



Notification Number: 2015/240/UK

The Tuberculosis (Scotland) Order 2015

Date received : 07/05/2015

End of Standstill : 10/08/2015

Message

Message 001

Communication from the Commission - TRIS/(2015) 01348

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2015/0240/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201501348.EN)

1. Structured Information Line

MSG 001 IND 2015 0240 UK EN 07-05-2015 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
European Reform Directorate
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

3. Originating Department

Scottish Government
Agriculture Food and Rural Communities Directorate
Animal Health and Welfare Department



4. Notification Number

2015/0240/UK - C00A

5. Title

The Tuberculosis (Scotland) Order 2015

6. Products Concerned

Specified non-bovine animals (Deer, sheep, goats, pigs, alpacas, llamas, vicunas and guanacos).

7. Notification Under Another Act

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8. Main Content

The Tuberculosis (Scotland) Order 2015 confers powers on the Scottish Ministers in relation to TB in deer, goats, pigs, sheep, alpacas, guanacos, llamas and vicunas.

The provisions of the Order require notification of disease where it is suspected or confirmed in any of the above mentioned species and also where it is suspected in wild deer carcasses.

It allows for identification of individual animals and for samples to be taken or testing to be carried out for the purposes of diagnosis. Isolation and restrictions relating to the movement of these animals can be applied before and after testing as required in order to control the possible spread of disease. Private testing by the owner/keeper of these animals is permitted, but any positive or inconclusive results must be notified to the Scottish Ministers as soon as they are known. Vaccination or treatment for tuberculosis is prohibited. Where reactors are identified as a result of testing, a notice of intended slaughter will be issued and a schedule of values provides for the payment of compensation for those animals slaughtered.

Current legislation in relation to TB in non-bovine animals requires revision, as at present the Scottish Ministers must rely on owner co-operation, with owners voluntarily releasing for slaughter any reactors identified. Owners can of course refuse to release reactors, and opt instead for their premises being placed under indefinite movement restrictions.

A TB Order for specific non-bovine species (alpacas, guanacos, llamas, vicunas, deer, sheep, goats and pigs) will provide Scottish Ministers with the powers needed to deal effectively and quickly with any TB incidents and will also provide a framework of compensation values at a fair and reasonable level for those animals that are subsequently removed for slaughter as TB reactors.

For purposes of Directive 98/34, the testing of deer, goats, pigs, sheep, alpacas, guanacos, llamas and vicunas for TB will result in the imposition of movement restrictions. The particular provisions connecting testing with movement restrictions are summarised as follows:

Article 6 (veterinary inquiry as to the existence of disease) - where a veterinary inspector reasonably believes that a specified non-bovine animal is affected, or suspected of being affected with tuberculosis, they must serve a notice on its keeper ensuring movement restrictions (amongst other restrictions) apply, while they (inter alia) undertake testing and sampling,

Article 8 (restriction on movement after application of test) - where a test has been applied to one of the



specified non-bovine animals, but test results have not been read, the animals may not be moved (unless authorised by licence), and

Article 9 (restriction on movement following positive or inconclusive test results) - where a test has been applied to one of the specified non-bovine animals, the result indicates the animal is a reactor or an inconclusive reactor, and that finding has been reported to the keeper, the animal in question must not be moved (unless authorised by licence).

9. Brief Statement of Grounds

The control of Bovine TB is major challenge currently facing large sections of the UK cattle industry. The Scottish Government is committed to a comprehensive, practical and proportionate programme of actions in order to maintain Scotland's current low levels of TB in cattle and other species and to safeguard Scotland's officially TB free status which is crucial to the continuing success of the Scottish cattle industry. This programme includes measures aimed at minimising the risks from all potential sources of infection and reducing the risk of disease spread as far as possible.

Although the cattle industry is strictly regulated for TB, other than in relation to deer, there are currently no specifically tailored legal provisions in Scotland conferring powers on the Scottish Ministers to require testing of, impose movement restrictions on, permit slaughter of and grant compensation for these non-bovine species, where TB is suspected or confirmed.

The proposed movement restrictions linked to testing requirements which form part of this new, tailored regime, are considered the most epidemiologically appropriate, effective and a cost-effective means of ensuring infected deer, sheep, pigs, goats, alpacas, guanacos, llamas and vicunas do not spread TB in Scotland, thereby safeguarding Scotland's officially TB-free status, with the measures expected to be particularly effective in relation to those animals identified as reactors or inconclusive reactors.

10. Reference Documents - Basic Texts

References of the Basic Texts: Consultation document on bovine TB in specified non-bovine species - Disease Controls

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Yes



16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft has no significant impact on international trade

European Commission

Contact point Directive 98/34

Fax: +32 229 98043

email: dir83-189-central@ec.europa.eu