

EXECUTIVE NOTE

THE FOOT and MOUTH DISEASE (SLAUGHTER AND VACCINATION) (SCOTLAND) REGULATIONS 2006 (SSI 2006/45)

Introduction

The above instrument is made by Scottish Ministers under section 2(2) of the European Communities Act 1972. The instrument is subject to negative resolution procedures.

Policy Objective

The **Foot and Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006 (SSI 2006/45)** provides powers to vaccinate susceptible animals in line with the EU FMD Directive (2003/85/EC) and sets the framework for how the powers would be used.

Background

As required by the Directive, these Regulations ban vaccination except under license by Scottish Ministers and also ban the export of vaccinated animals.

Where protective vaccination (or “vaccinate to live”) is specified, vaccination will take place in a Vaccination Zone (VZ), of such size as is necessary to contain the disease. A Vaccination Surveillance Zone (VSZ) will also be established, for at least 10km around the VZ, where no vaccination is permitted. Various movement controls apply to both the VZ and the VSZ and products from vaccinated animals are generally required to be either heat treated, or deboned and matured.

Keepers of animals are required to provide any information regarding the animals they are responsible for, to submit animals for vaccination as required and to provide any assistance as may reasonably be required in securing animals to facilitate vaccination.

Those involved in carrying out vaccination are responsible for the identification of vaccinated animals through ear tagging and making a written record. Following FMD freedom, vaccinated animals may be traded freely on the domestic market, and meat and other products from vaccinated animals does not need to be marked or treated and can be exported.

The Regulations also impose a duty to slaughter animals on Infected Premises unless they are pre-registered as scientific or rare breed animals and are held under highly biosecure conditions.

Consultation

The draft SSI was made available for public consultation for eight weeks from July to September 2005. During that time a meeting of key Scottish stakeholders was held to explain the main points of the legislation and to elicit responses. In general stakeholders were supportive of the thrust of the Executive’s proposals; however, they felt that the post vaccination provisions were complex and not easy to understand and accordingly some redrafting took place to make them more user-friendly.

Impact

A draft Regulatory Impact Assessment, covering both these Regulations and the Foot and Mouth Disease (Scotland) Order 2006 was published for consultation in July 2005. Responses to the consultation indicated support for Option 3 (transposition of the Directive plus other measures found to be effective in disease control.)

A full Regulatory Impact Assessment is included with these Regulations.

Key points are:

- Costs depend on location, size and duration of outbreak
- Options examined are (1) to use current legislation, (2) transpose Directive exactly, (3) include extra measures found effective in 2001
- In small outbreaks, nothing to choose between options
- In medium to large outbreaks, Option 3 offers advantage
- The economic benefits of FMD control outweigh the costs of the disease becoming endemic.

SCOTTISH EXECUTIVE ENVIRONMENT AND RURAL AFFAIRS DEPARTMENT
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