**Transmissible Spongiform Encephalopathy (TSE)**

**Consultation on proposal to transfer the cost of brain stem sampling of fallen stock over 48 months to industry**

**Analysis of responses to the public consultation exercise**

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# **Introduction**

On 11 December 2006, Defra published a GB consultation document aimed to engage with all those who have an interest in developing policy on responsibility and cost sharing for animal health and welfare. The consultation set out the principles around which decisions on sharing responsibilities and costs could be made (Annex 3 refers). Most respondents welcomed the consultation as a positive step forward and agreed in general with the principle of responsibility and cost sharing.

Further consultations on the next step were held in England, Scotland and Wales in December 2007, inviting views from 375 stakeholders across GB on plans to share further responsibilities and costs for maintaining and improving animal health and welfare with livestock keepers and others associated with animal health and welfare. The consultation document detailed seven specific responsibilities and cost sharing proposals in respect of certain TSE related activities that government was funding but where the principal beneficiaries were specific livestock sectors or individuals participating in specific schemes. The proposals were to transfer responsibility for these activities or the cost of these activities to industry or, in the case of the scrapie proposals, to stop the activity if industry were unwilling to assume responsibility for it. Some respondents to this second consultation acknowledged that the cost of the TSE measures needed to be balanced more fairly between the taxpayer and industry. However, others felt that TSE controls were a public health issue that should be funded by the public purse. A number of respondents highlighted the need to apply the proposals evenly across industry and on a GB basis.

In Scotland the principles and practice of responsibility and cost sharing in the management of animal health and welfare were further explored by an expert group in 2011. Their report (<https://www2.gov.scot/Resource/Doc/278281/0116275.pdf>) recommended that any implementation of cost sharing in Scotland should be taken forward in a phased and transparent manner.

# **Background to the Scottish BSE cost share proposal**

Transmissible Spongiform Encephalopathies ( TSEs) are fatal brain diseases that include Bovine Spongiform Encephalopathy ( BSE) in cattle and scrapie in sheep and goats. Exposure to BSE through the consumption of infected or contaminated meat is believed to be the primary cause of variant Creutzfeldt - Jakob disease ( vCJD) in humans. The European Food Safety Authority ( EFSA) has advised that BSE is the only animal TSE that has been shown to be a risk to human health.

There are two forms of BSE: classical BSE, which is believed to be transmitted due to cattle eating contaminated feed primarily through deliberate or accidental inclusion of infective meat and bone meal; and atypical BSE, which is regarded by the World Organisation for Animal Health ( OIE) as a condition believed to occur spontaneously in all cattle populations at a very low rate.

Regulation ( EC) No. 999/2001 of the European Parliament and the Council, as amended (the EU TSE Regulation) lays down rules for the prevention, control and eradication of TSEs, including BSE in cattle and scrapie in sheep and goats. The government seeks to implement TSE controls, in line with EU requirements, and in the interest of public health and animal health protection. The current domestic TSE legislation in Scotland is the Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010.

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# **Consultation responses**

The consultation opened on 28 September 2018 and closed on 9 November 2018. 14 responses were received from organisations and individuals. **Figure 1** shows a breakdown of the number of responses received by respondent type. A full list of respondents is in **Annex A**.

**Figure 1: Respondents by type**

|  |  |
| --- | --- |
| **Type of respondent** | **Number** |
| **By organisation:** |  |
| Industry representative bodies | 3 |
| Local Authorities | 3 |
| Private businesses | 8 |
|  |  |
|  |  |
| **Total responding from organisations** | **6** |
| **Total responding as individuals** | **8** |
| **Grand total** | **14** |

Responses to the consultation were encouraged via Citizen Space, an online portal, which nearly all respondents used. All responses were combined onto one Excel spread sheet in order to undertake the analysis.

Where the respondent gave permission to publish, their original response can be found on the Scottish Government’s website at:

#### <https://consult.gov.scot/animal-health-and-welfare/transferring-cost-of-bse/>

#### **Analysis of responses**

The analysis of the responses is presented in the same order as the proposal listed in the consultation document. The consultation posed 1 question.

The analysis is based on the views of those who responded to the consultation and is not necessarily representative of the wider population.

# **Proposal 1 – Move Brain stem sampling of TSE testing of fallen stock over 48 months to industry**

To establish national incidences of BSE it is an EU requirement that all EU-born cattle (excluding those born in Romania and Bulgaria) over 48 months of age that die or are killed other than for human consumption (commonly known as 'fallen stock') are tested for BSE. (For fallen stock cattle born in Romania and Bulgaria or outside the EU the relevant age for testing is 24 months or older, but there are a negligible number of these cattle in the UK.)

The carcases of fallen stock cattle that require BSE testing are transported to government approved sampling sites where trained staff takes a small sample of brain material for testing before the carcases are incinerated. The farming industry currently pays all the costs of transportation and destruction of the carcases by disposal sites, with the cost of taking fallen stock samples, at a price of £6.25 excl VAT/ £7.50 incl VAT (per sample), transporting the samples to the relevant laboratory, and the laboratory tests being borne by the taxpayer.

We propose to transfer the cost of taking fallen stock samples for mandatory BSE testing from the taxpayer to the farming businesses that already have to submit these carcases to such disposal sites for sampling and processing. This would result in a more equitable sharing of the cost of BSE surveillance between the farming industry and the taxpayer, by transferring the cost from the taxpayer to those farming businesses in Scotland that receive and benefit from the EU BSE surveillance programme, while continuing to safeguard public and animal health (by monitoring for incidence) in a proportionate way. The taxpayer would continue to pay for the cost of transporting the samples to the government approved testing laboratory and for the testing itself.

Over the financial years 2016 and 2017, the average number of samples taken annually in Scotland was 22,083. On this basis, the total annual average cost of this proposal to the cattle farming industry in Scotland would be £165,622 (incl VAT) per year, with an equivalent saving to the taxpayer. The cost per holding would depend upon its number of fallen stock cattle aged over 48 months per year. As there are approximately 12,619 cattle holdings in Scotland, the average would be two fallen stock cattle aged over 48 months per year, giving an average annual cost per holding of £15.00 (incl VAT).

#### **Question 1: Have you any comments on the proposal to transfer the cost of sampling fallen stock cattle from the taxpayer to the businesses in Scotland, which benefit from the service?**

The majority of respondents disagreed with the proposal to transfer the cost: 79% answered no, with comments such as “It’s a public health issue”, “It’s more of a benefit to the taxpayer rather than industry” and “To the wider population this works out as pence per person”. The minority supporting the transfer of cost answered “The cost is not excessive when you consider the cost already borne by industry” and “It’s a very sensible idea, it’s not the taxpayer who causes BSE”.

***Figure 2: Do you agree that TSE brain stem sampling costs should be transferred to industry?***

# **Consultation Feedback**

After answering the questions, respondents were asked if they would like to provide feedback in order to help improve future consultations and this section outlines the findings from these responses.

***Figure 3: How satisfied were you with this consultation?***

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Very satisfied | Slightly satisfied | Neither satisfied or dissatisfied | Slightly dissatisfied | Very dissatisfied | No reply |
| Industry representative bodies | 1 |  | 2 |  |  |  |
| Local Authorities |  |  |  | 2 |  | 1 |
| Private businesses | 2 | 3 | 2 |  | 1 |  |

# **Annex A**

**Organisations responding to the consultation, some represented by more than one respondent**

|  |
| --- |
| NFUS |
| Perth and Kinross council |
| Stirling council |
| Argyll and Bute council |
| Scottish land and estates |
| Food Standards Scotland |