths and movements of animals on and off their holding.

7.2 Effective cattle identification underpins the Government's food safety policy of traceability of meat from farm to fork, and ensures that BSE controls are effective. Traceability makes an important contribution to animal disease control strategies, such as bovine TB and Foot and Mouth Disease.

7.3 The amendment to the Cattle Identification Regulations updates the methods of notification available to cattle farmers to report births, deaths and movements of animals. It also simplifies the process for returning the passports of cattle slaughtered in slaughterhouses to BCMS. Approximately 7.6 million movements, 1.5 million births and 1.8 million deaths are reported annually in England.

7.4 The amendment maintains the strength and efficiency of the current system whilst enabling faster, more accurate and cheaper notification channels, which will help farmers to comply more easily if they choose to use them. Doing so could help them to reduce the risk of penalty under the CAP subsidy schemes.

7.5 The cattle industry supports the changes, as it reduces its costs.

7.6 The amendment also introduces the standard requirement for the Secretary of State to review the operation and effect of the Cattle Identification Regulations 2007 and publish a report no later than 6 April 2018, and every 5 years after that.

Consolidation.

7.7 We do not intend to consolidate the Regulations at this stage.

8. Consultation outcome

8.1 There has been no formal consultation exercise for this legislative amendment, as this is a technical amendment to reflect the new methods of reporting available and is a permissive and deregulatory amendment. Industry was consulted on methods to move the cattle tracing system away from reliance on paper channels in a series of workshops and projects in 2009/10 which resulted in the changes on death reporting and the telephone line being pursued. Successful pilot studies with volunteer farmers have been undertaken on the new phone line. Industry supports these changes.

9. Guidance

9.1 Industry have been informed of the procedural changes via livestock events, visits to premises, the farming press and information sent directly to keepers. The Cattle Keeper's Handbook has been updated to reflect the new methods of reporting. Communication work will be ongoing following the adoption of the amendments to different parts of the industry to ensure that they are aware of the changes to the way that deaths can be reported, and aware of the different options that are available for the notification of animal births, deaths and movements.

10. Impact

10.1 The impact on businesses, charities and voluntary bodies is a reduction in the net costs for cattle keepers estimated at £611k annually (in 2009 prices).

10.2 The impact on the public sector is positive, with savings estimated (in 2009 prices) at £647k annually, against transition costs of £686k and annual costs of £69k.

10.3 An Impact Assessment is attached to this memorandum and will be published alongside the Explanatory memorandum on www.legislation.gov.uk

11 Regulating Small Business

11.1 The legislation applies to small businesses. The effect on them is positive as it is a deregulatory and permissive measure.

12. Monitoring and review

12.1 Benefits are already being evaluated as part of an ongoing pilot on electronic reporting. The pilot demonstrates that the streamlined system provides benefits to government and industry. The success criteria for the changes will be the level of uptake by industry for reporting births, movements and deaths electronically and the percentage of deaths in slaughterhouses that are reported electronically.

13. Contact

13.1 **Tim Matthews** at the Department for Environment, Food and Rural Affairs. Tel: 020 7238 5675 or e-mail: tim.k.matthews@defra.gsi.gov.uk can answer any queries regarding the instrument.