

## **EXECUTIVE NOTE**

### **THE BRUCELLOSIS (SCOTLAND) AMENDMENT ORDER 2011**

**SSI 2011/51**

#### **Legislative context**

1. The above instrument was made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. It amends the Brucellosis (Scotland) Order 2009 in so far as it relates to the frequency of testing milk for presence of disease.

#### **Policy Background**

2. Brucellosis is a disease of cattle resulting from infection with *Brucella Abortus* which causes reduced fertility, abortion and premature calving. The Brucellosis (Scotland) Order 2009 provides for regulatory controls which aim to keep the incidence of Brucellosis in Scotland at a very low level.
3. Great Britain was granted Officially Brucellosis Free status 20 years ago and has since operated a surveillance programme to maintain this status which is more stringent than that required by EU legislation, (Council Directive 64/432/EEC). As a condition of that Directive, Great Britain was required to maintain a surveillance programme for 5 years after achieving OBF status. Since this period has elapsed, the Scottish Ministers are entitled to use discretion in deciding what level of surveillance is now applied, including the option to cease all routine testing of indigenous cattle.
4. In Scotland, we currently require primary milk purchasers to submit monthly bulk milk samples for testing at approved laboratories. However, in view of our OBF status, we have concluded that it is possible to take a more risk based approach and move from the current monthly sampling controls to quarterly testing without compromising our ability to detect at an early stage the onset of the disease in the national herd.

#### **Policy Objectives**

5. This amendment is required to remove the current legal obligation in the Brucellosis (Scotland) Order 2009 on primary milk purchasers to have bulk milk samples tested on a monthly basis.
6. This obligation is to be changed to require quarterly testing of bulk milk samples.

#### **Consultation**

7. Key stakeholders in the dairy and farming industry and the veterinary profession were consulted about this change. No objections were raised and there appears to be a consensus view that there is little justification for maintaining the current level of surveillance.

## **Financial Implications**

8. The changes being introduced will impose no additional financial burden on stakeholders or the Scottish Government. Therefore no Business Regulatory Impact Assessment has been prepared.

**Animal Health and Welfare Division  
Scottish Government  
Rural Affairs and the Environment**