

To: bovinetb@gov.wales

Date: 8<sup>th</sup> February 2022

Ref:

Circulation:

Contact: Dylan Morgan

Tel:

Fax:

Email: Dylan.morgan@nfu.org.uk

## NFU Cymru Response: Welsh Government Consultation: A Refreshed TB Eradication Programme

### Introduction and Overview

NFU Cymru welcomes the opportunity to respond to the Welsh Government Consultation document – A Refreshed TB Eradication Programme. Our response is based on extensive member feedback following meetings with every NFU Cymru county branch, meetings of our national commodity boards and individual feedback following awareness raising through our e-mail bulletins, social media, website, and our Farming Wales publication.

NFU Cymru champions Welsh farming and represents farmers throughout Wales and across all sectors. NFU Cymru's vision is for a productive, profitable and progressive farming sector producing world renowned climate-friendly food in an environment and landscape that provides habitats for our nature to thrive. Welsh food and farming delivering economic, environmental, cultural and social benefits for all the people of Wales whilst meeting our ambition for net zero agriculture by 2040.

The importance of the farming industry in rural Wales cannot be over-stated. Welsh farming businesses are the backbone of the Welsh rural economy, the axis around which rural communities turn. The raw ingredients that we produce are the cornerstone of the multi million pound Welsh food and drink industry which is Wales' largest employer employing over 239,000 people.

Welsh farmers also play a key role maintaining and enhancing our natural environment – Wales' key asset. Farming activity supports a diverse range of species, habitats and ecosystems, provides a range of ecosystem services including flood alleviation, carbon sequestration, climate change mitigation; and delivers the significant backdrop for Wales' tourism and recreation sector worth an estimated £2.5bn annually.

Bovine TB continues to cast a dark shadow across the cattle industry in Wales and is one of the main threats to achieving our vision of a productive, progressive and profitable Welsh agricultural industry. From our meetings and feedback as part of this consultation exercise there is no doubt that the anger and frustration within the industry at the repeated failure of successive Governments to implement a comprehensive TB eradication strategy in Wales is as great as it has ever been. This has been further compounded by the Welsh Government 2021 Programme for Government that in relation to Bovine TB has stated that it will *"Forbid the culling of badgers to control the spread of TB in cattle"*

This statement suggests that, regardless of science and evidence, this Government has made a political decision to take away a tool that has been used by every country that has implemented a successful TB eradication programme.



NFU Cymru fully recognises that Bovine TB is a complex disease that requires a comprehensive multi-faceted approach to control and eradicate the disease from Wales. We also recognise that different approaches are appropriate in different parts of Wales and for this reason we have been broadly supportive of the regionalised approach adopted by Welsh Government since 2017.

Cattle Keepers throughout Wales farm under stringent and restrictive cattle movement and testing requirements, these controls are continually ramped up and this consultation proposes a number of further changes that, if introduced, will have significant consequences for cattle keepers. Farmers have and will continue to do their utmost to comply with these rules but their frustration at Welsh Government has only intensified by the statement within the Programme for Government and the decision of the Minister, outlined in the WG statement of 16<sup>th</sup> November, to phase out the badger trap and test policy, currently employed in certain persistent herd breakdowns.

In June 2017, when Welsh Government introduced the badger trap and test approach on some farms experiencing persistent herd breakdowns, NFU Cymru welcomed that announcement as a step forward towards TB eradication in Wales. A recognition by Welsh Government of the need to actively tackle the disease in wildlife as well as cattle. We hoped that this would have been the start of the development of a genuine TB eradication strategy for Wales. The phasing out of this policy is, therefore, a major step backwards in progress towards eradication. We are deeply frustrated that Welsh Government refuses to learn the lessons from England, and many other countries, who have successfully tackled this disease through a comprehensive TB eradication strategy. Welsh Government appears to be unique in its thinking that this disease can be eradicated without proactively dealing with diseased animals in both cattle and wildlife populations.

The evidence to support a comprehensive TB eradication policy is clear, just across the Welsh border in Gloucester and Somerset badger culling has seen the incidence of bovine tuberculosis drop by 66% and 37% respectively after 4 years of culling. The evidence published in scientific reports by Downs et al. (2019) provides the best estimate to date of the effects on TB in cattle when culling takes place. If Welsh Government is serious about eradicating this disease, then we would question how it cannot take note of the success of the programme operating in counties that neighbour Wales.

NFU Cymru takes issue with the statement made by WG at the launch of the consultation on the 16<sup>th</sup> November 2021 which said the WG TB programme was “*making a real difference to farming families and businesses*”. Welsh Government based this statement on a 48% decrease in new herd incidents since 2009. NFU Cymru respects that TB statistics paint a mixed picture. We would however point out that the latest published Bovine TB statistics show that the herd prevalence in the High West Area at 9.8 is the highest prevalence of any area in England and Wales. New herd incidents in the 12 months to the end of September 2021 at 664 are an 8% increase on the previous year. Herds under restriction at the end of September 2021 at 621 are a 5% increase on year earlier figures and 10,551 animals were slaughtered in Wales as result of Bovine TB in the 12 months to the end of September 2021 an increase of 4% on the previous year. Shockingly between 2010 and 2020 inclusive over 100,000 animals have been slaughtered in Wales as a result of Bovine TB.

These figures do not suggest that Welsh Government policy is making a real difference to farming families and businesses. Most importantly we must remember that behind every statistic is a farming family dealing with the emotional and financial trauma of Bovine TB on their farm, it is incumbent on all those who are involved in making decisions on Bovine TB that they fully understand the impact that this disease has on the mental health and wellbeing of farmers, vets and all those involved in supporting farming families with a bovine TB incident on farm.

In this document NFU Cymru will respond in detail to the options that Welsh Government has put forward for an alternative approach to TB payments however, at this juncture, we want to make it clear that the only way to ensure that TB compensation is both fair to the farmer and to the taxpayer



is through valuing cattle on the basis of their individual merits. This can only be achieved through the maintenance of the current Bovine TB compensation arrangements.

Our members take offence with the statement made by Welsh Government in this consultation that *“in regards to providing incentives for cattle owners to proactively manage a TB breakdown on their farm, there is currently little obvious financial incentive other than to discourage the movement of animals on the holding under licence, with a subsequent 50% reduction to the TB payment.....”*. This statement is deeply upsetting and shows the lack of understanding of the financial impacts of a bovine TB breakdown by Welsh Government policy makers and a lack of empathy or understanding of the reasons, that go far beyond financial, as to why a farming family will be doing everything within their capabilities to eradicate bovine TB from their herd.

From a financial perspective a Bovine TB incident on farm impacts on all aspects of everyday farm management. Marketing will be adversely affected, in particular for those farmers who rely on selling store cattle, breeding animals and calves. Costs increase as there will invariably be a requirement to purchase extra feed and bedding, secure additional housing and farmers also incur higher labour costs to cope with additional animals on farm as a result of the TB movement restrictions. There are also costs associated with the significant extra paperwork required as a result of dealing with a TB incident. More cattle on the holding can put pressure on farm infrastructure such as slurry storage capacity, this situation is now compounded as a result of the imposition of All Wales NVZ regulations by Welsh Government from 1<sup>st</sup> April 2021. Additional stock on farm as a result of Bovine TB restrictions could result in a farming business falling foul of NVZ slurry storage regulations. The failure of WG to make exceptional circumstances provision within the NVZ regulations further compounding the challenges a business will face in seeking to comply concurrently with TB restrictions and NVZ rules. A TB outbreak on farm and the resultant restrictions can also hinder the ability of a farmer to be able to tackle other important health issues.

The loss of adult productive cattle as a result of a TB outbreak reduces production and therefore reduces the income on affected farms through loss of milk yield on dairy farms or a reduction in numbers of calves born on beef units. These are substantial consequential losses that farming businesses face as a result of a bovine TB outbreak and the more animals that are lost from a herd and the longer the TB incident lasts then the greater the losses, and the higher the costs, inflicted on the business. Farm businesses contribute significantly towards the costs of TB controls in terms of time and resource spent testing as well as measures taken on farm to try wherever possible to reduce contact between cattle and wildlife. The consequential costs of a TB outbreak are significant and can have far reaching and long-term implications for farming businesses.

DEFRA has published a [report](#) in June 2020 which highlights the financial impact of bovine TB on beef and dairy farms in England and Wales. The report shows the cost of a TB breakdown directly borne by cattle farms varies significantly, with a median value of around £6,600 across all farms in the survey. In England and Wales, median costs for herds of more than 300 cattle are around £18,600 whilst those for herds of up to 50 cattle are around £1,700. Median costs for chronic breakdowns over nine month's duration are around £16,000. To put this figure in context the average farm business income in Wales in 2019-20 was £26,200.

A number of the proposals within this consultation have significant consequences for Welsh farming. We would highlight, in line with the Welsh Ministers' regulatory impact assessment code of June 2021 the need for a full and comprehensive RIA of all the proposals within the consultation document. We would refer Welsh Government to section 3.4 of the document that states *“The development of an RIA is part of an ongoing process that begins with an assessment of whether legislation is necessary to implement a new policy. The impact of the proposed subordinate legislation must be assessed when the options for the development of a policy are being considered. Effective stakeholder engagement is critical for the development of a robust RIA and the approach is consistent with the Welsh Government's policy of consulting and involving others (including business,*



*local government and the voluntary sectors) in the development of policies at the very earliest opportunity.*

This consultation does not include a RIA and neither has NFU Cymru, or to our knowledge any other stakeholder / business, been engaged in the development of a RIA. We are disappointed that WG has yet to attempt, through the consultation or through the publication of a RIA, to set out the costs and impacts of all the proposals on businesses and regions of Wales. It is absolutely vital that a full and comprehensive RIA alongside the science and evidence base underpinning any proposal is completed, and industry has a further opportunity to comment on the proposals once that work has been completed and prior to any decision being undertaken by Welsh Government.

Throughout our consultation meetings an issue that has come up time and time again is the need for improved communications between APHA and the farming industry. Farmers have complained of the difficulty in getting information / seeking clarity from APHA, turnover of Case Vets / staff dealing with the breakdown and the complexity of the paperwork / licensing regime associated with Bovine TB. This is an issue that we cover in more detail and depth within the following section that summarises the work of our NFU Cymru Bovine TB Focus group.

## **NFU Cymru Bovine TB Focus Group**

Following a discussion on the continued impact of Bovine TB on Welsh farming families at NFU Cymru Council on the 26<sup>th</sup> May 2021, the NFU Cymru President requested that a NFU Cymru TB Focus Group be set up with immediate effect. The group, made up of members from across Wales with expertise in the area of Bovine TB were tasked with providing advice, guidance, and recommendations to the NFU Cymru President on NFU Cymru Bovine TB Policy.

The group have now met on a number of occasions and have taken advice from policy, technical, legal, and veterinary experts. The Group have now issued a preliminary set of draft recommendations to stimulate discussion covering topics discussed in meetings to date. The Group recognise that there are a number of key areas which they have not yet had the opportunity to consider. The Group also highlight that a number of the draft recommendations should be considered as 'work in progress'.

The group made a conscious decision not to focus on recommendations in relation to wildlife within their initial work programme. The views of NFU Cymru are well known on this matter and the Group fully support the position of NFU Cymru in calling for a comprehensive TB eradication programme in Wales that actively tackles the reservoir of disease in both Cattle and Wildlife Populations.

The full report can be read at Annex 1 to this consultation response, below is a summary of the key recommendations to date: -

- A thorough review and analysis of the current bovine TB testing protocols (including cost benefit analysis) should be undertaken. A technical advisory group that includes members of the farming and veterinary profession should consider options going forward in more detail.
- The group recommend more flexibility with regards to the testing regime for herds whilst under restriction, particularly for long term breakdowns.
- The Group recommend the use of trained lay testers to carry out both the SICTT and blood tests. Veterinary resource should be focussed on supporting the farmer with managing the breakdown and devising a strategy to ensure that the herd becomes clear in the shortest possible time.





- WG/APHA should provide keepers with the option of receiving individual test chart results for every animal at each test. With this information there are opportunities for farmers to work with their vet on risk management. Welsh Government should consider an incentive payment to remove IRs and other animals identified as 'at risk'.
- The use of novel tests is likely to identify diseased or at-risk animals earlier. This inevitably means that potentially more animals will be taken for slaughter and more herds may be placed under restriction. Whilst this may be beneficial for disease control the implications of the loss of many productive animals at the same time will have on the business should not be underestimated and the group believe that this matter requires further consideration as to how farming businesses can be supported and to have viable trading outlets whilst under restriction.
- The Group see improved communications as a vital issue where there is scope for a great deal of improvement. Tailored communication strategies need to be designed e.g., for those who come under restrictions for the first time; for those that find themselves in long term herd breakdown situations and for areas of Wales where Bovine TB has not been a common issue historically.
- The amount and complexity of paperwork needs to be urgently addressed by APHA/WG. The Group recommend the setting up of a working group involving members of the Focus Group and APHA / WG to look carefully at all communications between APHA and Farmers.
- The Group recommend the setting up a password protected portal where cattle keepers could access in date order the letters that have been sent to them by Government.
- There is a need to urgently consider how a farming business under restriction can receive timely responses to queries / licence requests from their Case vet / APHA.
- The group recommend the farmers own vet be far more involved in the management of a TB Breakdown.
- The Group believe there are opportunities for groups of farmers in a defined area e.g. parish or sub county level, working in partnership with local vets, APHA / WG and research bodies on an action plan for an area to better understand the disease picture, the drivers behind disease spread and a co-ordinated plan to consider how the disease could be tackled.
- The Group believe that APHA / WG should instigate a dedicated helpline that would provide a central point of contact for farmers in Wales to be able to seek advice and guidance on TB rules.
- The group recommend that Welsh Government through future capital grant schemes includes items that support good biosecurity and in particular enable effective separation of cattle and wildlife to be supported. Intervention rates should be set at 70-80%.
- Informed Purchasing has a role in future TB control but will need careful thought and a recognition that it could result in a two-tier market with a severe impact on some businesses. Informed purchasing will only work with a reliable up to date easy to access database.
- The Group emphasise the importance of both approved finishing units and orange markets as an avenue of sale for those farms who find themselves under restrictions of movement due to TB. The Group recognise that there is further work needed to investigate the barriers to the establishment of further AFUs in Wales.



- Welsh Government should undertake a risk assessment to investigate the possibility of raising the 42-day rule to 90 days without the need for testing. There is also the issue of timeliness with regards to the issuing of movement licenses meaning farmers missing slots to get cattle into AFU's. Consideration should be given to a general license being issued where a breakdown herd has a contract with an approved finishing unit.

NFU Cymru would be pleased to discuss these recommendations and the discussions of the group in more detail with Welsh Government. A number of these recommendations interact with the TB testing and Informed Purchasing proposed areas for change within the WG consultation document. We would request that WG consider these recommendations alongside our response to the consultation questions on these matters.

## **TB Testing**

NFU Cymru welcomes the opportunity to discuss possible changes to current TB testing arrangements in Wales, it is important to regularly review the TB testing protocols in light of the latest available evidence and data. This was a topic that we have considered within our TB focus group, we would refer Welsh Government to the initial recommendations from the group outlined in the previous section and at Annex 1.

Prior to taking forward any of the proposals within this section we believe that it is incumbent on Welsh Government to undertake a thorough impact assessment of each proposed measure within this consultation considering the impacts and consequences that the changes proposed could have on cattle keepers. This assessment must provide the science and evidence base supporting any proposal together with a comprehensive assessment of the impact on the cattle industry in Wales. For example, the assessment should include an assessment of the number of breakdowns prevented balanced against the impact of increased disruption to businesses from an increase in the number of false positives as a result of the increased sensitivity of testing. The assessment should also consider the capacity of the veterinary profession to deal with the increase in both the number and range of tests proposed by Welsh Government and the estimated additional costs that cattle keepers in Wales will face as a result of the additional testing. Our view is that this work needs to be undertaken using the expertise of stakeholders and members of the new Governance structure (see our response to questions 20-23) prior to industry having the opportunity to consider the proposed changes with the knowledge of the likely impact on Welsh farming.

We will respond in detail to our concerns over proposed changes to TB compensation arrangements in our response to Questions 14, 15 and 16. However, NFU Cymru notes that one of the key drivers for change to compensation arrangements is that *"the efforts to improve the sensitivity of the testing across the board will likely result in more animals being slaughtered..."*. If WG move forward with a change to current compensation arrangements, then WG will immediately remove any goodwill from industry to engage in discussions over the use of more sensitive tests. As WG point out themselves in the consultation document any move to increase the sensitivity of the current tests will reduce the specificity. So put simply more animals will be slaughtered and a greater number of these will be false positives. At the same time WG propose to change the compensation regime so that many of these animals will be compulsorily removed by Government and the farming business will not receive a fair and true value for these animals. This is an unacceptable scenario and Welsh Government must resist from making any changes to current arrangements.

NFU Cymru therefore want to be clear that our response to the questions within this consultation on proposals to change current testing arrangements are predicated on no changes being made without:

- A comprehensive impact assessment of the proposed changes on the cattle industry.



- An opportunity for industry to consider further once this assessment has been completed.
- The current compensation arrangements being maintained.

## Proposed areas for change

### A. Legal Requirement for farmer paid PrMT from herds in the Low TB Area.

1. *Do you agree with this proposal? Please explain your reasons?*
2. *Cattle entering the Low TB area from higher incidence areas need a clear PrMT. Do you agree cattle moving into the Low TB Area from a higher incidence area should also require a PoMT on arrival? Please explain your reasons?*

Whilst a range of views were received within our consultation meetings the majority opinion was that our members would support the re-introduction of PrMT in the Low TB area if it would help to reduce the chance of transmission in the Low TB area. Whilst members highlighted that this would place additional costs on farmers it will provide added reassurance and additional safeguards that animals being moved from herds in the Low TB area have tested negative prior to the move.

In relation to the PoMT requirement this is an issue where our membership responded with differing opinions. A significant proportion of members within the proposed Low TB area see the benefit of a belt and braces approach of Pre and Post movement testing to further reduce the risk of disease entering the Low TB area, providing increased protection for cattle herds, and reducing the risk of disease entering the wildlife population.

However, there are members who raised concerns at the additional costs and complications and overall value of PoMT. This was particularly the case for some beef finishing units who stressed the complexity with regards to ensuring that animals are tested at the correct time given that batches of animals purchased may all have different dates of pre – movement testing. These members, many who buy significant numbers of cattle have said that the additional bureaucracy and complications surrounding obtaining all the necessary information puts a strain on their businesses. This is a concern not just to the future of those businesses and the people they employ but also for our suckler herds, which rely heavily on these businesses purchasing their quality calves.

It was requested that evidence be provided as to the number of animals that have been identified as TB reactors as a result of the PoMT since introduction in 2017.

### B Legal requirement for farmer paid PoMT for all cattle movements to holdings in the intermediate TB areas from High TB areas, the High Risk Area and N. Ireland

3. *Do you agree cattle moving into the Intermediate TB Areas from higher TB incidence areas should have a PoMT? Please explain your reasons.*

Within our consultation meetings we received a range of views and opinions on this proposal, this highlights the importance of a full assessment and analysis of this proposal before a decision is taken. A number of members felt that the introduction this proposal could have a role to play in protecting the disease status of the intermediate area. Views were expressed that the belt and braces approach of pre and post movement testing could provide increased protection for cattle herds and reduce the risk of disease transmission to the wildlife population.

However, a number also expressed concern at the impact that this would have on cattle farming in the Intermediate area. Farmers expressed concern at the additional costs that this measure would place on businesses in the Intermediate area, noting that animals moving into this area from higher incidence areas would already have undertaken a PrMT.



With regards to concerns raised relating to the introduction of PoMT views expressed were very similar to those expressed in our answer to question 2. Farmers purchasing cattle are concerned about the additional costs and complications around compulsory post movement testing and ensuring that animals are tested at the correct time given that batches of animals purchased may all have different dates of pre – movement testing. These members, many who buy significant numbers of cattle have said that the additional bureaucracy and complications surrounding obtaining all the necessary information could put their cattle finishing units in jeopardy. This is a concern not just to the future of those businesses and the people they employ but also for our suckler herds, which rely heavily on these businesses purchasing their quality calves.

Farmers in the High TB areas expressed concern that a requirement to post movement test animals that move into an intermediate or low risk area (and farmers selling from an Intermediate to the Low area) will create a “two tier” market and this will have a clear impact on trade and their ability to realise a fair price for their cattle. Cattle in the High TB areas will be from TB free herds, all be tested on at least an annual basis, and will all be pre movement tested prior to being sold.

Farmers highlighted that the TB incidence areas of Wales very much mirror the maps of cattle density in Wales so businesses looking to procure stock will very often have to purchase animals from higher incidence areas as those are the areas where the majority of cattle are located. It was highlighted to us that this was a further transfer of costs onto farm businesses at the same time as WG refusing to undertake action to remove the reservoir of infection in wildlife from parts of Wales where the disease is endemic, and thus providing little hope that these higher incidence areas will see disease levels significantly reduced.

A decision to move forward with this proposal cannot be undertaken without consideration of proposal E (alternatives to the PrMT), for example, if a decision is taken to move forward with a more sensitive PrMT then that could negate the need for a PoMT.

NFU Cymru would highlight the need for a thorough analysis of the likely number of Bovine TB reactors identified by this proposal is undertaken alongside a full cost benefit analysis of the proposal. The findings of this work, undertaken in conjunction with stakeholders should be shared with industry for further consideration prior to any final decision being made.

## **C Explore the introduction of farmer paid PoMT for cattle movements from an identified TB Hotspot, or an identified high risk dispersal**

4. *Do you agree with Welsh Government exploring the temporary introduction of PoMT of cattle originating from an identified TB Hotspot, or high-risk herds?*
5. *Where do you feel this policy would have most impact? (For example, High TB Areas, Intermediate TB Areas or Low TB Area).*

Whilst in principle many of our members can see merit in these proposals we would like to understand more as to how WG would define or decide when a TB hotspot or high risk dispersal would be declared. This change would have a major impact on the dispersal sale, likewise for all farmers in a designated TB hotspot, regardless of a particular herd’s TB status and history.

With specific regard to a dispersal sale the revenue received from such a sale could be crucial to the farming family who may be dependent on the receipts of this sale to fund a retirement, succession or diversification into a new venture. Classifying the dispersal as ‘High Risk’ could have major implications on the number of potential buyers prepared to attend the sale and also the value realised for such stock. This is not therefore a decision that can be taken lightly, and clearly defined parameters must be set out and published so that farmers, their advisers, Vets and APHA are all clear of the decision-making process for defining a high risk herd dispersal. This is something that





WG need to discuss and consider and consult with stakeholders through the new Governance structures.

Questions were raised with regards to the practicalities associated with taking these measures forward prior to the introduction of the multi -species Wales database (EID Cymru). For example, we feel that it will be very difficult for farmers to get reliable and up to date information as to whether the animals they are purchasing are from a TB Hotspot, particularly given the temporary nature of these hotspots. It would be our view that there would be a need for this information to be made available and flagged up via EID Cymru. We do not believe that the current movement reporting and recording arrangements are suitable for the implementation of this proposal. We recommend that a working group be established to consider the opportunity that EID Cymru may provide to facilitate a proposal such as this, alongside other proposals within this consultation e.g. Informed Purchasing.

## **D. Not allowing a herd clearing test as a PrMT as we do in persistent herd breakdowns.**

6. *Do you agree with this proposal? Please explain your reasons.*
7. *Where do you feel this policy would have the most impact? (For example High TB Areas, Intermediate TB Areas or Low TB Area, or in specific circumstances).*

Members from across all TB areas of Wales unanimously rejected this proposal which would in effect keep a herd under restriction for a further 60 days post the clearing test. To become clear of disease the farm will already have undergone two clear tests. This proposal would put significant additional pressure on cashflow/ housing/ animal welfare on farms that have already had to deal with the additional pressures of TB restrictions on their business.

## **E What alternatives exist with regards which test(s) can be used for PrMT?**

8. *Do you agree with the statement 'the test used as PrMT should be more sensitive and therefore more likely to identify truly infected cattle but acknowledge that be at the expense of identifying more false positive cattle'? Please explain your reasons.*
9. *Do you acknowledge that if blood testing (gamma or IDEXX) testing is deployed as PrMT, there may be an additional cost to testing, which could not be met by Government. Please explain your reasons.*

This is an extremely important topic, and the consultation document encapsulates the challenges that the industry currently faces with the current range of tests and the varying levels of sensitivity and specificity of each different type of test.

Whilst clearly there are advantages in increasing the level of sensitivity of the testing regime for PrMT and PoMT to reduce the chance of an animal that has passed a Bovine TB test being moved whilst harbouring the disease it also has to be acknowledged that reducing the specificity of the test, and a resultant increase in false positives, will have major consequences for the farming business undertaking the test.

The consequences for a herd in the period from receiving a 'false positive' to becoming clear will be significant and potentially have major financial consequences. In many instances (e.g. a breakdown in previous three years) we assume that whole herd movement restrictions will be imposed, there may be a requirement for the whole herd to be tested and a significant time period may elapse to prove that the failed test was as a result of the test delivering a 'false positive' rather than the animal having been exposed to disease. During this time period the farming business will likely lose out on the sale of animals, face all the consequential losses associated with a herd under restriction and there is also the question as to how this restriction will impact on the disease accreditation status of the herd.



Some farmers will require a pre movement test for within business moves or to bring animals back from tack / rearing accommodation. As an example of the issues this could create, a false positive, for a dairy heifer on the point of the calving and needing to return to the home farm to calve and subsequently enter the milking herd could have major business and animal welfare consequences if this animal (and possibly the entire group) were prevented from moving until the issue had been resolved.

With regards to the costs associated with any additional / different types of tests members pointed out that they saw this as an additional transfer of cost on to the industry at the same time as Welsh Government has made it abundantly clear that they were not prepared to allow the implementation of a comprehensive TB eradication strategy in Wales.

The experience of some farmers with using some of the blood tests has been poor e.g. gamma blood samples not stored correctly between sampling and testing and the tests being void/rejected and having to be re-sampled / re-tested– this is very costly and does nothing to instil confidence in the use of those tests. If blood tests are to be used for pre-movement testing or post-movement testing, we have concerns with regards to where the liability lies for the costs of resampling / re-testing. We have concerns about the timeliness of receiving results and the impact that delays in receiving results or the need for resampling could have on the ability of farmers to move animals / trade. It is important to note that for some categories of cattle a farming business may have one market date in a calendar year to be able to sell that animal e.g. Pedigree bull sale, the impact of losing that sale as a result of a testing / sampling issue could be catastrophic for that business.

That said farmers fully recognise the importance of doing all that possibly can be done to reduce the chance of an animal harbouring Bovine TB, passing a TB test, and then being moved. The consequences that can have for the incoming herd and the area that the animal moves into are significant.

A change of this magnitude requires extremely careful consideration, a review of the science and evidence, a consideration of all the tests available (including the use of the current skin test under severe interpretation), how they operate (e.g. some are not standalone tests), the value of the current PrMT working in conjunction with PoMT (Options B and C in this consultation) alongside a comprehensive cost benefit analysis.

I would refer Welsh Government to the initial conclusions and recommendations of the NFU Cymru TB Focus Group in relation to Pre-Movement Testing at Annex 1. For ease of reference the relevant paragraph has been copied below:-

*In relation to the pre movement testing (PrMT) of animals it was felt that a thorough investigation and analysis (including cost benefit analysis) should be undertaken to consider the most appropriate test for the PrMT. Consideration needs to be given to the skin test and whether to use at standard or severe interpretation or whether another test altogether would be more appropriate. As part of this review consideration of the consequences of a change in test for the buyer, seller and within business moves (where a PrMT is required) needs to be considered. A technical advisory group that includes members of the farming and veterinary profession should consider the options in more detail.*

**F. Legal Requirement for farmers not to move cattle between test day 1 (day of injection known as TT1) and test day 2 (day of the reading of the test known as TT2) and between blood testing and receiving results.**

10. Do you agree with the proposed approach? Please explain your reasons.



With regards to the Skin Test NFU Cymru can support the above proposal on the basis that this is clearly communicated to farmers both in communication ahead of the TB test and by the Vet on day 1 of the test. With regards to blood testing we do have concerns with regards to the need in certain circumstances to resample / retest certain blood samples and would wish to know more about the issues that lead to this occurring and how this can be minimised (see our response to question 9). We would highlight the importance of farmers being made fully aware of the time it will take for blood testing results to be provided and that APHA ensure that farmers are made aware of the results of the blood test without any undue delay.

## **G. Consent to collect a sample for the purposes of TB testing or perform a test on a sample**

11. Do you agree with this approach? Please explain your reasons.

Whilst we can understand the reasons why Welsh Government would wish to expand the TB (Wales) Order 2010 as amended to include the need for written consent from Welsh Government to perform the sampling and testing of samples in relation to tuberculosis and to report the results immediately to Welsh Government we would have concerns if this change in any way impacted on the ability of research institutes and private companies to carry out important research into Bovine TB. We would be concerned if this additional step would act as a barrier or hinderance to companies and institutes considering research and development in Bovine TB that could ultimately benefit the control and eradication of Bovine TB from Wales. We would be concerned if this change stifled innovation.

## **Informed Purchasing**

### **Proposed areas for Change**

**A Adding a new ibTB showing the number of years unrestricted cattle herds have been Officially TB Free (OTF).**

**B Mandate provision and display of TB information at point of sale.**

*12. Do you agree with the proposals outlined? Please explain your reasons*

*13. In the future, do you believe there should be implications for cattle keepers who fail to take notice of TB information, and make a purchase regardless of highlighted risks? Please explain your reasons. What do you believe these implications should be?*

Informed purchasing is a topic that NFU Cymru has considered in some detail through our TB Focus Group. In principle NFU Cymru supports proposals that give potential purchasers of animals as much information as possible about the animals they are considering purchasing. It is important that any system adopted strikes the right balance between providing the necessary information without becoming overly complicated or potentially misinterpreted. We have previously expressed our support for funding for market operators to upgrade facilities to provide information on the TB status of the animal at the point of sale. We are aware of the challenges that some markets face in being able to provide this information and our view would be that wherever possible support be made available to provide incentives to support operators to provide this information. Due to the challenges that some market operators face to provide this information at point of sale, often due to issues beyond the control of the operator, we do not support the mandating of this information at the present time.

Whilst recognising the principle of providing information at the point-of-sale members have raised concerns that this could facilitate the establishment of a two tier market for both dairy and beef cattle with a severe impact on some businesses. Businesses that are often constrained from improving their disease status as a result of a government policy that allows for a reservoir of infection to remain within the wildlife population on their farm.



It is our opinion that informed purchasing will only work with a reliable up to date easy to access database. Therefore, taking forward this proposal will need to wait until the multi species database, EID Cymru is up and running for cattle and the disease status of both individual animals and the herd status can be easily and accurately recorded and viewed. In our response to questions 4 and 5 we proposed the establishment of a working group to consider the role that EID Cymru could play in supporting that proposal alongside Informed Purchasing. We would hope that WG will be prepared to consider this working group to consider the role that EID Cymru can play in TB control and eradication (as well as other diseases e.g. BVD).

In relation to ibTB NFU Cymru would, in principle, support exploring the possibility of adding a new map to ibTB to show the number of years currently unrestricted herds have been officially TB free. However, we would highlight the importance of ensuring the accuracy of information on ibTB both in terms of the data added to the map, the location of the breakdown, and the timeliness of data entry, given that the use of information could inform purchasing decisions of cattle keepers. We would also seek confirmation from WG that they have fully considered GDPR regulations.

NFU Cymru has previously expressed concern at the fact that this data is publicly available to all. We believe that this information should only be made available to cattle keepers and this could be achieved through a password protected portal, making use of Government Gateway and RPW Online. We do not believe that this data should be readily available to people who have no interest in using it for the purpose it has been designed for.

We have already expressed concerns at the possibility that these proposals could create bring a two – tier market for cattle with those farmers impacted by this feeling largely helpless in being able to improve the disease status of their herd as a result of the failure of Welsh Government to consider measures that actively remove the reservoir of infection in Wildlife in endemic areas of Wales. NFU Cymru note that other countries, who have adopted Informed Purchasing also have an effective strategy to tackle the disease in Wildlife. For this reason, NFU Cymru cannot accept measures that would penalise farmers as a result of their purchasing decisions.

## Options for an alternative approach to TB payments

*14. The Welsh Government proposes to link TB payments to implementation of disease prevention and control practices. What are your views on this?*

*15. Do you agree with any of the 3 proposals? Please explain your reasons.*

*16. Annex 1 to this consultation sets out all proposals considered by the TB Eradication Programme Board. Are there any other proposals you feel should be explored? If so, please provide details.*

We note Welsh Government's aims for a new TB payment regime as being:

1. A system which provides a fair and proportionate TB payments to cattle keepers.
2. A system which realistically reflects the financial resources available to fund TB payments.
3. A system which encourages best practice whilst also providing disincentives for non-compliance.

NFU Cymru supports the Welsh Government view that a TB payment system should provide fair and proportionate TB payments to cattle keepers. We want to set out at the outset of our response to this section that the only way to achieve this fairness is through the valuation of cattle on the basis of their individual merits achieved through the maintenance of the current TB compensation arrangements.





We respect that any system must reflect the financial resources available to fund TB payments. The only way that this aim can be achieved is to ensure that the disease is controlled quickly and effectively so that the disease has the smallest possible impact on the national herd. The fewer animals that need to be slaughtered as a result of bovine TB the lower the compensation bill and the lower the cost for both Government and industry, this can only be achieved through a comprehensive TB eradication strategy that tackles the disease in both cattle and wildlife populations. We would reiterate that the compensation paid to farmers for the loss of their animals does not cover the significant consequential losses associated with a TB breakdown on farm.

With regards to the WG stated aim to encourage best practice whilst also providing disincentives to non-compliance. We would point out that cattle keepers are doing their utmost to keep TB out of their herds, they adhere to arguably the most stringent cattle movement and testing controls in the world. Stringent cross compliance controls, veterinary improvement notices and reductions in compensation payments are already in place to penalise any keeper who does not adhere to TB controls.

As we have set out in our introduction to this consultation response, our members are deeply hurt by the inference in this section that there is little obvious financial incentive for farmers to proactively manage a TB breakdown on their farm (Page 30). This shows a complete lack of appreciation by Welsh Government for the impact that Bovine TB has on all aspects of everyday life on a farm suffering a Bovine TB breakdown.

NFU Cymru notes that one of the key drivers for change to compensation arrangements is that *“the efforts to improve the sensitivity of the testing across the board will likely result in more animals being slaughtered...”*. If WG move forward with a change to current compensation arrangements, then they will immediately remove any goodwill from industry to engage in discussions over the use of more sensitive tests. As WG point out themselves in the consultation document any move to increase the sensitivity of the current tests will reduce the specificity. So put simply more animals will be slaughtered and a greater number of these will be false positives, at the same time WG propose to change the compensation regime so that many of these animals will be compulsorily removed by Government and many farming business will be undercompensated for the value of these animals. This is an unacceptable scenario and Welsh Government must resist from making any changes to current arrangements.

NFU Cymru fundamentally opposes any system based on Table valuations for TB compensation, such a proposal has a number of significant shortcomings. A tabular valuation system is not fair to the farmer or to Government, because a system based on averages is likely to create as many instances of over valuation as under valuation. A table valuation as per the English system takes no account of many important factors, for example: -

- The individual characteristics of the animal e.g. size, weight, confirmation, legs and feet, calving history, stage of gestation, milk yield.
- Seasonal factors e.g. prices will vary depending on short term supply and demand factors.
- Bloodlines/ genetic merit
- Conventional or Organic status
- Animal health history / vaccinations received etc.

In terms of store animals, a tabular system does not cater for the differences between the best quality and second and third quality animals. It is widely accepted within the livestock industry that the best animals are retained for further breeding, the next best are sold for a premium price either deadweight or through specialist store / calf sales and the third draw are sold through the general ring. Whilst there are exceptions to this rule e.g. good quality butchers animals, this goes to highlight that a generic tabular valuation system will not take into account all the variations in stock commonly found on farm.



With regards to breeding stock, the relatively low number of animals in many categories that are traded does not provide enough information to give certainty to the value of animals that need to be compulsorily slaughtered and indeed no account can be taken of the fact that the very best stock are very rarely traded. For example, tabular valuations will take no account of animals that have been bred for generations on the same farm with breeding stock consistently retained and never sold.

Tabular valuations provide no recognition of the highest quality stock which may not be traded but from which embryos or semen may be collected and sold. For stock that are traded tabular valuations take no account of the actual value of the individual animal traded which could result in an animal being valued at a fraction of the value it may have been purchased for only a few months previously.

A tabular system will inherently reward the farmer who is lagging behind the bulk of the industry by providing a valuation in excess of the value of the animal to be taken. This same system penalises a farmer who is working hard and investing in livestock by paying less than the value of the animals. Welsh Government continually highlight the need for individual farming business to increase their resilience, the need to improve productivity, business performance and the use of better performing genetic stock. Moving forward with a tabular valuation system will penalise the very farming businesses that Welsh Government is purporting to champion.

For the reasons outlined above NFU Cymru is fundamentally opposed to a tabular valuation system. Without prejudice to this position, if WG continues against the will of industry to press forward with a system based on tabular valuations then we believe at the very least the system should make some allowance for the quality / condition / productive nature of the animal. We would argue that each cattle category should be subdivided into 5. On a Scale of 1-5, 1 would be the highest quality with 3 the median value and 5 for the poorest quality animal.

The median value of an animal would be derived from market data. For every grade above or below the median there would be an increase or reduction in valuation. Whilst the percentage difference between grades would need to be calculated following an analysis of all relevant data if we used an example of 12.5% difference between each grade then if the table valuation has a median value of £1000, then a Grade 1 animal would receive £1250 and a Grade 5 animal £750.

If this system was taken forward, then suitably qualified individuals would need to be appointed to carry out the assessments. They would need to have appropriate experience and proven ability developed through stock judging or classifying livestock.

The system above would be regarded as an improvement on the current tabular valuation system in England as it has the advantage above a crude tabular valuation of more closely associating the value of an animal to its condition / confirmation / quality which ties in better with a producers general understanding and belief as to how an animal should be valued. However, it would still fail to deliver a fair system as it will still not be able to consider the range of important factors that impact on the value of animal that we have highlighted above.

The consultation document states that DEFRA uses market prices to calculate compensation paid using sales data from around 1.5m cattle. As we have already highlighted given the diversity within the cattle industry in Wales we do not believe that a system based on averages can ever be created that will ensure cattle keepers achieve an accurate value for the animals that they will have compulsorily taken away from them. Without prejudice to these comments if Government continue to press ahead with these proposals it is important is that the maximum amount of information available is used to generate the table values. This should include deadweight price reporting and reporting from dispersal / farm sales as well as general market sales. Provision would need to be made for high genetic value animals involved in embryo transfer / semen collection. Sales data would also need to be analysed to see if there are trends in value of cattle or categories of cattle that suggest



that market values in Wales were at variance to England. We note that the consultation paper does refer to exploring the possibility of using market data relating to livestock registered to Welsh holdings or use market data from cattle markets in Wales. Whilst this may be useful to analyse any variance in cattle prices between countries there is a strong probability that for the vast majority of cattle categories the data would not be sufficiently robust.

One option put forward by Welsh Government is that Table valuations would be implemented with an increase to payment based on membership of an approved animal health accreditation scheme. We remain of the view that any system that has at its core a Tabular based valuation system is not a fair or proportionate payment system for cattle keepers suffering from a bovine TB breakdown. Whilst we believe that the role of animal health accreditation schemes needs to be actively considered in the context of a comprehensive bovine TB eradication strategy, and it is a matter that the NFU Cymru TB focus group has outlined as worthy of further discussion, we believe that seeking to tie the use of such schemes to a policy change that has been unanimously rejected by farmers could do significant reputational damage to the credibility of such schemes.

Welsh Government propose that an option may be an industry led independent group alongside an industry levy to partly fund TB payment costs. Welsh Government suggest that this would see TB payment managed in a similar way to New Zealand. NFU Cymru has significant knowledge of the operation of Government and Industry groups in New Zealand and how their groups operate as a result of regular meetings and exchanges between representatives of the agricultural industry in New Zealand and NFU Cymru. Based on our knowledge we would highlight that the situation in New Zealand is vastly different in terms of the flexibility and parameters that these groups operate in compared to that which would be allowed to occur in Wales.

We note that Welsh Government have inferred that the parameters in Wales would not be the same as allowed in NZ. New Zealand Government operate an outcome-based approach to policy goals with the introduction of regulation being introduced as a last resort. With respect to Bovine TB New Zealand have a comprehensive approach to eradication with wildlife control a fundamental part of this strategy, farmers therefore feel that they have a genuine opportunity to control and eradicate the disease from their herds and the countryside. Welsh farmers would not be prepared to consider a levy when they will continue to have very little control over the TB strategy in Wales, an extremely high and increasing regulatory baseline and a government that has categorically ruled out any opportunity to actively deal with the reservoir of diseased wildlife in Wales.

NFU Cymru believes that WG could be far more business orientated in seeking to realise a realistic salvage value for animals compulsorily slaughtered as a result of bovine TB. We would question whether WG currently have the right expertise to be able to ensure that abattoirs are providing a fair value for animals that are being slaughtered as a result of a TB incident and whether the costs that abattoirs charge WG are in line with the going rates. NFU Cymru would also question as to whether the required expertise is currently within OCVO / AHPA to ensure that costs of haulage and processing animals are charged at commercial rates and what efforts are made to ensure that animals are slaughtered in approved abattoirs that are most appropriate for the class of animal being slaughtered. NFU Cymru would suggest that Welsh Government need to consider how they can ensure that they are getting a fair and realistic salvage value and that they undertake due diligence for procurement contracts.

To conclude NFU Cymru is extremely concerned at proposals to move towards a table valuation system in Wales for animals that the Welsh Government wish to compulsorily slaughter as a result of a bovine TB incident.

Tabular valuation systems can never be comprehensive enough to accommodate the huge variations in livestock values. The value of animals varies enormously according to factors such as breed, sex, age, bloodline, genetic merit, pedigree status, stage of pregnancy, seasonality and organic status. As



we have highlighted within our response tabular valuations are as likely to overcompensate lower quality stock as they are to undervalue good quality stock, such a system is inherently unfair. In short there is a whole spectrum of different factors considered by a professional valuer, something that can never be replicated by any tabular valuation system.

On the one hand Government are encouraging farmers to increase the genetic potential and productivity of their livestock with an agenda of driving efficiencies and increasing resilience but at the same time they propose to introduce a tabular valuation system that fails to support farmers who make this investment in their businesses. We believe that this is contradictory in WG policy terms. In fact, these proposals may well act as a disincentive to improve herd genetics, particularly in high incidence areas of Wales.

This in NFU Cymru's view is nothing but an ill-conceived attempt to limit the Welsh Government's disease compensation liabilities. In our view taking decisive action to remove the disease from the wildlife population would deliver significantly more savings due to a much quicker reduction in disease levels and therefore overall compensation levels.

## Explore prohibiting feeding of unpasteurised milk to livestock on OTFW premises

*17. Do you agree with this proposal? Please explain your reasons.*

NFU Cymru members across all counties of Wales did not support the proposal to amend the TB (Wales) Order 2010 (as amended) in order to prohibit the feeding of raw cow's milk to calves in OTFW breakdowns.

Whilst we accept that there may have been cases of groups of young calves identified with TB lesions that suggests ingestion of infection, we would be keen to see more of the science / evidence and data to suggest that this is a major cause of infection and disease transmission on farm. We do not believe that the practicalities and unintended consequences of what is being proposed to bring into the sphere of regulation has been properly considered by Welsh Government. For example, the proposal as written would appear to exclude suckler calves from being able to suckle their mothers on OTFW premises? NFU Cymru is aware of a study published in the Veterinary Journal 194 (2012) 299-302 titled *A matched cohort study investigating the risk of Mycobacterium bovis infection in the progeny of infected cows* by a range of authors including Darrell A. Abernethy, now of Aberystwyth University Vet School, that concluded that the progeny of tuberculosis dams were not at significantly increased risk of Mycobacterium bovis infection.

It would appear that this proposal would exclude calves on all OTFW farms from being able to receive colostrum from their mothers. There are numerous reasons why farmers will consider it good husbandry for calves to be fed milk that has been produced on the farm. It is also important to note that Organic certification standards require calves to receive cows milk. If there is evidence on specific farms following epidemiological investigation that the specific circumstances relating to the feeding of raw milk to calves is high risk then we believe that the vet can highlight this to the farmer that it is practice that needs to be halted. The vet could have the option of stipulating this through a Veterinary Improvement Notice if the farmer fails to take heed of the initial guidance from the vet.

## TB and non-bovine species

### A. Explore consolidation of the legislative requirements for sheep and pigs into the Tuberculosis (Wales) Order 2011

*18. Do you agree with this proposal. Please explain your reasons.*





NFU Cymru would request further information as to why Welsh Government are now taking the decision to specifically consolidate the requirements for sheep and pigs into the TB (Wales) Order 2011. If sheep and pigs are to be included (which we believe are low risk conductors of disease) then why are not other vectors of disease, including wildlife not also being added to the Order?

## B. Identification of non-bovine for TB testing purposes

*19. Do you agree with this approach? Please explain your reasons.*

NFU Cymru agrees with this proposal

### Governance

Throughout our response to this consultation NFU Cymru has highlighted that improvements in communication between Government and industry in relation to Bovine TB are essential. Our comments so far, in this response and in our Focus Group work, have concentrated upon the relationship between WG, APHA, the Private Vet and the Farmer. The relationship between Government, stakeholders and academia is also vital, we therefore welcome a Welsh Government refresh of current Governance arrangements.

Whilst Government set out throughout this consultation the need to respect Government priorities and red lines, Government must also respect that many of the organisations that would wish to be involved in the Governance arrangements also have priorities and red lines determined by their membership. In certain areas this will create tension and areas where agreement within any Governance structure will not be possible, conversely there will also be areas where both Government and Industry can agree and have constructive discussions on the development of new policies.

As we have already highlighted, this consultation does not include a Regulatory Impact Assessment. We have expressed our disappointment that WG has yet to attempt, through the consultation or through the publication of a RIA, to set out the costs and impacts of the proposals on businesses and regions of Wales. It is vital that a full and comprehensive RIA alongside the science and evidence base underpinning all the proposals that will impact on farming businesses is completed. The refreshed Governance groups should have the opportunity to be fully involved in the development of the RIA and science and evidence base. Once this work is completed industry should have a further opportunity to comment on the proposals prior to any decision being undertaken by Welsh Government.

*20. Do you agree with the role and representation of the TB Eradication Programme Board? Please explain your reasons.*

It is difficult for NFU Cymru or our members to be able to comment on the role and representation of the TB Eradication Programme Board because we have had no interaction with the Board. As far as we are aware the membership of the Board is not in the public domain, we are not aware of the Terms of Reference of the Group, how appointments are made, and we are not aware of any work of the group having been published on the Welsh Government website. It is therefore not appropriate for us to comment on the work of the Programme Board to date.

That said, NFU Cymru believe there is merit in a Programme Board that is responsible for providing direction and management of the programme, including monitoring it's implementation. The Programme Board should be made up of the key representative organisations and bodies dealing with Bovine TB in Wales.



The Programme Board should consist of NFU Cymru and the FUW representing Cattle Keepers, BVA Cymru and BCVA Cymru representing the Veterinary Profession in Wales, the Chairs of the Regional Eradication Boards, a representative of APHA as the delivery agency, a representative from the TB centre of excellence in Aberystwyth and a representative from OCVO.

*21. Do you agree with any of the options outlined above? If yes, please state which. If not, please provide the reasons why.*

*22. Do you believe there is an alternative approach? If so, please explain further.*

NFU Cymru would agree with many of the aims of the revitalised approach, we would however make the following comments.

Stakeholders, farmers, private vets and other industry professionals have been prepared to give up their own time and resources to engage in the current Governance arrangements. NFU Cymru staff members see attendance at Regional Eradication Boards as a priority to ensure the views of our members are represented at these meetings. However, we are aware that Board members have felt frustrated that the collective views and opinions of the Board have often appeared to fall on deaf ears.

Welsh Government throughout the consultation document talk of the need for industry to respect Government priorities and red lines and to work within parameters. Whilst it is respected that these red lines, priorities and parameters have been set by elected members (Welsh Government Ministers), Welsh Government also need to respect that Stakeholders also have priorities and parameters that have been set by their own members (in our case farming businesses). These members have voluntarily joined membership organisations to ensure that their views are represented by elected Officeholders and Staff. From a NFU Cymru perspective we are willing to participate in the Welsh Government Governance structure and to contribute constructively to the development of new policies wherever possible. NFU Cymru respect Government priorities and red lines but similarly Welsh Government need to respect our own priorities and red lines and understand that in certain policy areas we will have differing opinions that we will not be able to agree upon.

NFU Cymru is broadly supportive of maintaining the Regional Board geographical structure. We support the principle behind the boards in providing a forum where key stakeholders, farmers, vets, auctioneers, APHA and WG at a regional level can consider and discuss issues of relevance and importance to the region. For these Boards to be successful members of the Boards need to feel that their views are valued and considered. We do have concerns that at times the Boards have been seen as a mechanism for WG and APHA to simply update members of activities rather than work in genuine partnership on specific measures to tackle the disease in the region.

NFU Cymru do not have an issue with a 're-start' for the Regional Board geographical structure in terms of membership of the group and the setting of appropriate clear Terms of Reference. We would suggest that the Board could be appointed for a fixed term e.g. 3 years with the Board electing their own Chair to represent them on the TB Programme Board. We have valued NFU Cymru representation on the Boards, it has helped NFU Cymru to be able to feed into the Boards issues that members in the respective regions have raised at a local level and also to decimate work of the boards to our members in the region. We believe that this arrangement for key stakeholder organisations regional representatives to be members of the board should continue in future.

We believe that the Boards should be given the autonomy to develop pilot projects / work streams on issues directly relevant to their region. The Board could also have an important role in ensuring that communication from APHA / WG to industry is written in a way that is most relevant for the region e.g. the general level of understanding of TB terminology and rules and regulations may be vastly



different in the Low TB area of Wales, where TB incidence levels remain relatively low compared to a High TB area where incidence levels are high and dealing with TB rules and regulations is a daily occurrence.

NFU Cymru do not believe that a publicly appointed group would be appropriate, whether that be a single group to cover the whole of Wales or two groups, one covering North and one covering South Wales. We firmly believe that the Governance structures should be filled by members who are representing key interested parties in Bovine TB eradication in Wales e.g. farmers and vets. Publicly appointed individuals serve in an individual capacity and do not represent any organisation. Public appointments are ultimately accountable to Welsh Ministers. We do not think this structure is appropriate if the aim of Welsh Government is to reinvigorate stakeholder engagement, help strengthen the links between Government and Industry and facilitate two-way flow of information.

*23. Do you agree with this proposal? If so, please suggest scientific disciplines which could add value to the Programme? Please explain your reasons.*

NFU Cymru would support the establishment of a Technical Advisory Group and believe it sensible that this group would report to the Programme Board and consider technical issues including cattle vaccination and TB diagnostics. As a group focussed on science and evidence this group must have the opportunity to consider all elements of bovine TB control and not be excluded, for example, from considering the role of wildlife in disease spread in Wales.

We would agree that such a group would include experts in their fields from academia and industry. We would suggest that membership of this group would be relatively small, experts would ideally be based in Wales and at least one member of the group would have strong practical and on the ground knowledge of the practicalities of dealing with a TB incident on farm. The group would have the ability to call in experts from across the world, including from countries that have implemented successful eradication programmes.

## Other questions

*24: We would like to know your views on the effects these proposals would have on the Welsh Language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects mitigated?*

*25: Please also explain how you believe the proposed policy approach could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.*

NFU Cymru would express concerns about the impact of proposals on the Welsh language. Firstly, we would highlight that the Well-Being of Future Generations Act places a duty on public bodies to work to enhance economic, environmental, social and cultural well-being in Wales. This includes working towards seven key well-being goals which includes 'A Wales of vibrant culture and a thriving Welsh language'.

The Welsh Government Strategy 'Cymraeg 2050 - A million Welsh speakers' – a strategy document for the promotion and facilitation of the use of the Welsh language identifies the Welsh language as 'one of the treasures of Wales' and establishes a vision for 2050 of a Welsh language that is thriving,



where the number of Welsh speakers has reached a million and where there is recognition by all of its contribution to the culture, society and economy of Wales. In that context we would refer to evidence that recognises the role of Welsh farmers as key promoters and protectors of our culture, heritage and the Welsh language.

The Welsh Government Agriculture in Wales document from 2019 provides a summary of the number of Welsh speakers based on 2011 census results. Overall, 43% of workers in Agriculture, Forestry and Fisheries speak Welsh compared to an average of 17% across all workers in Wales. This figure is the highest percentage of any sector. 4 of the top 6 counties in terms of the proportion of Welsh speakers are also 4 of the top 6 counties in terms of the population employed in Agriculture, Forestry and Fisheries (Gwynedd, Anglesey, Ceredigion, Carmarthenshire).

The evidence is useful in highlighting the role of farming within our communities in terms of the preservation of the Welsh language. The scourge of Bovine TB remains one of the main barriers to the industry achieving its ambition of a productive, progressive and profitable industry, underpinning the sustainable growth of the Welsh food and farming sector and being the axis around which rural communities thrive. The repeated failure of Welsh Government to introduce a comprehensive TB eradication programme in Wales, reaffirmed in this Government's Programme for Government, continues to threaten the viability of many farming businesses in Wales. Proposals to amend the current compensation arrangements that will see many of our farming businesses no longer receiving a fair value for their compulsorily slaughtered animals will impact on farm viability and the efforts of these family families to set their businesses up for the next generation. Factors which impact farm viability and therefore the ability of that farm to employ family and outside labour and reduce their ability to spend in rural communities threaten these same rural communities that are strongholds for the Welsh language.

Throughout this response and within the work of the TB Focus Group NFU Cymru has highlighted the need for improved communication between WG/APHA and the farming industry. We would stress the importance of APHA/WG being able to offer a similar standard of service to farming families in both the Welsh and English languages and ensuring that APHA have the staff resource to be able to deliver this to farming families across Wales.

The impact assessment that we have requested as part of this consultation process should specifically look at the impact of the Welsh language in the context of these proposals and the overall WG TB programme. Overall, it is our strong view that a thriving Welsh language in rural areas is underpinned by thriving Welsh farms; any proposals that weakens the farming sector will ultimately weaken our Welsh language and what defines us as a people and a nation.

*26: We have asked a number of specific questions throughout this document. If you have any related issues which we have not specifically addressed, please specify.*

It is vitally important when considering the impact of Bovine TB on farm and on rural Wales we consider the impact on the mental health and well-being of farmers, vets and all those involved in supporting families with a bovine TB incident on farm.

The 2021 RABI Big Farming Survey, a survey of over 15,000 farming people across England and Wales provides a comprehensive picture of the pressures and impacts farmers are facing. It is concerning that the report states that 36% of the farming community are probably or possibly depressed and over one-half of women (58%) experience mild, moderate, or severe anxiety. The report highlights that there are multiple causes of stress amongst the farming community; regulation, compliance and inspection, Covid-19, bad / unpredictable weather, loss of subsidies / future trade deals. It is incumbent on all involved in creating, implementing, and delivering policies impacting on farmers that we understand the potential impact of these policies and the mental health and wellbeing of farming families.





In 2019, Public Health Wales and the Mental Health Foundation published their report 'Supporting farming communities at times of uncertainty' – an action framework to support the mental health and well-being of farmers and their families. The report identifies that improving the mental health and well-being of farmers and their families is of considerable importance.

NFU Cymru is a partner of the Wales Farm Safety partnership and supports the work of the Farm Safety Foundation which seeks to tackle the stigma around mental health issues with campaigns like #MindYourHead. We are grateful for charities such as RABI, Tir Dewi, the DPJ Foundation, FCN and Addington Fund for the support that they give to individuals and farming families.

Farmers often tend to keep their worries and concerns to themselves and some still perceive a stigma attached to mental health matters. This can hinder the ability to seek help when it is most needed. It is also a concern to us that there will be a percentage of farming families who do not engage with any public bodies, organisations, or stakeholder groups and who may live in relative isolation. These families may not realise that there are charitable bodies that may be able to assist them in times of need. These families may possibly require a robust support system more than any other. NFU Cymru staff have undertaken mental health training with the DPJ Foundation. This included a day's training for the NFU Cymru Head Office staff as well as training for the wider network of Group Secretaries located throughout Wales.

In the context of Bovine TB, it is widely known the impact that this disease can have on farming families and all those involved in seeking to control and eradicate it from Wales. It is so important that in terms of policy decisions a strategy is implemented that gives farming families a genuine hope that they can rid the disease from their farm once and for all.

In the course of our consultation meetings, we have become aware of farmers who feel trapped, unable to leave the industry because they cannot get clear of Bovine TB, it was felt that consideration needs to be given to a fair and equitable exit scheme/strategy for these farmers to help resolve a situation that will be impacting on their health and wellbeing.

Communication is absolutely vital, all too often we hear of instances where farmers are struggling to get hold of their case vet, of difficulty in understanding the vast array of letters and licences they receive and of not knowing what will happen next in relation to their TB breakdown. It is crucial that farmers feel fully engaged with the management of the TB incident on their farm, that communication is clear, consistent, and delivered in a way that they can understand. Farming families need a point of contact who they can speak with and who will respond in a timely and efficient manner to help clarify and resolve any issues or queries that they may have.



## ANNEX 1

### NFU Cymru TB Focus Group Initial Draft Report

#### Background

Following a discussion on the continued impact of Bovine TB on Welsh farming families at NFU Cymru Council on the 26<sup>th</sup> May 2021, the NFU Cymru President requested that a NFU Cymru TB Focus Group be set up with immediate effect. The President asked Roger Lewis, Pembrokeshire NFU Cymru County Chair to Chair the Group.

#### NFU Cymru Bovine TB Focus Group – Terms of Reference

Bovine TB and its eradication remains one of NFU Cymru key policy priorities. Its eradication will help us achieve our vision of a productive, profitable and progressive farming sector.

Bovine TB is a complex disease and requires a comprehensive and holistic approach to deliver an effective eradication programme.

Bovine TB is a notifiable disease on account of the fact that all mammalian species, including humans are susceptible to bovine TB.

#### Aim

To provide advice, guidance, and recommendations to the NFU Cymru President / Deputy President and NFU Cymru Council on NFU Cymru Bovine TB Policy

#### Actions

The Group will take advice from policy, technical, legal, and veterinary experts both within NFU Cymru / NFU and from outside organisations.

The Group will consider the NFU Cymru lobbying priorities with regards to Bovine TB taking consideration of the following factors: -

- The overriding goal and importance of eradicating Bovine TB from Wales
- The Political Landscape in Wales and current WG Bovine TB Eradication Programme.
- The wider UK political landscape with focus on England's eradication programme
- Eradication strategy and lessons learnt from other countries.
- Consideration of the health and wellbeing of farming families impacted by Bovine TB.
- The importance of maintaining viable farming enterprises for herds impacted by Bovine TB

#### Membership

Members of the group will be selected for their expertise on matters relating for Bovine TB. Membership of the group will be reviewed periodically.

#### Secretariat

To be provided by the NFU Cymru Policy Adviser

### **Progress**

A number of meetings have been held between June and November 2021 with Industry, Welsh Government, APHA, Veterinary Representatives and Academia. The Group have decided to issue a preliminary set of draft recommendations to stimulate discussion within NFU Cymru. The draft recommendations cover topics discussed in meetings to date. The Group recognise that there are a number of key areas which they have not yet had the opportunity to consider. The Group also highlight that a number of the draft recommendations should be considered as 'work in progress'. The Group felt it important to share their work to date with the NFU Cymru President / Deputy President, NFU Cymru Council and the wider membership for comment and to generate discussion and debate.

The group made a conscious decision not to focus on recommendations in relation to wildlife within their initial work programme. The views of NFU Cymru are well known on this matter and the Group fully support the position of NFU Cymru in calling for a comprehensive TB eradication programme in Wales that actively tackles the reservoir of disease in both Cattle and Wildlife Populations.

### **Draft Recommendations**

#### **Testing**

The group supported the need for a thorough review and analysis of the current testing protocols whilst bearing in mind that the *single* intradermal comparative cervical tuberculin test (SICCT) is likely to remain as the OIE test requirement for herds to become officially TB free. Any changes to testing must not impact on the ability of cattle and beef/dairy products from Wales to be able to be traded within the UK and further field.

There was broad consensus that the skin test is good at finding disease at a herd level but not so effective at identifying all infected animals in the herd and therefore not the ideal test for identifying disease in individual animals. Concern was raised in herds subject to frequent testing that there could be possible distortions with the constant introduction of tuberculin intradermally.

On a practical level the SICTT test requires the cattle to be put through the crush twice whereas some of the alternative tests would only require them to go through once at any given test which would be a significant saving both in terms of on farm resource and veterinary resource and less stress on the cattle.

The annual herd test across Wales should continue. Whilst the Group is supportive of the regionalised approach in Wales it does bring with it complexities with regards to testing requirements. The frequently asked questions available on the website is to be commended but as it gets longer with regular updates it does get harder to comprehend. We will return to how this matter could be addressed within the communication section.

In relation to the pre movement testing (PrMT) of animals it was felt that a thorough investigation and analysis (including cost benefit analysis) should be undertaken to consider the most appropriate test for the PrMT. Consideration needs to be given to the skin test and whether to use at standard or severe interpretation or whether another test altogether would be more appropriate. As part of this review consideration of the consequences of a change in test for the buyer, seller and within business moves (where a PrMT is required) needs to be considered. A technical advisory group that includes members of the farming and veterinary profession should consider the options in more detail.



Whilst respecting that a herd cannot be deemed as clear of disease without undertaking a clear SICTT test the group recommend more flexibility with regards to the testing regime for herds whilst under restriction, particularly for long term breakdowns. The farmer working closely with their own vet and APHA should have the opportunity to consider a testing regime based on the specific circumstances and epidemiological challenges facing the herd. This may involve use of a greater range / combination of tests and on occasion veering from the continuous 60-day skin test regime. The farmer must be made fully aware of the potential implications and consequences of adopting a bespoke approach.

The current shortage of vets does occasionally result in timeliness issues, the Group recommend the use of trained lay testers to carry out both the SICTT and blood tests. We believe that this would also have the added advantage of freeing up veterinary resource that could be better deployed supporting the farmer with managing the breakdown and devising a strategy to ensure that the herd becomes clear in the shortest possible time.

WG/APHA should provide keepers with the option of receiving individual test chart results for every animal at each test. This would potentially allow the keepers to make informed decisions as to whether animals are to be retained in the herd or not, particularly those that have previously tested as inconclusive or continually display a reaction to Bovine tuberculin. APHA should provide a password protected portal for keepers to be able to access this information. We believe with this information there are opportunities for farmers to work with their vet on risk management. The group also considered the possibility of inconclusive reactors, that subsequently become clear, being restricted to that herd for life. The group felt that Welsh Government should consider an incentive payment to remove IRs and other animals identified as 'at risk'.

The increased use of novel tests is likely to identify diseased or at-risk animals earlier. This inevitably means that potentially more animals within individual herds would be taken for slaughter and more herds may be placed under restriction. Whilst this may be beneficial from the disease control point of view, the implications of the loss of many productive animals at the same time will have on the business should not be underestimated and the group believe that this matter requires further consideration, considering how farming businesses can be supported and to have access to viable trading outlets whilst under restriction.

## Communication

The Group see improved communications as a vital issue where there is scope for a great deal of improvement. Tailored communication strategies need to be designed e.g., for those who come under restrictions for the first time; for those that find themselves in long term herd breakdown situations and for areas of Wales where Bovine TB has not been a common issue historically.

Whilst recognising the statutory requirement of providing the necessary paperwork the sheer volume means that important messages are often lost to the detriment of disease control. The amount and complexity of paperwork needs to be urgently addressed by APHA/WG. The Group recommend the setting up of a working group involving members of the Focus Group and APHA / WG to look carefully at all communications between APHA and Farmers. Communication needs to be tailored to ensure that it is clearly understood by the reader. It needs to be recognised, for example, that farmers (and even vets) in areas of the country where TB has not historically been a problem will have a lesser understanding of the terminology and detailed rules associated with Bovine TB rules compared to farmers (and vets) in a high incidence area where unfortunately the disease has become part of everyday life.

The Group recommend the setting up a password protected portal (perhaps on the RPW online portal) where cattle keepers could access in date order the letters that have been sent to them by Government.





There is a need to consider the ability to contact the appointed case vet when needed. All too often farmers find that she/he is not available (not helped by a large turnover and reassignment of case vets) and queries are passed on to the duty vet who may have other priorities and takes time to return calls on matters which are often urgent. It may be that greater use of Technical/Animal Health Officers could be considered, with an AHO also assigned to a herd breakdown to help act as a conduit and provide customer service at time when the case vet will not be available within a reasonable timeframe.

The group recommend the farmers own vet be far more involved in the management of a TB Breakdown. Dealing with a breakdown on farm should be a genuine partnership between farmer, the farmer's own vet and the APHA. There is a need to look again at how a timely and meaningful meeting can be set up between the three parties and how all three can continue to work together throughout the course of a herd breakdown agreeing a strategy to ensure the disease can be tackled as quickly as possible and a plan subsequently agreed to try and prevent recurrence. Whilst these meetings should ideally take place on farm the opportunity presented through virtual meetings could be used if needed. The overall aim must be a meaningful and practical action plan that has been jointly developed and agreed by all three parties. We recognise the role that Welsh Government have played in trying to facilitate this relationship through Cymorth TB but believe this approach needs to be reinvigorated.

The Group have also considered the possibility of a group of farmers in a defined area e.g. parish or sub county level, working in partnership with local vets, APHA / WG and research bodies e.g. Aberystwyth University on an action plan for an area to better understand the disease picture, the drivers behind disease spread and a co-ordinated plan to consider how the disease could be tackled. This is something that the Group will consider in more detail during their next phase of work.

The complexity and constantly changing rules associated with Bovine TB is a huge cause for concern. This can be in relation to many issues including dealing with a breakdown, pre and post movement testing, the rules around AFUs, contiguous testing or even moves between areas of different TB status. The Group believe that APHA / WG should instigate a dedicated helpline that would provide a central point of contact for farmers in Wales to be able to seek advice and guidance on TB rules. The helpline could operate in a similar manner to how the Customer Contact Centre operates for RPW Schemes. Alongside this would be the assistance that could be provided by Animal Health / Technical Officers for farms under restriction when the case vet was unavailable.

### **Biosecurity**

Good biosecurity as with any disease control programme is vital, for TB control going forward, everything possible needs to be done to ensure that this can be implemented. With the current Welsh Government policy prohibiting the cull of diseased wildlife the Group believe that Government has an added responsibility to support farmers in being able to operate good biosecurity, in particular with regards to the separation of cattle from badgers wherever possible.

The group strongly recommend that Welsh Government through future capital grant schemes includes items that support good biosecurity and in particular enable effective separation of Cattle and Wildlife to be supported. Measures to stop badgers entering sheds should be a priority and separation in fields with known badger sets on adjoining land. Intervention rates should be set at 70-80% and based on actual costs.

### **Informed Purchasing**

Informed Purchasing has a role in future TB control but will need careful thought and a recognition that it could result in a two-tier market for both dairy and beef cattle with a severe impact on some



businesses. Businesses that are often constrained from improving their disease status as a result of a government policy that allows for a reservoir of infection to remain within the wildlife on their farm.

Informed purchasing will only work with a reliable up to date easy to access database. Therefore, its inception will need to wait until EID Cymru is up and running and the disease status of both individual animals and the herd status can be easily and accurately recorded and viewed. Thought also needs to be given to how it would work with cattle sold through markets and how purchasers in this important sale method can be best informed.

Risk will also need to be considered in relation to production systems i.e., those animals sold for further breeding potentially more of a risk than those for finishing for example.

It is also important to restrict provision of information to those who have a legitimate reason to access the cattle database through a password protected data portal.

## Calves/AFU's/Orange Markets

The Group emphasised the importance of both approved finishing units and orange markets as an avenue of sale for those farms who find themselves under restrictions of movement due to TB. AFU numbers are sadly lacking in Wales with many cattle having to be sold to English AFU's. The Group recognise that there is further work needed to investigate the barriers to the establishment of further AFUs in Wales. Orange markets are welcomed but it is sometimes difficult to attract buyers in sufficient numbers to these markets. Also selling calves off herds that are not officially TB free is a major problem due to the very small number of AFU's willing to take young calves under 42 days (after that they need to be tested before moving to an AFU).

Welsh Government should undertake a risk assessment to investigate the possibility of raising the 42-day rule to 90 days without the need for testing. There is also the issue of timeliness with regards to the issuing of movement licenses meaning farmers missing slots to get cattle into AFU's. Consideration should be given to a general licence being issued where a breakdown herd has a contract with an approved finishing unit. The focus group highlighted that during the course of a breakdown APHA will restrict the sale of calves for significant periods of time, this makes it extremely difficult for effective supply chain relationships to be developed between the farm and the AFU. This must be simplified.

## Conclusion

The draft recommendations within this report are presented as a document that we hope will generate discussion. The recommendations are in no way comprehensive, and the group recognise that there is a need to consider these recommendations and many more in further detail in the next phase of work. The Group recognise that these recommendations will not find favour with all, in fact, even within the Group there was and continues to be differing views on many topics. We see this as healthy recognising the amount of thought and consideration that everyone gives to this disease and how to tackle it on their own farm and across Wales. The one common aim of everyone on the Group is the determination that the status quo cannot continue and as farmers we must continue to strive to eradicate this horrendous disease from our herds and our countryside. We recognise that there are extremely important topics that we have yet to provide comment on and top of this list is our concern for the mental health and wellbeing of our farmers, vets, and everyone else who is impacted by this disease. The Group are also keen to consider the role that accreditation schemes e.g. CHCS TB could play in Bovine TB control and eradication.



We reiterate that the Group are adamant that the active removal of disease across all vectors is critical to a successful TB eradication strategy.

The Group would like to thank all those experts who have given up their time to provide evidence to the group and the willingness of all of them to attend our meetings and so willingly, positively, and actively contribute to our work.

We welcome your observations on these draft recommendations.

## Summary of Recommendations

- A thorough review and analysis of the current bovine TB testing protocols (including cost benefit analysis) should be undertaken. A technical advisory group that includes members of the farming and veterinary profession should consider options going forward in more detail.
- The group recommend more flexibility with regards to the testing regime for herds whilst under restriction, particularly for long term breakdowns.
- The Group recommend the use of trained lay testers to carry out both the SICTT and blood tests. Veterinary resource should be focussed on supporting the farmer with managing the breakdown and devising a strategy to ensure that the herd becomes clear in the shortest possible time.
- WG/APHA should provide keepers with the option of receiving individual test chart results for every animal at each test. With this information there are opportunities for farmers to work with their vet on risk management. Welsh Government should consider an incentive payment to remove IRs and other animals identified as 'at risk'.
- The use of novel tests is likely to identify diseased or at-risk animals earlier. This inevitably means that potentially more animals will be taken for slaughter and more herds may be placed under restriction. Whilst this may be beneficial for disease control the implications of the loss of many productive animals at the same time will have on the business should not be underestimated and the group believe that this matter requires further consideration as to how farming businesses can be supported and to have viable trading outlets whilst under restriction.
- The Group see improved communications as a vital issue where there is scope for a great deal of improvement. Tailored communication strategies need to be designed e.g., for those who come under restrictions for the first time; for those that find themselves in long term herd breakdown situations and for areas of Wales where Bovine TB has not been a common issue historically.
- The amount and complexity of paperwork needs to be urgently addressed by APHA/WG. The Group recommend the setting up of a working group involving



members of the Focus Group and APHA / WG to look carefully at all communications between APHA and Farmers.

- The Group recommend the setting up a password protected portal where cattle keepers could access in date order the letters that have been sent to them by Government.
- There is a need to urgently consider how a farming business under restriction can receive timely responses to queries / licence requests from their Case vet / APHA.
- The group recommend the farmers own vet be far more involved in the management of a TB Breakdown.
- The Group believe there are opportunities for groups of farmers in a defined area e.g. parish or sub county level, working in partnership with local vets, APHA / WG and research bodies on an action plan for an area to better understand the disease picture, the drivers behind disease spread and a co-ordinated plan to consider how the disease could be tackled.
- The Group believe that APHA / WG should instigate a dedicated helpline that would provide a central point of contact for farmers in Wales to be able to seek advice and guidance on TB rules.
- The group recommend that Welsh Government through future capital grant schemes includes items that support good biosecurity and in particular enable effective separation of cattle and wildlife to be supported. Intervention rates should be set at 70-80%.
- Informed Purchasing has a role in future TB control but will need careful thought and a recognition that it could result in a two-tier market with a severe impact on some businesses. Informed purchasing will only work with a reliable up to date easy to access database.
- The Group emphasise the importance of both approved finishing units and orange markets as an avenue of sale for those farms who find themselves under restrictions of movement due to TB. The Group recognise that there is further work needed to investigate the barriers to the establishment of further AFUs in Wales.
- Welsh Government should undertake a risk assessment to investigate the possibility of raising the 42-day rule to 90 days without the need for testing. There is also the issue of timeliness with regards to the issuing of movement licenses meaning farmers missing slots to get cattle into AFU's. Consideration should be given to a general license being issued where a breakdown herd has a contract with an approved finishing unit.

