
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 155

AGRICULTURE

The Rural Development Contracts (Land Managers Options) (Scotland) Amendment Regulations 2009

<i>Made</i>	- - - -	<i>22nd April 2009</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>23rd April 2009</i>
<i>Coming into force</i>	- -	<i>15th May 2009</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾ and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Rural Development Contracts (Land Managers Options) (Scotland) Amendment Regulations 2009 and come into force on 15th May 2009.

Amendment of the Rural Development Contracts (Land Managers Options) (Scotland) Regulations 2008

2.—(1) The Rural Development Contracts (Land Managers Options) (Scotland) Regulations 2008⁽²⁾ are amended in accordance with paragraphs (2) to (7).

(2) In regulation 2(1) (interpretation)—

(a) omit the definition of “Council Regulation 1782/2003”; and

(b) in the appropriate place, insert—

““Council Regulation 73/2009” means Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No. 1290/2005, (EC) No. 247/2006, (EC) No. 378/2007 and repealing Regulation (EC) No. 1782/2003⁽³⁾.”

(1) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) S.S.I. 2008/159.

(3) O.J. No. L 30, 31.01.09, p16.

- (3) In regulation 5 (maximum amount of aid payable), for “Article 22 of Council Regulation 1782/2003” substitute “Article 19 of Council Regulation 73/2009”.
- (4) In regulation 8 (eligible land)–
- (a) in paragraph (1)(a), for “Article 22 of Council Regulation 1782/2003” substitute “Article 19 of Council Regulation 73/2009”;
 - (b) in paragraph (1)(b), for “Article 20 of Council Regulation 1782/2003” substitute “Article 17 of Council Regulation 73/2009”; and
 - (c) in paragraph (3), for “Article 20 of Council Regulation 1782/2003” substitute “Article 17 of Council Regulation 73/2009”.
- (5) In regulation 10 (undertakings)–
- (a) in paragraph (2), after “area related options” insert “and the animal welfare management programme”;
 - (b) in paragraph (5)(a), for “Article 4 of, and Annex III to, Council Regulation 1782/2003” substitute “Article 5 of, and Annex II to, Council Regulation 73/2009”; and
 - (c) in paragraph (6)–
 - (i) for “either or both” substitute “any of the”; and
 - (ii) for “18 and 19” substitute “18, 19 and 22”.
- (6) In Schedule 1 (interpretation of schedules), at the appropriate place insert–
- ““finishing animals” means feeding animals for subsequent slaughter”; and
- ““veterinary surgeon” means a person who is registered in the register of veterinary surgeons or the supplementary veterinary register provided for under sections 2 and 8 of the Veterinary Surgeons Act 1966(4).”.
- (7) In Schedule 2 (land managers options)–
- (a) in column 2 of option 8 (membership of quality assurance and organic schemes), after “Scottish Quality Wild Venison Assurance Scheme”, insert–

“QMS Quality Meat Assurance Scheme – Cattle and Sheep
QMS Quality Meat Assurance Scheme – Pigs
Scottish Quality Farm Assured Combinable Crops Scheme”;
 - (b) in column 3 of option 21 (active management to improve the condition of vernacular rural buildings, archaeological or historic sites and historic landscapes), omit “annual” in both places where it appears;
 - (c) after option 21, insert–

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
22. Animal welfare management programme	This is a 5 year commitment. An applicant is eligible for payment under this option if the applicant has at least 5 livestock units, comprising cattle, sheep or goats (or any combination of these	

(4) 1966 c. 36. Section 2 was amended by S.I. 2003/2919, Schedule, paragraph 1 and S.I. 2008/1824, regulation 2.

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>animals) entered on the single application and holds them on farm for at least 10 months of the scheme year; and undertakes the following–</p> <p>(1) Annual animal welfare review</p> <p>In each year of the 5 year animal welfare management programme (by 30th June in year one and by 1st December in years 2 to 5) together with a veterinary surgeon, an applicant must–</p> <p>(a) review the current welfare of the applicant’s livestock, including assessing welfare against the 4 welfare criteria and 12 welfare themes in the EU Welfare Quality Project⁽⁵⁾;</p> <p>(b) highlight disease risks in the surrounding area, nationally and internationally and the potential impact on livestock welfare;</p> <p>(c) identify potential opportunities to improve welfare in at least one of the following 5 areas:</p> <p>(i) preventing pathologies due to farm practice;</p> <p>(ii) improving housing conditions;</p> <p>(iii) increasing outdoor access;</p> <p>(iv) reducing use of mutilations; and</p> <p>(v) provision of feed and water closer to natural needs;</p> <p>(d) in year one, agree actions from the list</p>	<p>£38.00 per scheme year.</p>

(5) Information about the EU Welfare Quality Project can be found at <http://www.welfarequality.net>. In particular see factsheet on “principles and criteria of good farm animal welfare”.

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>of actions in “(4) Actions to improve welfare” (below) to be undertaken for the 5 year programme; and</p> <p>(e) in years 2 to 5, review the impact of these actions and discuss the results of monitoring and benchmarking activities outlined at “(2) Animal welfare monitoring and benchmarking” (below) to identify–</p> <p>(i) any impact of any actions taken on welfare; and</p> <p>(ii) specific areas of weakness and targets to aim for.</p> <p>(2) Animal welfare monitoring and benchmarking</p> <p>In each year of the 5 year programme the applicant must, in agreement with a veterinary surgeon–</p> <p>(a) perform additional inspections and record on an agreed regular basis (monthly, quarterly or annually) specified breeding and welfare measures according to enterprise type;</p> <p>(b) pass data to a veterinary surgeon within an agreed timescale as entered on the Animal Welfare Management Plan; and</p>	<p>£53.00 per scheme year.</p>

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<ul style="list-style-type: none"> (c) arrange for a veterinary surgeon to enter and analyse the data in the central Scottish Animal Welfare Monitoring and Benchmarking System to investigate– <ul style="list-style-type: none"> (i) any impact of actions taken on welfare; and (ii) specific areas of weakness and targets to aim for. 	
	<p>(3) Annual animal welfare management plan</p> <p>In each year of the 5 year programme the applicant must, together with a veterinary surgeon–</p> <ul style="list-style-type: none"> (a) assess the welfare status, agree actions to improve welfare and obtain from a veterinary surgeon, by 1st December, and implement by the end of the scheme year, a plan that documents– <ul style="list-style-type: none"> (i) in years 2 to 5 a summary of the review with a veterinary surgeon; (ii) current use of routine mutilations and planned changes; 	£46.00 per scheme year.

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<ul style="list-style-type: none"> (iii) the current feeding regime (type and timing) and any planned changes; (iv) current biosecurity arrangements and any planned changes; (v) agreed specific actions from “(4) Actions to improve welfare” (below); (vi) veterinary justification for any changes to the actions chosen from “(4) Actions to improve welfare” (year 2 onwards) (below); (vii) a planned schedule of prophylactic treatments; and (viii) a proactive schedule for treating any non notifiable diseases arising, detailing first line and second line treatment for each disease identified as a risk, treatment 	

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>instructions and withdrawal periods;</p> <p>(b) include in the plan a section signed and dated by both the applicant and a veterinary surgeon that includes–</p> <p>(i) land parcel identifier(s) of fields–</p> <p>(aa) identified as a separation facility (if taking the biosecurity option);</p> <p>(bb) at high risk or infected with liver fluke (if taking liver fluke control options); and</p> <p>(cc) grazing taken out of use (if taking the sheep scab option);</p> <p>(ii) a declaration from his or her veterinary surgeon that a detailed plan has been</p>	

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>produced and that appropriate benchmarking data has been received on an agreed regular basis; and</p> <p>(iii) a declaration from the applicant that the minimum number of livestock units will be held on the farm for at least 10 months of the scheme year and that this includes the appropriate animal types for the options undertaken.</p> <p>(4) Actions to improve welfare</p> <p>The applicant must, in discussion with a veterinary surgeon, choose and undertake at least 3 of the 10 actions below each year. Applicants who undertake 4 or 5 options must have at least 8 livestock units. Applicants who undertake 6 to 10 options must have at least 14 livestock units.</p>	<p>£372.00 per scheme year.</p>
	<p>Action One – Implementing biosecurity</p>	

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
		£30.00 per hectare on non nitrate vulnerable zone(6) land.
	<p>The applicant must put in place and implement–</p> <ul style="list-style-type: none"> (a) procedures for sourcing new livestock that minimise the risk of bringing disease onto the farm. This must include obtaining written assurance that the person from whom the livestock is sourced has current membership in a relevant health accreditation scheme(s); (b) at least one separation facility to be used for new stock coming onto the farm. The separation facility must have physical barriers and stock management procedures that prevent both direct and indirect contact between animals in the facility and other animals on the farm. Records must be kept of the dates and use of the separation facility; (c) a standard regime on receiving new livestock, agreed with a veterinary surgeon, to include– <ul style="list-style-type: none"> (i) an appropriate length of isolation period and what to look for during observations; 	£29.00 per hectare on nitrate vulnerable zone land for field based separation facility per scheme year up to 5 hectares.

(6) “Nitrate vulnerable zone” is defined in Schedule 1 (Interpretation of Schedules) of the Rural Development Contracts (Land Managers Options) (Scotland) Regulations 2008 (S.S.I. No. 2008/159).

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<ul style="list-style-type: none"> (ii) footbathing of incoming stock; (iii) vaccinations routinely used on the farm against disease known to exist on the farm; (iv) faecal sampling for parasites and, where parasites are present, appropriate treatment; and (v) blood sampling for evidence of infection of at least one of the following: Bovine Viral Diarrhoea (“BVD”), Infectious Bovine Rhinotracheitis (“IBR”), and Johne’s disease. 	
	(d) procedures to reduce the risk of staff, visitors, contractors, deliveries and collections bringing disease onto farm which must be documented and effectively communicated to them; and	
	(e) disinfection procedures on the farm and for farmer’s own livestock transport to prevent the spread of disease which must be documented and effectively communicated to them.	
	Action Two – Reducing mutilations in sheep	£285.00 per scheme year.
	The applicant must–	
	(a) adjust stock management to eliminate all routine–	
	(i) tail docking; and	
	(ii) castration, and	

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>(b) limit the use of other mutilations to specific instances, where a veterinary surgeon considers not to undertake them would compromise health and safety of staff, visitors, contractors, public etc or animal welfare.</p> <p>Procedures for animal identification, embryo transfer or surgical procedures are not mutilations under this option.</p> <p>Any procedures deemed necessary by a veterinary surgeon for welfare or unavoidable practical reasons must be performed by a person trained in the procedure by a veterinary surgeon.</p> <p>Action Three – Maintaining bodily condition</p> <p>This option is for breeding cows, heifers, sheep and gimmers only. Finishing animals are not eligible.</p> <p>(a) undertake and complete training in conditioning scoring from a veterinary surgeon in the first year of the commitment;</p> <p>(b) undertake conditioning scoring of all breeding females 6 to 8 weeks before breeding and 6 to 8 weeks before calving/lambing, record the results and assign to appropriate feeding groups;</p> <p>(c) undertake conditioning scoring of a sample of breeding females on each of the occasions listed in the tables below</p>	<p>£383.00 per scheme year.</p>

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>and record the results. In dairy herds a minimum of 50 cows, in beef herds a minimum of 25 cows and in sheep flocks a minimum of 50 ewes must be scored. Where the herd or flock size is less than these sample sizes all eligible stock must be scored;</p> <p>(d) during the annual review, obtain and implement advice from a veterinary surgeon on the type and timing of supplementary feeding, taking account of forage analysis and nutritional advisory services obtained, required to achieve (e) (below); and</p> <p>(e) maintain body condition scoring of at least 95% of the sample livestock between 1.5 and 4.0 at all stages and maintain at least 75% of the sample between the ranges at the stages outlined in the tables below.</p>	

Body Conditioning Scoring

<i>Dairy cows</i>	<i>cows</i>	<i>heifers</i>
Pre-calving	2.5–3.0	2.5–3.0
Pre-service	2.0–3.0	2.0–2.5
Drying off	2.5–3.0	

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<i>Suckler Autumn Spring Summer cows calving calving calving and heifers</i>	
	At calving	2.5–3.0 2.5–3.0 2.5–3.0
	At service	2.5–3.0 2.5–3.0 2.5–3.0
	At turnout	2.0–2.5 2.0–2.5 2.0–2.5
	At start of winter	2.5–3.0 2.5–3.5 2.5–3.0
	<i>Sheep Lowland Hill ewes ewes</i>	
	Mating	3.0–3.5 2.5–3.0
	Lambing	2.0–2.5 2.0–2.5

Action Four – Preventing lameness

Sheep or cattle or goats only
£424 per scheme year.

The applicant must–

Minimum 2 of sheep, cattle
and goats £429.00 per scheme
year.

- (a) footbathe all adult livestock as follows–
 - (i) sheep, beef cattle and goats at least twice yearly; and
 - (ii) dairy cattle – monthly;
- (b) in respect of housed cattle clean all areas of the house twice daily, except straw bedded courts;
- (c) maintain gateways and areas around feeding stations in a firm condition;
- (d) undertake, and complete training in the first year of the commitment in,–
 - (i) footrot scoring if keeping sheep; and
 - (ii) locomotion scoring if holding cattle;

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>(e) undertake regular lameness scoring as follows–</p> <p>(i) locomotion scoring for a minimum of 50 cattle, monthly for dairy and twice yearly for beef. Give treatment for scores of one or more; and</p> <p>(ii) footrot scoring for a minimum of 100 sheep and 50 goats twice yearly. Give treatment for scores of 2 or more; and</p> <p>(f) ensure physical foot inspection of all adult livestock is carried out twice in the scheme year and foot trimming untaken where necessary.</p>	
	Action Five – Mastitis control	£372.00 per scheme year.

This option applies to dairy cows.

The applicant must–

- (a) on a monthly basis, collect individual milk samples from each cow in the herd and arrange for laboratory analysis for somatic cell count. Where the cell count for an individual is greater than 250,000 cells per ml for more than one consecutive month, the applicant must ensure a veterinary investigation into the cause of the mastitis infection is carried out and follow veterinary advice on treatment;

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>(b) ensure a minimum of one veterinary visit is made during the scheme year to investigate–</p> <p>(i) any hygiene deficits during milking; and</p> <p>(ii) any design, bedding, flooring or hygiene deficits with cubicles, that may contribute to mastitis infection, and address any problem identified; and</p> <p>(c) during the scheme year ensure at least 2 visits from machine maintenance contractors are carried out, or more as may be required by manufacturer’s recommendations.</p>	
	<p>Action Six – Control and prevention of diarrhoea and pneumonia</p> <p>Where livestock managed together suffer an outbreak of scour or pneumonia the applicant must–</p> <p>(a) take–</p> <p>(i) faecal samples from a selection of animals affected by scour;</p> <p>(ii) swabs and/or blood samples from a selection of animals affected by pneumonia;</p> <p>(iii) ensure laboratory analysis for diarrhoea and pneumonia pathogens is carried out; and</p> <p>(iv) reduce stocking density, increase</p>	£419.00 per scheme year.

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p style="text-align: center;">ventilation and/or carry out treatment and/or vaccination as appropriate; and</p> <p>(b) undertake a lungworm surveillance programme to comprise–</p> <p>(i) a monthly bulk milk antibody check for lungworm in dairy cows from August to January inclusive;</p> <p>(ii) collecting faecal samples from at least 6 other non milking cattle every 2 months from August to January for laboratory analysis; and</p> <p>(iii) initiate treatment and/or vaccination programme as appropriate if disease is identified.</p>	
	Action Seven – Liver fluke control	<p>£280.00 per scheme year, plus £278.00 per hectare per scheme year for loss of grazing, (£264 per hectare per scheme year for nitrate vulnerable zone land) where grazing is lost in terms of (c) in column 2 (below).</p>
	<p>The applicant must–</p> <p>(a) where possible, obtain feedback of identified incidences of liver fluke from the abattoir;</p> <p>(b) at least once every 2 months collect faecal samples from at least</p>	<p>A maximum of 1.5 hectare may be claimed per scheme year.</p>

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>6 sites on the farm for bulk laboratory analysis.</p> <p>Initiate treatment if the liver fluke is detected;</p> <p>(c) identify high risk areas of ground for grazing and avoid using such areas between July and March inclusive;</p> <p>(d) on the basis of faecal sampling results, identify liver fluke infested pasture and do not use such pasture between July and March inclusive;</p> <p>(e) record in the Animal Welfare Management Plan fields that are partially or wholly affected by (b) and (c) (above); and</p> <p>(f) inspect and clear drainage for pasture at least twice a year.</p>	
	<p>Action Eight – Johne’s disease control</p> <p>This option applies only to cattle.</p> <p>The applicant must–</p> <p>(a) isolate and test scouring cattle without delay;</p> <p>(b) ensure that housed cows calve in clean, well-bedded areas and outdoor cows calve in sparsely stocked fields free from heavy faecal contamination;</p> <p>(c) ensure that calves only receive colostrum from their own dam, or in the absence of their own dam’s colostrum, preferably from a single animal that has repeatedly</p>	£378.00 per scheme year.

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>tested negative for Mycobacterium avium paratuberculosis;</p> <p>(d) ensure that housed calves are subsequently reared in a clean environment, free from adult faecal contamination;</p> <p>(e) not use pasture close to ponds/streams/ditches that also pass through neighbouring land;</p> <p>(f) not graze young stock on pasture where slurry has been applied in the last 3 months;</p> <p>(g) not graze weaned stock on pasture where adults have grazed;</p> <p>(h) not co-graze or sequential graze with other livestock that can carry Johne’s disease infection;</p> <p>(i) not breed from the offspring of infected cows. Where at least 30% of cows are infected, limited breeding using some of the progeny may be undertaken under specific and written veterinary instruction; and</p> <p>(j) join an approved Johne’s disease control programme(7).</p> <p>Action Nine – Control of bovine viral diarrhoea (BVD)</p> <p>The applicant must–</p> <p>(a) prevent nose to nose contact with</p>	£372.00 per scheme year.

(7) An approved Johne’s disease control programme is one which meets the Cattle Health Certification Standard (“CHeCS”). Information about CHeCS can be found at <http://www.checs.co.uk> and at <http://www.afbini.gov.uk/chs-checs-technical-document.pdf>.

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	neighbouring cattle at farm boundaries;	
	(b) cull persistently infected adults and vaccinate the breeding herd against BVD in an on-going programme that adheres to the vaccine manufacturer’s recommendations;	
	(c) where possible, source breeding replacements only from herds that are Cattle Health Certification Standard (“CHeCS”) accredited free of BVD or individuals that have been satisfactorily screened for BVD virus according to the Cattle Health Improvement Plan for Scotland guidelines ⁽⁸⁾ and have been vaccinated;	
	(d) where such cattle cannot be sourced, screen purchased animals for BVD virus and maintain them in isolation from other stock until freedom from persistent infection can be established;	
	(e) calve in isolation pregnant animals purchased and found positive for antibody to BVD. The calf must be isolated until it can be tested and shown not to be a persistently viraemic calf. Where a calf is found to be persistently infected it should be culled;	
	(f) not buy dairy bred calves to set on to cows that	

⁽⁸⁾ Information regarding the Cattle Health Improvement Plan for Scotland is available in the Programme guidance by Scottish Ministers relating to these Regulations at <http://www.scotland.gov.uk/srdp>.

<i>“Column 1 Option</i>	<i>Column 2 Activities and Eligibility Conditions</i>	<i>Column 3 Rate of Payment</i>
	<p>have lost a calf unless the calf can be sourced from an accredited BVD free herd;</p> <p>(g) monitor dairy herd infection by carrying out quarterly bulk milk antibody monitoring in the dairy herd. Where the bulk tank is strongly positive, composite first lactation samples must be used; and</p> <p>(h) in the beef herd, sample and test 5 animals from each separately managed group of calves in the 9 to 18 months age range each year.</p>	
	Action Ten – Sheep scab control	£204.00 per scheme year.
	The applicant must–	
	(a) contact farm managers from all neighbouring farms using common land or using land immediately adjacent to their own, where sheep from both premises could come into contact. Where possible co ordinate treatment for sheep scab; and	
	(b) where co ordinated treatment is not possible, not use common land or land immediately adjacent (within 5 metres) to land used by neighbouring farms and must record these areas in the Animal Welfare Management Plan.	<p>£15.00 per hectare per scheme year for loss of grazing.</p> <p>A maximum of 10 hectares may be claimed.”.</p>

St Andrew's House,
Edinburgh
22nd April 2009

RICHARD LOCHHEAD
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Rural Development Contracts (Land Managers Options) (Scotland) Regulations 2008, (“the 2008 Regulations”) which introduce measures to supplement Council Regulation (EC) No. 1698/2005 (“the Council Regulation”) which lays down general rules governing Community support for rural development (financed by the European Agricultural Fund for Rural Development established by Council Regulation (EC) No. 1290/2005 and Commission Regulations (EC) Nos. 1974/2006 and 1975/2006 laying down detailed rules for the application of the Council Regulation.

The 2008 Regulations provide for the payment of aid to be made available by the Scottish Ministers from the Scotland Rural Development Programme 2007–13 to any person who enters into an undertaking with the Scottish Ministers to carry out, or as the case may be carry out and maintain activities relevant to at least one of the land managers options set out in Schedule 2 to those Regulations.

Regulation 2(2) of these Regulations inserts definitions into regulation 2(1) of the 2008 Regulations to update the regulation following the repeal of Council Regulation 1782/2003.

Regulation 2(3) and (4) amend regulations 5 and 8 of the 2008 Regulations to replace references to Council Regulation 1782/2003 with references contained in Council Regulation 73/2009.

Regulation 2(5) amends regulation 10(2) of the 2008 Regulations to include references to the animal welfare management programme. Regulation 10(5)(a) is amended to refer to Article 5 of, and Annex II to, Council Regulation 73/2009. A minor amendment is also made to paragraph (6) of regulation 10 to correct typographical errors.

In regulation 2(6) of these Regulations the definitions of “finishing animal” and “veterinary surgeon”, which are referred to in option 22 of Schedule 2 to the 2008 Regulations, are inserted into Schedule 1 to the 2008 Regulations.

Regulation 2(7) adds three additional quality assurance schemes to the list of schemes at option 8 of Schedule 2 to the 2008 Regulations. These schemes are “QMS Quality Meat Assurance Schemes (Cattle and Sheep); QMS Quality Meat Assurance Scheme (Pigs) and Scottish Quality Farm Assured Combinable Crops Scheme”. Regulation 2(7) also adds a new option 22 to Schedule 2 to the 2008 Regulations, called the Animal Welfare Management Programme.

These Regulations result in no increase in costs to the Scottish Government, local government or business. No Regulatory Impact Assessment has therefore been carried out.