



MEMBER'S BRIEFING:

Helping you understand the changes to TB rules in England from July 1st, 2012

The package of rule changes and clarifications issued by Defra this week is far-reaching and is likely to affect all of you in some way or other from July 1st. The changes will be exceedingly painful for many beef producers – but the one small consolation is (unlike the restocking rule change in late January) we have been given forewarning and there is a small window of opportunity for businesses to prepare and consider making changes if appropriate or necessary.

The intention of this document is to outline the changes in a reasonably simple way, and share some of the clarifications we have secured from Defra's TB team. We have broken the changes down into 10 distinct topics but if you have any other concerns or questions the NBA is always at the end of the phone or available via email.

1. Reduction of compensation for overdue tests

- Compensation cuts will be introduced on a sliding scale, starting when tests are more than 60 days overdue.
- There will be allowances for "exceptional cases" where a delay is "justifiable or unavoidable".
- You have 21 days to appeal a cut to compensation after the decision is made.
- Tests that were more than 60 days overdue on July 1st, 2012 will not be affected, so the first cuts will be enforced from 60 days after July 1st.
- *Defra has confirmed to the NBA* that this change does not affect 'intelligent testing' and the option is still there to discuss re-arranging routine test dates with your local AHVLA office, who will take into consideration all the circumstances. Intelligent testing is where a farmer asks for a delay in their test until cattle are housed and contact with TB-infected wildlife is limited, because it is more sensible to delay a July/August test to November than cattle picking up infection just after a summer-timed annual test and it potentially not being recognised until 12 months later.

Overdue test	Reduction in compensation
61-90 days	25%
91-180 days	50%
Over 180 days	95%

2. New compensation categories for young pedigree beef animals

- There will be a new compensation category for pedigree beef animals aged under six months, acknowledging that pedigree animals are often registered before six months of age and are therefore eligible for their own category within the tabular valuations.
- In addition, the calved dairy cows category will be split in two, to stop females under seven years old being under-compensated and females over seven years old being over-compensated.

3. No pedigree compensation for non-pedigree cattle

- This is a clarification that pedigree compensation will not be paid unless the owner of the animal has a full pedigree certificate for that animal.
- *Defra has confirmed to the NBA* that they have taken e-certificates into account and these can be submitted electronically, as an alternative to a hard copy where appropriate.
- And a loophole had been closed (as the result of someone trying to claim pedigree compensation for steers!) clarifying that pedigree animals must have "breeding potential".

4. **Clarification of when sales data is collected to calculate average market values:** This is the 21st of one month to the 20th of the next for non-pedigree cattle, and six months for pedigree cattle.
5. **Zero compensation if the cattle passport if not presented before the reactor goes for slaughter** (but with an exemption for when this is “outside the farmer’s control”).
6. **Removal of the 30-day residency exemption for PMT**
 - PMT remains valid for 60 days, with cattle being moved multiple times in that period.
 - But removal of the 30-day residency exemption (for cattle who were not resident on a holding for more than 30 days) means cattle can no longer move after 60 days without being retested.
7. **PMT required for “high risk” herds housing cattle at agricultural shows**
 - This applies when cattle are resident for more than 24 hours and/or are kept inside at the showground.
 - It does not matter where in the country the show is, only where the herd resides. It only applies to herds in one and two-year testing areas.
8. **PMT required for cattle moving from a SOA in a “high risk” area to a SOA in a “low risk” area**
 - This is very specific to movements between risk areas, as farmers with SOAs all in high risk or all in low risk are not affected.
 - Movements are still permitted, but not without pre-movement testing first.
9. **Removal of CTS links between holdings in “high” and “low risk” areas**
 - No new CTS links will be issued between holdings in high and low risk areas.
 - No CTS links will be renewed between holdings in high and low risk areas.
 - CTS links between holdings in high and low risk areas that currently do not have an expiry date will be gradually phased out, with BCMS notifying those producers affected.
10. **Removal of SOAs**
 - No new SOAs will be approved, regardless of location or if you are in a high or low TB risk area.
 - No new premises will be approved for existing SOAs, again regardless of location or if you are in a high or low TB risk area.
 - Existing SOAs will continue as they are, but with the new PMT rules explained at point 8.
 - Removal of SOAs has been on the table since the Richard Macdonald Red Tape Review, but the NBA expected it as part of the on-going CPH Review, rather than these TB changes. As such, we have this change to SOAs now and are likely to see all existing SOAs (as well as all CTS links) abolished at a later date.

DEFINITIONS

High risk = herds in one and two-year testing areas.
Low risk = herds in three and four-year testing areas.

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