EU Energy and Environment Subcommittee Brexit: plant and animal biosecurity Call for evidence

Who we are

1. The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 17,000 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.

Introduction

2. The UK enjoys an increasingly good animal health status and high standards of animal welfare, and maintaining this, particularly in light of Brexit, requires a continuing commitment to effective veterinary surveillance, comprehensive disease preparedness and sophisticated and scalable responses to incidents and incursions. In its broadest sense, biosecurity can be said to cover every aspect of disease control, prevention and treatment, all of which are areas that rely upon the knowledge and skill of veterinary professionals.

3. As members of the European Union (EU), the UK has benefited from systems that monitor new and emerging disease through data collection, analysis and sharing across species. This provides high-quality intelligence on animal health and welfare that enables policy makers, veterinary professionals and animal keepers to take decisions to improve animal health and welfare, productivity, and identify and manage threats to public health, trade, food quality, the environment and leisure and tourism.

4. The withdrawal of the UK from the EU will have far-reaching implications on the UK’s biosecurity. EU legislation, structures and institutions are embedded within the UK biosecurity framework; underpinning surveillance, disease preparedness, outbreak response procedures and control and eradication programmes. Each of these is examined in detail in sections below.
What are the implications of the UK’s withdrawal from the EU for the UK’s biosecurity in terms of animal and plant health, invasive species and food safety?

Biosecurity and international trade

5. Official Veterinarians (OVs) undertake official controls at food premises (exporting food) and at border inspection posts (checking imported food) and are vital for the protection of the UK consumer and national freedom from animal health diseases (e.g. Foot and Mouth Disease and African Swine Fever). The World Organisation for Animal Health (OIE), a reference organisation of the World Trade Organization (WTO), has emphasised the importance of the role of veterinary surgeons in supervising food safety:

“[The] OIE has identified animal production food safety as one of its high priority initiatives. The Veterinary Services of our Member Countries are central to this mission. They have an essential role to play in the prevention and control of food-borne zoonoses, even when animals are not clinically affected…The OIE will continue to publicise and promote the fundamental role of the Veterinary Services in the area of food safety, both on-farm and at the abattoir level.”

6. Imports of both animals and animal products may carry pathogens that represent a threat to UK public health and the health of animal populations. All EU Member States, including the UK, have sought to minimise the risk by ensuring appropriate standards of biosecurity, production and certification at the point of production thereby obviating the need for most border checks.

7. Consequently, trade in goods between Member States meet a recognised single standard providing assurances for consumers on food safety and authenticity. Therefore, within EU trade there is no need for any additional veterinary certification. Brexit will change that for the UK, but the extent of the changes will depend on the nature of the UK’s exit and the international trade deals agreed.

8. The requirement for veterinary checks on animals and products of animal origin at ports could reduce the efficiency of traffic passing through the UK’s ports. Therefore, there is a danger that the demands to move freight more quickly through ports could see veterinary checks overlooked. Additional capacity at ports will be necessary. Extra inspections and inspection points will be needed. Furthermore, additional OVs will be required on site to execute the inspections.

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Workforce

9. To safeguard animal health, animal welfare, food safety and public health, the UK needs a veterinary workforce with adequate capacity and capability.

10. The UK veterinary workforce is highly reliant on EU graduates. This reliance is particularly acute within the meat hygiene sector. Estimates suggest 95% of the veterinary workforce working in abattoirs graduated overseas - with the clear majority of these coming from the rest of the EU. Losing Official Veterinarians (OVs) from slaughterhouses would increase the risk of food fraud, provide opportunities for animal welfare breaches, and remove a level of public health reassurance to consumers at home and overseas that could jeopardise trade.

11. It will be vital that an appropriate number of veterinary surgeons can be recruited from overseas, whether from the EU post-Brexit or from outside the EU, to ensure that essential veterinary work continues. To alleviate labour constraints BVA has made the following calls upon Government:

- To bring forward legislation that will give legal effect to the report on progress in phase 1 of the Brexit negotiations agreement and guarantee working rights for non-British EU vets and veterinary nurses currently working and studying in the UK.
- Vets should immediately be restored to the Shortage Occupation List.
- Prioritise the veterinary profession within future immigration policy. The Government should consider the economic and social impact the profession has, beyond its relatively small size.
- Allow overseas nationals graduating from UK vet schools to live and work in the UK.

Companion Animals

12. Companion animal biosecurity is vitally important and significantly impacted by Brexit. The non-commercial movement of small animals (dogs, cats and ferrets) is covered by either EU Regulation No 576/2013 (the Pet Travel Scheme or PETS). Commercial movements and the exchange of animals between zoos fall presently under the Balai Directive (EU Council Directive 92/65/EEC).

13. Consideration will need to be given to the status of the UK for the purposes of the PETS to facilitate a smooth transition post-Brexit and explore opportunities to improve upon the current scheme. Since the introduction of PETS, BVA has heard concerns about the illegal entry of dogs into the UK under the scheme and has

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raised concerns with Defra over the level of controls and checks at our borders. There have been cases of misuse of PETS to bring in animals for sale or rehoming. Vets are particularly worried about chronically infected dogs coming to Britain and acting as a source of endemic infection in the UK. This concern is associated with the practice of bringing rescue dogs from elsewhere in Europe. This has increased the risk of introducing a wide range of animal diseases.

14. Whilst PETS has made the transport of pets between the UK and mainland Europe easier and more cost effective for owners, the removal of the requirement for tick treatments has increased the risk of UK exposure to disease carried by ticks entering the country. Recently a number of dogs in south-east England have been diagnosed with babesiosis, following infection with Babesia canis, a parasite transferred between animals by ticks. There is also a danger to human health from zoonotic vector-borne diseases tick species may carry. To address the risk of exposure to non-native tick species and potentially zoonotic vector borne diseases, BVA has called for the re-introduction of tick treatments for all cats and dogs travelling under PETS alongside the introduction of tapeworm treatment for cats as well as dogs.

15. Trade in non-traditional companion animals, exotic and wildlife species, with particular reference to wild-caught animals, would also benefit from tighter control and could build upon existing protections such as the 2007 EU ban on wild bird imports.

**Will the transfer of law via the EU (Withdrawal) Bill be sufficient to ensure that current legislative protections remain in place?**

16. A high proportion of UK Government animal health policy is enacted via EU legislation in the form of either Directives or Regulations. As well as addressing exotic diseases, such as rabies, avian influenza, Foot and Mouth Disease and African Horse Sickness, the legislation includes measures to address endemic diseases such as bovine brucellosis and bovine tuberculosis. The latter require systematic measures including targeted surveillance, movement controls and ‘stamping-out’ that, if implemented correctly, form the basis of trade in the relevant animals and in part animal products as the foundation for the recognition of area and national freedom or to regain status following an incursion.

17. More general EU legislation covering the identification and movement of animals and the disposal of animal waste has been enacted to underpin specific disease measures. Beyond this, there are rules which protect the borders of the EU from

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4 British Veterinary Association, *Vets offer advice on babesiosis outbreak in dogs*, 2016
incursion of disease and associated public health risks by regulating the importation of animals and animal products from third countries.

18. EU Member States, including the UK, recently agreed a Regulation on transmissible animal diseases (known as the Animal Health Law) providing the means to streamline the current rules into a single law which has been welcomed as more flexible, risk-based and proportionate. This is generally recognised as well thought out, practical and flexible base-line legislation to which the UK’s contribution was significant. The decision of the UK to exit the EU could provide the UK Government with the opportunity to review and amend the legislation to further tailor it to the specific needs of the UK.

19. The EU (Withdrawal) Bill will act to incorporate animal health and welfare legislation into domestic law. As noted with the debate around animal sentience, certain principles of EU treaty law have not been fully captured within this process. Also of note is the sheer volume of the EU's 'acquis' that will pertain to Defra. Considerable capacity will be needed to simply ensure there are no gaps in the law on day one. As the National Audit Office notes:5

“Defra is currently responsible for 43 of the 313 EU-related work streams identified across government – the second highest of any department. These vary in scope and scale from rewording existing EU guidance to establishing new domestic regulatory regimes.”

“Approximately 80% of Defra’s areas of responsibility are currently framed by EU legislation and 25% of EU laws apply to its sectors. It has an extensive legislative programme to prepare for EU Exit – primary legislation on agriculture and fisheries, and an estimated 95 statutory instruments to successfully convert existing EU law into UK law at the point of Exit.”

20. In the event that the UK pursues a bilateral trade agreement with the EU, it may find itself in a situation where it is required to comply with EU legislation for trade purposes, while being unable to influence the development of the legislation. Existing relationships with the Federation of Veterinarians of Europe (FVE), the Federation of European Companion Animal Veterinary Associations (FECAVA), the Association of Veterinary Consultants (AVC) and the Federation of European Equine Veterinary Associations (FEEVA) may enable future input by the UK veterinary profession into EU decision making.

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5 National Audit Office, Report by the Comptroller and Auditor General Implementing the UK’s exit from the European Union The Department for Environment, Food & Rural Affairs, 2017
To what extent is a shared approach to biosecurity between the UK and the EU necessary and/or appropriate post-Brexit? a. Should the UK retain the precautionary principle in its implementation of biosecurity legislation after leaving the EU?

21. Diseases do not respect political borders. Therefore, shared surveillance will continue to be a priority. Post-Brexit structures should be put in place to ensure ongoing cooperation and collaboration with the EU. This will be particularly important with respect to Northern Ireland which will continue to share a land border with the EU. North-South cooperation has “enabled the island of Ireland to be treated in policy and operational terms as a single epidemiological unit for the purposes of animal health and welfare.”

22. The Prime Minister has indicated that the UK will no longer be a member of the Single Market and Common Market after Brexit. However, the way in which the UK exits the EU will impact on animal health policy. Withdrawing from the Single Market might presage calls for deregulation and a reduction in surveillance as the UK relies on simple bilateral trade agreements which introduce a plethora of different voluntary standards.

23. On the other hand, if the UK prioritises frictionless trade with the EU and the avoidance of physical infrastructure at the Irish border, this may require retention of most, or perhaps all, EU animal health laws at an equivalent standard for this market.

To what extent is the UK reliant on the EU for the surveillance and timely notification of biosecurity threats? a. Are there alternative (i.e. non-EU, or international) mechanisms that the UK will be able to participate in post-Brexit? & What are the main mechanisms for biosecurity information sharing between the UK and the rest of the EU? Can these be maintained post-Brexit?

24. To protect animal health, animal welfare, public health and to ensure trade, reciprocal surveillance data sharing with Europe and internationally must be maintained, and the UK must maintain effective and adequately resourced systems for detecting new and emerging diseases.

25. UK will continue to have access to the OIE International surveillance system and alerts through the World Animal Health Information System, better known as

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6 Department for Exiting the European Union, *Northern Ireland and Ireland*, 2017
WAHIS, an internet-based computer system that processes data on animal diseases in real-time and then informs the international community.

26. Animal Disease Notification System (ADNS) is a EU notification system designed to register and document the evolution of the situation of important infectious animal diseases. This permits immediate access to information about contagious animal disease outbreaks and ensures implementation of early warning which enables for a prompt response for controlling the epidemiological situation. This has a direct impact on trade of live animals and their products both for the internal market as well as for international trade with third countries. ADNS is an EU system, however, after Brexit the UK may be able to negotiate continued membership, as is the case for Turkey, Switzerland and Norway at present. ADNS system is quicker and more detailed than WAHIS, but only reports incursions and outbreaks in member countries.

27. Movement of animals, semen and embryos within the EU is currently facilitated by the Trade Control and Expert System (TRACES) system. Its main objective to digitise the entire certification process and linked procedure is in line with the declaration of the Digital Agenda for Europe. The possibility to trace back and forth all the movements of animals, semen and embryo, food, feed and plants contributes to the reduction of the impact of disease outbreaks and brings a quick response to any sanitary alert, for the better protection of consumers, livestock and plants.

28. The UK has numerous disease reference laboratory designations, many of which have been awarded by the EU. A disease reference laboratory is designated to pursue scientific and technical problems relating to a named disease. Designation as a reference laboratory may be at a national level, on behalf of the EU or on behalf of the OIE. These designations are awarded to laboratories with a record of excellence in the named disease. EU designated laboratories receive funding. These include the Animal and Plant Health Agency (avian influenza), the Pirbright Institute (foot and mouth disease) and the Centre for Environment, Fisheries and Aquaculture Science (crustacean diseases). These EU designations will be lost when the UK leaves the EU, along with the funds that accompany them. There is also the risk of the loss of scientific influence and collaboration that these designations engender.

29. There are concerns within the veterinary profession about losing access to these EU surveillance systems and the harm that could arise without vital surveillance data, analysis and notifications. Furthermore, the UK is dependent on these ties with the EU for more informal ‘grey data’. For example, regular meetings of EU Chief Veterinary Officers allow Member States to share informal reports and ideas. The UK’s reference laboratories help to create links with other laboratories and international experts carrying out disease surveillance.
30. A robust surveillance system is vital to the health of UK livestock and the free sharing of animal health surveillance data would benefit such a system. It will be important to ensure that capacity and capability of the domestic surveillance system, which has been under financial pressure in recent years, is maintained at an appropriate level irrespective of legislative requirements post-Brexit.

What biosecurity risk assessment, inspection and management is currently carried out by the EU that will need to be repatriated post-Brexit, and are there any resource challenges associated with this?

31. The European Food Safety Authority (EFSA) is the keystone of EU risk assessment regarding food safety. In collaboration with national authorities and in consultation with stakeholders, EFSA provides independent scientific advice and communication on existing and emerging risks. As the risk assessor, EFSA produces scientific opinions and advice that form the basis for European policies and legislation, with a remit covering:

- Food and feed safety
- Nutrition
- Animal health and welfare
- Plant protection
- Plant health

32. Since it was set up, EFSA has delivered scientific advice on a wide range of issues such as Bovine Spongiform Encephalopathy (BSE), Salmonella and animal health issues such as avian influenza. EFSA also play an important role in collecting and analysing data to ensure that European risk assessment is supported by the most comprehensive scientific information available. It does this in cooperation with EU Member States. Communicating on risks associated with the food chain is another key function of EFSA.

33. EFSA will continue to carry out risk assessments on behalf of the EU, these are published online. Therefore, access to this information will continue for the UK. However, depending on the agreements reached between the EU and UK, UK authorities will lose influence and the ability to input to work done by EFSA and early notification on assessments.

34. In future these EFSA reports may not include UK data. Therefore, there will be the need for UK authorities to undertake this function. Commensurate resource will be required to fulfil this additional function.
To what extent is a common biosecurity framework across the UK necessary post-Brexit?

35. Animal health, animal welfare and agriculture policy in the UK are devolved. As an EU Member State, the UK has been able to maintain a degree of coherence to policy amongst all four administrations, but following Brexit there is increased scope for divergence of these policies. Coordination and oversight on matters of animal health is crucial.

36. Trade and animal movements across the borders of the UK will remain hugely important for the whole UK economy. Diseases do not respect political borders, therefore shared surveillance will continue to be a priority. In a post-Brexit UK we believe that structures should be put in place to ensure ongoing cooperation and collaboration. Our overarching call is therefore for the four parts of the UK to continue to work together for the good of animal health and welfare, and public health.

How should biosecurity be managed on the island of Ireland post-Brexit?

37. When the UK leaves the EU, Northern Ireland will be the only part of the UK which shares a land border with the EU. Currently, across the border there are strong government, trading and social relationships. Many of these existed before the UK and Ireland entered the European Economic Community (EEC, now EU) and others have developed since then. Any impediment to the free movement of people, goods (including animals) and services across the border will seriously impact on these long-standing arrangements.

38. Currently, there is an all-island approach taken to the control of animal disease and disease surveillance through government and non-government initiatives.

39. Should the UK neither become a non-EU European Economic Area (EEA) country nor enter a customs union with the EU, administrative checks would apply to UK imports from and exports to the EU as currently apply to trade with non-EU countries. However, concluding a customs agreement without a deal on regulatory alignment would require checks on animals, animal products and plants at the border to maintain sanitary and phytosanitary standards. This in turn could reduce the efficiency of traffic moving across the border. To avoid this happening in relation to Northern Ireland, the Government has proposed:
“An agreement on regulatory equivalence for agri-food, including regulatory cooperation and dispute resolution mechanisms”

Are there steps the UK can take post-Brexit to strengthen its biosecurity, in ways currently prohibited by EU membership?

40. Biosecurity-related opportunities arising from Brexit include:

- Update and improvement of legislation designed to address exotic disease. More recently revised legislation such as the Foot and Mouth Disease and Avian Influenza Directives are effective and proportionate while those for classical swine fever and bluetongue are overly prescriptive.
- UK re-setting its relationship with the World Organisation for Animal Health (OIE).
- Development of a body to oversee and coordinate animal health policy amongst the devolved administrations and to facilitate partnership working between industry and government to tackle endemic disease and animal health challenges.
- Adoption of the EU Animal Health Law as part of the EU (Withdrawal) Bill, with subordinate legislation considered as it arises to be adopted in a risk-based manner.

41. The degree to which these opportunities can be realised will be influenced by the nature of any trade agreement with the EU and other countries since foreign governments will expect standards applied to be similar to or exceed those with whom we trade in animals and animal products.

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