

BVA response to Scottish Government Bovine Tuberculosis: Proposals to amend The Tuberculosis (Scotland) Order 2007

Who are we

- 1) The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 18,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues, and employment matters.
- 2) BVA's Scottish Branch brings together representatives of the BVA's territorial and specialist divisions, government, academic institutions, and research organisations in Scotland. The Branch advises BVA on the consensus view of Scottish members on Scottish and United Kingdom issues.

Response to proposals

Q1. Do you agree with the proposed change which would mean that no samples should be taken in Scotland for TB with the intention of applying a diagnostic test, either in Scotland or elsewhere, without permission from the Scottish Ministers?

- 3) We agree that this is an essential measure to ensure a consistent approach is taken by the competent authority in relation to bTB testing.

Q2. Do you agree with ending the practice of using a clear final short interval test at the end of all TB breakdowns as a valid pre-movement test, including for domestic moves into Scotland?

- 4) We believe there may be merit in slowing down the movements off farms that have regained OTF status. We have supported a similar policy in Wales, in which cattle cannot be moved out of a herd that has recently regained OTF status after a chronic breakdown unless those animals undergo bespoke pre-movement testing at least 60 days after the clearing short-interval test. This reduces the risk of moving infected cattle to other herds following the lifting of restrictions.
- 5) We ask that Scottish Government should provide an evaluation of the risk posed by animals moved off-farm shortly after receiving OTF status. To support this, the current Welsh Government policy should be evaluated, and those findings published to understand the outcome of that policy.
- 6) We note from the Tuberculin PPD Kit data sheet¹:
- 7) *"the use of the Tuberculin PPD Kit in cattle should be avoided within 42 days following a previous administration of tuberculin PPDs. In specific circumstances, a time interval shorter than 42 days may not be avoided e.g. when a herd undergoing test may include recently acquired (and tested) animals. However, it has been observed that a shorter time*

¹ https://www.vmd.defra.gov.uk/productinformationdatabase/files/SPC_Documents/SPC_296133.PDF

interval between tests results in a potential loss of skin responsiveness and is therefore not recommended."

- 8) Given this requirement a clear timeline should be explicitly built into the requirements to provide certainty to farmers and vets.

Q3. Do you support the proposal to shorten the period during which a pre-movement test with negative results remains valid from the current 60 days to 30 days after tuberculin injection for skin testing of cattle, including for domestic moves into Scotland?

- 9) We see merit in providing additional certainty to the results of a pre-movement test by reducing the period this would be valid. However, this would create a challenging barrier to trade for some cattle keepers. Additionally, government should also consider the effect on veterinary capacity of expanding the number of pre-movement tests required each year.
- 10) As noted above, the “the use of the Tuberculin PPD Kit in cattle should be avoided within 42 days following a previous administration of tuberculin PPDs”. An unintended consequence of reducing the testing validity window from 60 days to 30 days could be to see more testing within this 42 day period.
- 11) Northern Ireland will introduce this option as it is a requirement under the EU Animal Health Law. The lessons from this roll out in Northern Ireland should be studied and used to inform ongoing policy in Scotland.
- 12) There should be a government communications exercise alongside these changes to highlight the risks of buying from a herd that has recently got OTF status and to avoid the risk of unintended messaging with this change, that the risk is eliminated through the change in test validity. Policy and communications should continue to highlight the importance of informed purchasing.

Q4. Should a financial penalty, such as a reduction in compensation, be introduced for cattle which are presented as unclean at slaughter?

- 13) We support proposals to limit compensation for cattle that cannot be processed (for human consumption) at a slaughterhouse because they are unclean. We supported a similar policy in England when it was consulted upon by Defra in 2017.²

Q5. If you agree with a financial penalty, would you agree with a 50% reduction to compensation for cattle which are presented as unclean at slaughter? If not, what amount would you suggest that compensation should be reduced by?

- 14) A reduction of 50% would be in line with the policy in England. To build support for this proposal, it would be beneficial to provide an evaluation of the success of this policy in England. However, we note that the context of the disease in Scotland is different from that in England.

Q6. Do you think it would be useful to include statutory requirements for “isolation” in the TB Order to ensure that keepers of bovine animals are aware of the expectations when an animal is affected, or suspected of being infected, with TB?

² <https://consult.defra.gov.uk/bovine-tb/simplifying-testing-and-other-control-measures/>

- 15) More than 90% of Scotland's breeding cattle population are currently covered by Quality Meat Scotland (QMS) quality assurance.³ Within the current Cattle & Sheep Standards 2022,⁴ standard 6.9 states:

"Each farm, must have sufficient and suitable segregation/isolation areas."

- 16) Therefore, there should already be wide expectation that cattle should be isolated in the case of a positive bTB test. Farm assurance schemes promote high animal health and welfare through encouraging good husbandry and animal management processes.⁵ Good practice is incentivised and rewarded through these schemes, and thus mainstreamed.
- 17) When good practice becomes sufficiently widespread, it is appropriate to move the regulatory baseline up to meet that standard, whilst continuing to engage with farm assurance schemes and industry to see where further opportunities exist.
- 18) However, QMS expectation will be less clear than that found in the more detailed APHA notice 'Requiring Isolation of Inconclusive Reactors' which states that 'the animals must be kept on land or in accommodation where no airspace is shared with other cattle and where no other cattle can access manure, slurry or drainage from that accommodation'.
- 19) There should be very clear guidelines around the requirements for isolation for owners to understand how isolation is being defined, so as to avoid confusion or unfair penalisation of farmers who have been signed off as meeting the QMS standard in the past.
- 20) Alongside requirements for isolation there is a responsibility on government to continue to ensure test positive animals are removed from farms swiftly to reduce the risk of further infection and limit any welfare harm from overly long isolation periods.

Option 1: Require isolation to be undertaken in a specific part of the premises, as specified within the notice following APHA inspection.

Option 2: Require farmers to identify a suitable location for isolation and undertake ad-hoc enforcement activity where cattle are found not to be isolated following the disclosure of a reactor or IR.

Q7. Upon the disclosure of a reactor or IR, do you agree with Option 1 or Option 2?

- 21) Option 1 is the preferred standard for BVA.
- 22) Alongside consideration of the standard, it is important to consider the behaviours that need to be incentivised to encourage compliance. The involvement of a farmer's private vet will be essential to support farmer decision-making in order to ensure suitable isolation. To support this proper sharing of data with private vets will be key.
- 23) Adequate and efficient data sharing between government vets and private vets has been identified as a key enabler to building relationships and delivering improved outcomes. There are legal and regulatory reasons why data sharing is not always possible. However, introducing systems to allow data sharing between government vets and private vets should be explored. As a first step, results from routine testing, including a positive result,

³ <https://www.qmscotland.co.uk/news/celebrating-30-years-quality-assurance-scotland>

⁴ https://www.qmscotland.co.uk/sites/default/files/qms_cattle_and_sheep_standards_2022_spreads_set-up.pdf

⁵ <https://www.bva.co.uk/media/3113/bva-policy-position-on-farm-assurance-schemes-31519.pdf>

should be shared with a farmer's private vet to allow a swift, coordinated response between all parties.

Measure 1: Reduce compensation for test positive cattle when there is a failure to isolate cattle

Measure 2: Reduce compensation for subsequent reactors in the herd that are considered to have been infected as a result of failure to isolate test positive cattle

Q8. Do you agree with measure 1 that a reduction in compensation should be introduced for any test positive cattle which are not isolated?

- 24) We support an approach that rewards responsible behaviours through a system of 'earned recognition' that considers all aspects of the control programme including compensation. Therefore, we do agree with this proposal.
- 25) There is evidence from human healthcare that positive messaging (or 'gain messaging') influences people's behaviour more significantly than negative scenarios ('loss messaging').⁶ One study argued that gain messages on NHS letters (e.g. if you adopt this behaviour your life will benefit in these ways), rather than loss messages (e.g. if you don't do this, you will suffer from x), were more effective in stimulating uptake of advice on diabetes.⁷ The literature, therefore, suggests that there is some benefit in adopting an approach that uses positive language/scenarios to encourage behaviour changes.
- 26) Positive reinforcement of behaviours can also be achieved by associating them with positive recognition in the market. Several papers^{8,9,10} have found that compliance was a key determinant of behaviour and financial rewards for behavioural change were also seen as vital. Jones et al.¹¹ found that dairy farmers in Spain, Sweden, France, and Germany were more likely to prioritise herd health if there was a perceived reward.
- 27) One means of providing positive reinforcement to farmers for demonstrating appropriate behaviour is via the compensation regime. Currently, when an animal tests positive for bTB as part of the testing regime, it will be removed and culled. The Government pays statutory compensation when it has deprived someone of their property to help eradicate a disease. The use of compensation has behavioural effects; it encourages participation with the

⁶ Rose DC, Keating C, Morris C. [Understanding how to influence farmers' decision-making behaviour: a social science literature review, report for the Agriculture and Horticulture Development Board](#). 2018.

⁷ Kullgren JT, Hafez D, Fedewa A, Heisler M. A scoping review of behavioral economic interventions for prevention and treatment of type 2 diabetes mellitus. *Current diabetes reports*. 2017 Sep 1;17(9):73. [doi: 10.1007/s11892-017-0894-z](#)

⁸ Cary J, Roberts A. The limitations of environmental management systems in Australian agriculture. *Journal of Environmental Management*. 2011 Mar 1;92(3):878-85. [doi: 10.1016/j.jenvman.2010.10.055](#)

⁹ Gourdet CK, Chriqui JF, Piekarz E, et al. Carrots and sticks: compliance provisions in state competitive food laws—examples for state and local implementation of the updated USDA standards. *Journal of school health*. 2014 Jul;84(7):466-71. [doi: 10.1111/josh.12168](#)

¹⁰ Prager K, Curfs M. Using mental models to understand soil management. *Soil Use and Management*. 2016 Mar;32(1):36-44. [doi: 10.1111/sum.12244](#)

¹¹ Jones PJ, Sok J, Tranter RB, et al. Assessing, and understanding, European organic dairy farmers' intentions to improve herd health. *Preventive Veterinary Medicine*. 2016 Oct 1;133:84-96. [doi: 10.1016/j.prevetmed.2016.08.005](#)

government programme and removes a disincentive to report disease where it is suspected. Any change in policy should be mindful not to remove this positive behavioural effect within the current policy.

- 28) There are already examples where compensation is withheld for those who undertake risky behaviour as well as to reward positive behaviours. In England, the compensation regime has been used to encourage membership of the bTB health scheme accredited under the Cattle Health Certification Standards (CHeCS). A 50% reduction in compensation payment on animals purchased after the onset of a TB breakdown does not apply where the herd is accredited under the scheme, provided that accreditation was gained prior to the herd losing its OTF status.
- 29) Government should engage behavioural scientists to carefully consider how this approach could be expanded and integrated into a broader system of “earned recognition.” This would allow more positive messaging to be deployed: rewarding farmers for best practice instead of just applying penalties. Recognition should be based on the past performance, biosecurity measures and local risk faced by each farm. This should be a wider consideration than simply reducing compensation over a number of years as described in the consultation document.
- 30) A holistic approach to earned recognition that incorporates compensation alongside increased bTB testing intervals should be considered. Rewarding responsible cattle movements through the testing policy may fit well with a behavioural science approach because reducing the perceived burden of testing would be welcomed by farmers and would closely link the risk of their cattle with the degree of surveillance.

Q9. Do you agree with measure 2 that a reduction in compensation should be introduced for all subsequent test positive cattle in the herd that are considered to have been infected as a result of a failure to isolate animals affected, or suspected of being infected, with TB?

- 31) As noted above, we support an approach that rewards responsible behaviours through a system of ‘earned recognition’ that considers all aspects of the control programme including compensation. However, we do not support this approach.
- 32) Test sensitivity for the SICCT is within the range of 50-80% at standard interpretation, depending on the stage/severity of infection and other factors.¹² Therefore, there exists the potential for further residual infection to be found on retesting. Consequently, it will be difficult to definitively show causation between a failure to isolate and further infections.

Q10. Would you agree with a 95% reduction in compensation for a failure to isolate? If not, what amount would you suggest that compensation should be reduced by?

- 33) In principle, we support an approach that rewards responsible behaviours through a system of ‘earned recognition’ that considers all aspects of the control programme including

¹² Karolemeas K, de la Rua-Domenech R, Cooper R, et al. Estimation of the relative sensitivity of the comparative tuberculin skin test in tuberculous cattle herds subjected to depopulation. PLoS one. 2012 Aug 21;7(8):e43217. doi: 10.1371/journal.pone.0043217, Nunez-Garcia J, Downs SH, Parry JE, et al. Meta-analyses of the sensitivity and specificity of ante-mortem and post-mortem diagnostic tests for bovine tuberculosis in the UK and Ireland. Preventive Veterinary Medicine. 2018 May 1;153:94-107. doi: 10.1016/j.prevetmed.2017.02.017

compensation. However, interventions aimed at changing behaviour and making permanent changes to long-established habits can be challenging.

- 34)** When considering where to set an appropriate level of compensation reduction, government should consider how this will affect behaviours. Government should properly engage social scientists and be transparent with the relevant social scientific research relied upon.
- 35)** A 95% reduction in compensation is significant. Therefore, government would be careful to set clear guidelines around the requirements for isolation for owners to understand how isolation is being defined, to avoid confusion or unfair penalisation of farmers.

Q11. Do you have any further comments on the proposals we have set out within this consultation, or are there any further measures relation to bovine TB in Scotland which we should consider?

- 36)** There is considerable scope to align bTB policy, and other disease control, with the Scottish Government Agricultural transition.
- 37)** In November 2021, we submitted our response to the Scottish Government Agricultural transition - first steps towards our national policy consultation. We expressed disappointment that insufficient weight had been given to animal health and welfare within that consultation document. We cautioned against an approach which did not consider animal health and welfare alongside efforts to increase economic or environmental sustainability.
- 38)** To date, engagement with the veterinary profession in the development of the Agricultural transition has been limited. In our consultation response, we advised that the first step to redressing this would be ensuring appropriate veterinary participation on the Agriculture Reform Implementation Oversight Board (ARIOB).