



Northern Ireland  
Assembly

Committee for Agriculture and Rural  
Development

# OFFICIAL REPORT (Hansard)

Bovine Viral Diarrhoea:  
Update on Outcome of Consultation

3 December 2013

# NORTHERN IRELAND ASSEMBLY

## Committee for Agriculture and Rural Development

### Bovine Viral Diarrhoea: Update on Outcome of Consultation

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**Members present for all or part of the proceedings:**

Mr Paul Frew (Chairperson)  
Mr Joe Byrne (Deputy Chairperson)  
Mr Thomas Buchanan  
Mrs Jo-Anne Dobson  
Mr William Irwin  
Mr Declan McAleer  
Miss Michelle McIlveen  
Mr Oliver McMullan  
Mr Ian Milne  
Mr Robin Swann

**Witnesses:**

Mr John Thompson	Animal Health and Welfare NI
Mrs Kate Davey	Department of Agriculture and Rural Development
Mr Colin Hart	Department of Agriculture and Rural Development
Ms Carol McKibben	Department of Agriculture and Rural Development

**The Chairperson:** We now have the update on the outcome of the bovine viral disease consultation from the Department of Agriculture and Rural Development (DARD). I refer members to the Clerk's memo and papers from the Department. As the proposals and the draft legislation will impact on herdkeepers, members who are herdkeepers or have close family who are herdkeepers may wish to declare all relevant interests in the matter.

I welcome Kate Davey, acting assistant secretary; Colin Hart, deputy chief veterinary officer; Carol McKibben, principal officer; and John Thompson, chairperson of Animal Health and Welfare Northern Ireland. You are very welcome to the Committee, as always. None of you is a stranger to the Committee.

Members have had a chance to read your briefing papers, so I ask you to be brief and concise in addressing the Committee. It would be helpful to outline the main issues or provide new information that is not in your paper. I remind members to keep their questions short and concise. If there is more time, we will do another round of questions. I will limit members to two questions. If that is clear, we can begin.

**Mrs Kate Davey (Department of Agriculture and Rural Development):** I will keep it short. Thank you very much, Chairman, for the opportunity to update the Committee on the responses to the public consultation on the proposal to introduce compulsory testing for bovine viral diarrhoea (BVD). As you said, I have John Thompson with me as well as our own officials. I thank John for joining us today.

You are all aware of the background to BVD. It is very much a production disease that impacts at farm level through the loss of production. It does not pose any known risk to human health, and it is not subject to any national control programmes. BVD is an important issue to our industry, and our industry set up Animal Health and Welfare Northern Ireland in 2012 to tackle the development and promotion of information on diseases such as BVD. The Minister has provided support, as you are aware, to Animal Health to take forward the eradication of BVD as a voluntary programme. The voluntary programme was launched in January 2013, and Animal Health advises that it is making very good progress with that. Over 100,000 cattle tags have been purchased, and approximately 45,000 tests have been carried out. There are about 386 animals that have tested positive for BVD.

Animal Health and Welfare Northern Ireland is keen to see a compulsory scheme introduced here, and it has approached the Department and the Minister to make legislation in support of its voluntary scheme. The Minister launched the consultation to see whether there was support across the industry for that. The consultation ran for 12 weeks, and we got 44 responses. While that may seem a low number, it was quite high for a consultation. Of the responses, we had two nil returns and 42 substantial responses, 39 of which were very much in favour of introducing legislation.

The people in favour of introducing legislation were those you would expect to be: the Ulster Farmers' Union, the Northern Ireland Agricultural Producers Association, the National Beef Association, Farmers for Action and the Agri-Food Strategy Board all supported the introduction of legislation to try to eradicate the disease.

There was a small number of responses against the proposal to legislate. Those people thought that legislation was unnecessary and that eradication of the disease should be left to industry and herdkeepers.

We also held a range of public meetings during the consultation, and we gave you feedback on those in September. There was low attendance at them, but the vast majority of people at them were in favour of the proposal to legislate.

The Minister has considered the consultation responses. She has considered the industry's request to legislate to support the eradication of the disease, and she has thought about the trading impact of not doing something. The Minister is very much minded to legislate to support the eradication of BVD. That is where we are at this time.

I will very quickly run through the proposals that we consulted on. The proposals included the introduction of compulsory testing for all newborn calves, including dead, aborted or stillborn ones, plus the dams and cohorts of any persistently infected (PI) animals. Another proposal was for the introduction of movement restrictions so that PI animals would only be allowed to move from the herd they were confirmed in directly to slaughter or for disposal as an animal by-product. Controls would be introduced to ensure positive animals and non-tested bovines were not traded. Basically, offences would be introduced to ensure compliance with the necessary legislation.

Those were the proposals. The Minister is minded to legislate, so we will be working very closely with industry, including Animal Health and Welfare Northern Ireland, to put in place legislation that is fit for purpose and which actually meets the needs of the industry to eradicate the disease, but which does not impose unnecessary burdens on the industry. As I said, officials will work in the coming months with the industry and Animal Health to refine that legislation. We will then bring the legislative draft to the Committee, so that you have the opportunity to scrutinise it, but that is some months away.

That is where we are today, and we are very happy to take questions on that.

**The Chairperson:** Thank you very much, Kate, for being concise and clear, as always. I appreciate that, because we have time pressures. You have outlined to us that the Minister and the Department are minded to do something here, and it is very much on behalf of the industry, which is, as you say, very supportive of this. I know that you are going to bring draft legislation to us, but, for awareness, there has to be enforcement with any legislation. Does the Department have in mind how it would police the legislation? What would the penalties be for offending?

**Mrs Davey:** I will answer the latter part first. We have not refined the penalties, but we will certainly come back to the Committee with the penalties in the draft legislation. Enforcement of the legislation will be twofold. It will be done through the animal and public health information system (APHIS); there will be controls. Animals will be restricted once they have a test-positive result. It is about movement. Markets will not be allowed to trade those animals. So, enforcement will be almost automatic through

movement controls, but there will, obviously, have to be some enforcement where there are clear breaches on the ground. Obviously, that enforcement would be undertaken by veterinary service.

There is good support for this, so I do not expect the need for a massive amount of enforcement. However, we will not know until we are operational in a live system. Since the farming industry is asking for this, and the farming unions and the National Beef Association are backing it, the Department would like to think that the farmers will be encouraged to comply with the system. This is about something that the Department is moving to do to support the industry. We do not want to put something on the industry that it does not want. So, it will be legislation that can be enforced, but it will be as farmer-friendly as we can make it, and it will not pose unnecessary restrictions on the farmer.

**The Chairperson:** I hear what you have been saying, because I have been getting calls of support in my constituency office in North Antrim. Do you have in mind how we will be able to regulate? What fines are we looking at to penalise offenders?

**Mrs Davey:** With every legislation, you have got to have offences. It will be an offence to move an animal off the farm, other than directly to slaughter, as I said, and there will be a fine for that. Court is not always the first place you go to, as is the case in any legislation. With regard to where an offence is committed, you can deal with it in other ways. Warnings can be given before you go to court. I think that you would be looking at court only where you have persistent offenders. That is the case with any piece of legislation. We do not expect to be bringing farmers to court on this. I do not know whether Colin has a different view on the enforcement side.

**Mr Colin Hart (Department of Agriculture and Rural Development):** I do not think that I can add very much. I emphasise the APHIS angle. It will make the information available to marts in the way that we do with other restrictions related to identification, registration and movement (IRM) or other diseases. Obviously, we will have to make information available through APHIS to buyers and sellers of private sale animals, so that an animal that is transferring directly from one farm to another does so with due transparency of its status. Information will have to be provided on, first, whether it has been tested, and, secondly, whether it was negative. So, we need to make information available. I hope that, with the support from industry, we will see most of what requires to be controlled done in that way.

**The Chairperson:** OK. John, I know that you are chairperson of Animal Health and Welfare Northern Ireland, and you are steeped in the industry side of things. Is there a critical timescale for the legislation? What is the cost to industry if the Department does not implement a compulsory scheme?

**Mr John Thompson (Animal Health and Welfare NI):** To answer your first question, a number of other countries have already eradicated the disease. The plan that we have would be over a three-year monitoring period. This disease can be controlled, and there is evidence of that. From an agrifood strategy point of view, it has implications for trade further down the line. Legislation is already making eradication compulsory in Southern Ireland and Scotland, and England and Wales are moving that way. We do not want to be a backwater and the last one standing on this issue, given that we are dependent on trading a lot of livestock to Scotland and the Irish Republic. We would certainly like to see things moving on as quickly as feasible on DARD's part to make eradication compulsory.

What was the second part of your question?

**The Chairperson:** The cost to industry and the timescale.

**Mr Thompson:** The cost to industry and the financial impact in Southern Ireland was €102 million per year. We have about a quarter of the size of their industry, so you could take it that the annual cost would be £25 million or £26 million.

Most farmers vaccinate at the minute. At home, we have just spent £7,000 on vaccinating, and we have more to do in the spring. So, it is costing £20,000 to £30,000 to cover a number of these diseases. That is a cost that we will be able to eradicate, but we cannot do it alone. I have to do it as an insurance policy, because, if my neighbours do not do it, my animals can get reinfected. So, we have to do it completely across the country, and a compulsory way is the only way to ensure that it is being done.

**The Chairperson:** OK. Thank you very much for your answers.

**Mrs Dobson:** I declare an interest, as my husband is a herdkeeper. Thank you for your briefing. I have a couple of points. Simply put, this proposed legislation will be government forcing herdkeepers in the industry to pay for the eradication of a disease that affects so few farmers, yet farmers will be required to test and pay for it, even though BVD is not notifiable. Is that correct?

**Mrs Davey:** BVD is not notifiable.

**Mrs Dobson:** OK. So, given the severe strain that farming families are under, what is your estimate — I know that John touched on this from the industry's perspective — of the total financial cost to all herdkeepers per year, not individually but as an industry? Farmers tell me that it is roughly £2 million. If I am correct, that is £4.00 extra per tag on 500,000 cattle.

**Mrs Davey:** It is not quite £4.00. We are talking about £3.30 or £3.40 additional for every tag, which is multiplied by the number of calves, and there are roughly half a million calves born each year in Northern Ireland. That is the scale of what we are talking about. There is a cost to farmers for the removal of the persistently infected animals, but we are talking about animals that are not thriving anyway. Research has shown that dairy herds can recover their costs in a relatively short time, roughly around six months. With suckler herds, it is a bit longer at 12 months. So, while there may be a cost, the benefits greatly outweigh the costs to the farmer.

**Mrs Dobson:** How many years do you estimate that it would take to eradicate BVD if the proposed legislation were to become law?

**Mrs Davey:** Animal Health and Welfare has done a lot of work in this area. We are looking at a three-year programme at least. At the end of those three years, we will have to look and see where we are with the disease. The Department has been upfront about this. We do not want to introduce a programme that will run on. We want a programme that we can see has some form of end date. We will have to look at the position. As I said, work has been done. The programme will last for three years, and subsequent monitoring will take place. It is also about ensuring compliance. If we get good compliance, we obviously get a good system. If we get poor compliance, there is more enforcement, and it takes longer to do something about the disease.

**Mrs Dobson:** I am pleased by your comment that it will not run on. Thank you for that clarification. If you fail to set targets and standards, the Department will simply saddle farmers with an open-ended expense. With that in mind, would you consider setting a sunset clause, so that the legislation would end and the scheme would no longer be compulsory? I think that you talked about three to five years. Perhaps it could be after five years, so that farmers would have the confidence that it will not run forever.

**Mrs Davey:** At the outset, we will be putting it very much upfront that we will be looking at that and giving a plan of how long we think it will take to eradicate BVD. We will have to then monitor that. We will also have to look at other controls. If people are importing animals that are not necessarily BVD-free, those need to be tested. The Department would like to review the legislation a number of years down the line. We do not want to introduce something that, as you said, will run on. There will definitely be a review.

**Mrs Dobson:** Would you set that sunset clause as, let us say, five years or three years? It would certainly give farmers the confidence that it is not going to be open-ended. If they knew that you had set a timescale, that would be —

**Mrs Davey:** We have not actually discussed putting it into legislation. I would have thought that it would have been easier not to put it into legislation but to carry out a review of the legislation to see where we are with its implementation and its move towards the eradication of the disease. It is certainly one thing that we can consider.

**Mrs Dobson:** Would you —

**The Chairperson:** I am going to move on.

**Mrs Dobson:** It is just a supplementary to that.

**The Chairperson:** You have asked four questions, Jo-Anne. Two of those were supplementary. We will move on. If you pass them over, we will get written responses to them. Declan O'Loan — sorry. Declan McAleer. *[Laughter.]*

**Mr McAleer:** Thank you, Chair.

Have you done any assessment of the potential implications for trade if we cannot eradicate the disease?

**Mrs Davey:** I will start, and maybe John can come in. As John has said, we are very mindful that a number of our trading partners, such as the South of Ireland and Scotland, are already running eradication schemes. They are well down the road on those schemes. If they eradicate the disease and we do not, it will certainly give us a problem. Other European countries are already looking at eradication. This is probably new to the Committee: in the EU animal health law, there is mention of BVD and its impact on trade. There is very much a view that the new EU animal health law will start to look at things such as BVD, so this legislation will put us in a position in which we will already be well down the road of addressing the problem.

**Mr Thompson:** To answer one of Jo-Anne's questions earlier, there is scientific evidence from other countries that, with a BVD programme such as this with three years' testing and monitoring, a country can be declared BVD-free. The intention was not to have an open-ended scheme. It is a limited scheme. If everybody plays ball, we can get there, and there is a policy to get there.

As regards trade, there is scientific evidence that BVD lowers resistance to other diseases. If you roll that out, there is more use of antibiotics etc because of BVD. Therefore, if you eradicate BVD, you will cut out some other diseases. There is no doubt that, in the future, legislation will come from Europe on the restriction of antibiotics in the same way as there are restrictions on pesticides and herbicides etc. That is one of the ways to lower that. If you have a higher health status in your animals, you will always have better trade, and it will help to get beef and dairy products etc into countries such as Russia, where there are certain restrictions.

**Mr McAleer:** You answered my supplementary question with your last couple of sentences.

**The Chairperson:** Declan, sorry about that slip with your name.

**Mr McAleer:** No problem, Ian *[Laughter.]*

**Mr Swann:** I will stop the name-calling. Point 8 of the Clerk's summary of the consultation responses suggests that a few of the respondents who were against compulsory testing raised concerns about additional costs being borne by farmers, whereas point 6 indicates that there were 39 responses in favour. Did any of those 39 respondents also raise concerns about additional costs?

**Mrs Davey:** Yes. There was a general concern or push to see whether the Department would pay some compensation towards the removal of PI cattle. At this point, the Department is not minded to do that, but no final decision has been made.

**Mr Swann:** Would you consider doing that? Could moneys be sought for that?

**Mrs Davey:** The Department is not minded to pay. Before the Department can pay the likes of compensation, it has to have a business case that stacks up. It would be exceptionally difficult to get a business case to stack up here, as there is such a return for farmers. Although there is an upfront cost to farmers, there is also a substantial payback. From my experience of business cases, I think that that would be impossible.

**Mr Swann:** OK. You mentioned that EU animal health law might affect BVD. If BVD was brought in under EU animal health law would it become notifiable?

**Mrs Davey:** I am not aware of a proposal to make it a notifiable disease. We do not have to make it a notifiable disease to introduce legislation to support the industry in the eradication of that disease. Colin, do you want to say anything on that?

**Mr Hart:** It is more a question of equivalence in trading status. If one country invests a lot of effort in obtaining a BVD-free status, there could be a point at which that country is allowed to expect equivalence in the countries that it buys from. Certain diseases are provided for in that context in an existing trade directive, but BVD is not one of those. Infectious bovine rhinotracheitis (IBR) is one such disease that is listed in the annex to the trade directive. EU law may be amended by way of equivalence to allow countries to set conditions on the animals that they trade in.

**Mr Swann:** So, BVD could become listed, and we would be better being ahead of the game rather than having to react to it.

**Mr Hart:** We are keeping a watch on the EU animal health law. It is evolving, and we see drafts coming through. Yes, in that situation, you would be better being ahead of the game than behind it.

**Mr Buchanan:** I want a little more clarification on movement restrictions. If a farmer is affected, will that affect his sale of other cattle until his diseased animals are removed? Will it put any bar on him as TB does? Will it simply only be a restriction on the movement of the animal that is diseased?

**Mrs Davey:** It is purely a restriction on the animal that is diseased. It will not be a restriction on the herd. Any animals that test positive will be restricted but the rest of the herd will not. It is not the same as TB.

**Mr Irwin:** I declare an interest as a herd owner. If we are to deal with this, it is important that we legislate. We have to do that. There will be a cost to farmers, but there is also a hidden cost. An animal could seem perfectly healthy at birth, you could feed it for two years and then it could start to pine away. You could have two years' expense in feeding an animal and end up losing it. We have to move forward on this. I am not saying that we should compensate the farmer, but I think that the Irish Republic has a scheme whereby a nominal amount is paid for calves that are culled. That might encourage farmers to ensure that they are culled. Although it would not be compensation, it would be some sort of redress. How do you feel in regard to that?

**Mrs Davey:** Before our Minister can pay any sort of compensation, we need that business case to stack up. The scheme that operates in the South is that €100 is paid to suckler herd keepers only. It is not being paid to dairy farmers. For us even to consider something like that it will, obviously, be subject to economic appraisal and all our legislation. It also has to be subject to our equality legislation. It is unlikely that we could consider going down that road, is what I would say at this point in time.

**Mr Irwin:** OK.

**Mr Milne:** From the conversation so far, it seems that we are not pioneering this procedure of how to eradicate the disease. You must then be going on examples from other countries. Have any other countries gone through the programme? There must be if that is what it is based on, and that they followed this programme and eradicated BVD.

**Mr Thompson:** At least two, if not three, European countries — I am not quite sure whether it is Austria or Switzerland — have already gone through that and fully eradicated the disease. There are a number of examples.

**Mr Milne:** Did they bring in legislation to do that?

**Mr Thompson:** I assume so. I could not actually say that, but they went through the procedure of eradication. It is like everything else if you do not bring in legislation. Individuals will try to break the law anyway. If it is trade and movement, that is the only way that you can stop the disease spreading.

**Mr Milne:** That is fair enough. I am just asking. If there is a procedure that gets you to where you want to go —

**Mr Thompson:** There are examples of countries having eradicated the disease. The tissue tag sampling that we are doing was not just plucked out of the air. Countries have had success in eradication by using that method.

**Mr Byrne:** I apologise for being late. The scheme has been voluntary so far. I think that most stakeholders want to move to a compulsory scheme. What modelling do we have of the 500,000 calves that are born per annum to show roughly what percentage are BVD-infected?

**Mr Thompson:** Less than 1%. The tests so far show 0.6% or 0.7%, which mirrors exactly the results in the Republic of Ireland, so I do not think that that will change.

**Mr Hart:** It is six to seven calves per 1,000.

**Mr Byrne:** Thanks. Is Johne's disease associated with BVD? If we get to disease-free status for BVD, would that help us with any other disease, such as Johne's disease?

**Mr Thompson:** I am not a veterinary person, but certainly Johne's disease is one of those diseases that has potentially a big impact on trade. Animal Health and Welfare NI has set up a programme, and we have an employee in place looking at Johne's disease. We hope to get to a position where we will try to monitor different diseases in completely different animals that could be much harder to eradicate. We do not envisage taking compulsory action on Johne's disease, but from a trade point of view we would like at least to make some progress in trying to control its spread.

**Mr Hart:** BVD suppresses an animal's immunity. It is well-recognised that in a herd that is experiencing BVD infection passing through it, the calves in that herd are much more predisposed to, for example, scours, diarrhoea and pneumonias. There is a school of thought that says that BVD suppression may even affect an animal's predisposition to TB. So yes, there could be other, much wider effects, certainly in terms of farmers' production losses. We need to minimise the effect of BVD throughout the herd. It is not just about the animal that is persistently affected but about all the other animals in the herd that are going through transitory infection. There is a knock-on effect of that in the herd because of the vulnerability of those animals to other infections while they are going through the BVD infection.

**Mr Byrne:** Where a calf becomes infected with BVD, is there a situation where the mother has to be culled, or not?

**Mr Hart:** If the mother is infected during the first four months, or approximately 30 to 90 days, of the pregnancy, and the calf is not aborted, it will become what we call a persistently infected (PI) calf, which will shed high volumes of virus throughout its life until, perhaps, it succumbs to mucosal disease itself. However, many PI calves come from mothers that suffered a transient infection, so a calf can only become a PI calf if it is infected during the first third of the pregnancy. If a cow was to pick up BVD but had not been born a PI, she will suffer a transient infection and, in all probability, will recover from it. That goes for all animals, whatever their age. The only way that an animal can become a PI is if it is infected in the uterus between the 30- and 120-day stages of the pregnancy. I am not sure whether that answers your question fully.

**Mr Byrne:** I just wanted to know whether the cow would ever have to be culled. In simple language.

**Mr Hart:** If the cow is a carrier — a PI — and she has infected her calf because she is a PI rather than because she suffered a transient infection, then, ideally, she needs to be culled. We would say that she would have to go to slaughter, but not necessarily that she has to be culled. She should not be traded, however, because she will carry infection wherever she goes. I think that maybe I have answered the question now.

**Mr McMullan:** What are the best steps that the agrifood industry can take to protect the brand and the future of the industry?

**Mrs Davey:** Are you talking generally?

**Mr McMullan:** Yes.



**Mrs Davey:** We can answer from an animal health perspective. Obviously, you want maximum health in your herd. We feel that it is beneficial to eradicate this disease from herds because we want high health status for all Northern Ireland herds. Perhaps John can add to that from an industry perspective.

**Mr Thompson:** I was prompted to start this up because years ago, we had one of the highest health statuses in Europe. When the European market was opened up, we imported an awful lot of disease from other countries. We cannot stop diseased animals coming in from other countries when we have no testing in place ourselves. We need to get a fair way down the road of eradicating BVD before we can ensure that certain restrictions are put in place.

China and Russia are big potential markets. If we do not try to improve the health of our cattle and sheep population and improve the products that we derive from them, we are flying in the face of getting into those markets. We have to improve our animal health, and that will have a knock-on benefit.

**Mr McMullan:** Would you say that it should be a notifiable disease?

**Mr Thompson:** No. With the procedures that are now in place, we can eradicate the disease in two or three years. If we can stop the spread of the disease and confine it to individual animals in the herd, what has been proposed will eradicate BVD as long as everyone is doing it and not just the percentage that are already doing it.

**Mr McMullan:** The number of calves born every year is 500,000.

**Mrs Davey:** Roughly, yes.

**Mr McMullan:** And there are six in every thousand. What is the total cost of that per year?

**Mrs Davey:** The cost of introducing the eradication scheme, or the cost to the farmer of the disease being there?

**Mr McMullan:** The disease being there, culling and getting rid of the animal and all of that. Do we have a breakdown figure of what the cost would be?

**Mr Thompson:** That would be about 3,000 animals.

**Mr Hart:** You need to balance that against the fact that, if you were to keep those calves, the vast majority would die before they were two years of age. During those two years you would have put a lot of meal and a lot of cost into them, so there is an argument that the first loss is the best loss. You are not losing any more than you have to if you cull it when it is born. Some of them look perfectly healthy at that age, so it would be hard for farmers to make the decision to put what appears to be a perfectly healthy calf down, but if it is a PI, statistics show that the vast majority die of mucosal disease or other causes like pneumonia or scours before they reach two years of age.

**Mr Thompson:** It is the damage that is done and the amount of disease that is spread during those two years.

**Mr Hart:** That is the other side of it.

**Mr McMullan:** I see some comments from the consultees here. Somebody is making money out of it. That is fine, but there is a definite pattern to a lot of these answers.

**The Chairperson:** I am prepared to go around again, because we have time. Joanne indicated that she wanted to ask another question. If there are other members who want to ask questions, make us aware.

**Mrs Dobson:** Are you concerned about the pressure that the scheme will put on farmers? I am thinking specifically about elderly farmers. Will there be additional support for elderly farmers to carry out the tagging and testing at a time when dams can be at their most aggressive?

**Mrs Davey:** It is not actually adding anything new to the farmer, whether he is elderly or otherwise. It is already a requirement to tag all animals. It is a simple approach. It is a tag. It is not actually changing the law in any way, it is just changing the tag, so we are not placing farmers at any more risk than they currently are.

**Mrs Dobson:** But surely, if they are being tagged sooner for this, when the calves are at their most aggressive, is there not a health risk or implication for farmers?

**Mr Hart:** The advice is that the earlier in life the calf is tagged the better, because there is less chance that you pick up a transitory infection as opposed to a persistent infection. If you get a calf that is positive, you have to retest it to see that it is a persistent infection, so yes, there is, but I think the current Animal Health and Welfare NI scheme states that, ideally, it should be within seven days of birth. That is a requirement for dairy calves as it stands. In the beef herd I think the requirement is 27 days to tag and then register with the Department. The advice in those cases would be to test the animal sooner, because you are less likely to pick up a transient infection. So I suppose the answer to your question is yes. In the case of the beef herd the cow might be slightly more fractious closer to the calving point. I do not know what percentage of farmers leave it as late as 27 days and what percentage do it earlier. It is not an area that I have any information on.

**Mrs Dobson:** I just note that some concerns were raised in the consultation about the aggressiveness of the calves. That was an issue, particularly with elderly farmers.

**Mr Thompson:** For detection of the disease it does not have to be done early, but, as Colin said, the sooner you do it and pick up the infection the better chance you have of stopping the spread of it.

**Mr Milne:** If you went through the process of compulsory testing, and say, on the face of it there, you had to do it two years in a row, surely that would indicate and say to you there that you should eradicate the disease. If that is the case, what about imported cattle? Is there a testing mechanism to detect them? Is every calf tested coming in? So, how can you say that you are really going to eradicate this if we have not got all that in place?

**Mrs Davey:** Those are the things that we are looking at. A working group is in place to look at all of those issues. We have to be careful, in that we cannot actually impose trade restrictions. This legislation will have to be approved by the EU, and it will not allow us to put legislation in place that will introduce a trade restriction. We will, as best we can, address the issues. We are aware of the likes of imported animals.

It is also about providing advice to farmers. If we are going to have an eradication scheme here that everyone has to comply with, which they will have to if we go down the road of making it compulsory, then it is also about training, support and advice. There is little point in paying to eradicate if you are going to buy something of which you do not know the disease status. So, it is also about giving that message out, and we have already had training programmes for farmers on BVD. That is something that we will look at. There is a message that will have to go out as well as that.

**Mr Thompson:** Kate is correct to say that the EU will look dimly on it if we put certain restrictions in place. Down South, all animals come in through an import centre, and they cannot move out of it without the test result. If you are going to bring them in, you do not want them standing in an import centre, so you make sure that they are tested before you bring them in. So, it may be a little grey, but there are ways that you can do it.

**Mr Milne:** That is fair enough. You say eradication, but you cannot guarantee that.

**Mr Thompson:** No, you cannot.

**Mr Milne:** You cannot tell a farmer that, if you spend three or four pounds here or a couple of years there, they will have no more problems after that.

**Mr McMullan:** How much information has got out to the farming community on the disease? I see a lot of stuff in here about how more time should be spent dealing with the badgers and smaller diseases. This disease is quite serious.

**Mr Thompson:** It is not a notifiable disease. For the reasons that we have outlined, it is a disease that has an impact on the farm. It is one of the easiest diseases to eradicate, and the scientific evidence is that we can do it. We need everybody to comply with it.

**Mr McMullan:** Does the farming community realise the seriousness of the effects of it if it is not dealt with?

**Mr Thompson:** Through DARD, we are developing a programme at the voluntary stage. We have had some vet training. Vets have held meetings on this disease, and I think that around 1,000 farmers have already been to those. I believe that those meetings are to continue in the spring, and there are opportunities. Vets are also on board with this through both veterinary societies. They are certainly bringing it up when they are out on client visits, and I think that the information to farmers is probably more widespread than you would think.

**The Chairperson:** Reading through some of the responses from the consultation, I see that there are comments that call into question the integrity and, I suppose, the impartiality of, say, the Ulster Farmers' Union in its continued dealings with DARD. There are comments that call into question the group that you chair, John, Animal Health and Welfare Northern Ireland. How do you counter those comments?

**Mr Thompson:** Animal Health and Welfare NI is a not-for-profit organisation. We are supported by industry, and we have funding from DARD. My sole aim is to help to improve the animal health status of Northern Ireland. Over the years, I have witnessed that deteriorating, and I want to do something about it. It is deeply ingrained in me to try to get something done about this. We need certain things, like changes in APHIS, to get it done. We cannot do it without DARD's help. I have no financial or vested interest in getting these diseases dealt with other than as a farmer.

**Mrs Davey:** The public consultation went out from the Department. Everyone was free to respond to that public consultation. As I said, the Ulster Farmers' Union, NIAPA, the National Beef Association, Farmers for Action and the Agri-Food Strategy Board all replied to the Department's consultation independently. They were very supportive of it. We feel that there is very much a broad base of industry supporting it, and that would be whether Animal Health and Welfare were in existence or not. There is support out there for doing something about this disease, and a request to the Department to help the industry. This has been a new engagement for the Department in terms of working with industry to give it something that it is asking us for, namely direct support to eradicate the disease.

**The Chairperson:** Thank you very much. There are no further questions from members, so it just remains for me to thank you very much for coming along today and presenting to us and answering our questions. Just one more thing, Kate: do you have a timescale for the draft legislation coming forward?

**Mrs Davey:** We do not have an exact timescale, but we are working with a view to trying to get it forward as soon as possible. It will take some time. As I said, we want to put in place the right piece of legislation as opposed to the wrong legislation. There are still a lot of consultation responses that we still want to consider and address. However, you are talking at least a number of months before we will be back at this Committee. It will probably be towards the spring before we can come back to the Committee with legislation that we feel will meet the needs, but I cannot give you an exact timescale for that.

**The Chairperson:** Just bear in mind the times when farmers will tag; the busy times are March and September.

**Mrs Davey:** We are also conscious of that. Today, it is in the public domain for the first time that the Minister is minded to legislate. That puts out there the message that there is going to be legislation and that we will also support Animal Health and Welfare Northern Ireland in its voluntary scheme. There has probably been a stage when farmers have said, "I will wait and see", as opposed to joining the voluntary scheme. You will find that, once the message is out that it will be compulsory, there will be an awful lot more uptake, and farmers actively doing something to eradicate the disease, as well, in advance of it becoming compulsory.

**Mr Swann:** Between voluntary and compulsory, are you finding that farmers are using up stocks of old tags before they move into the voluntary scheme?

**Mr Thompson:** If you look at tag sales year on year, you will see that 110,000 fewer tags have been sold this year. Obviously, looking at the uptake, between one quarter and one third of all new tags sold month on month are BVD tags.

**The Chairperson:** Thank you very much.