businesscompanion
trading standards law explained

Cattle that have been refused passports

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This guidance is for England

Every bovine animal in the United Kingdom is identified by a unique number, which is shown both on ear tags and in a cattle passport. By law, all cattle must be registered on the Cattle Tracing System (CTS) by applying to the British Cattle Movement Service (BCMS) for a valid cattle passport.

An application for a cattle passport must be received by BCMS within 27 days of birth (with the exception of bison, applications for which need to be with BCMS within seven days of birth).

Cattle without passports, whether male or female, cannot be moved off your holding alive except under licence. They may also need to be tested for BSE.

Cattle identification

The Cattle Identification Regulations 2007 require that every bovine animal in the United Kingdom has a unique number, shown both on an ear tag in each ear and on a paper cattle passport, which is held by the current keeper of the animal (this system covers both cattle and other bovine animals such as water buffalo and bison). The unique number and passport remain with the animal throughout its life and any movements of cattle are recorded both on the paper passport and electronically on a national system administered by BCMS. Such a system is important because it:

- supports the control and eradication of bovine diseases - for example, bovine tuberculosis (bTB) and foot-and-mouth disease (FMD)
- protects consumers by ensuring that products going into the human food chain are as fully traceable and as safe to eat as possible

More information can be found in 'Cattle identification'.

Passport applications may be refused by BCMS if you apply late. If so, the animal(s) will be registered on the CTS and you will receive a notice of registration (CPP35); this is not a cattle passport. The animal(s) will not be eligible for slaughter for human consumption and cannot be sold or moved from the holding except under a pre-movement licence to a hunt kennel or knacker's yard.

What can I do with cattle that do not have passports?

In the first instance you may consider appealing against BCMS's refusal to issue passports. Grounds for appeal are limited and you will need to provide evidence to show there were exceptional circumstances that stopped you making the application on time - for example:

- postal delays are a common reason for appeal, but BCMS will require independent evidence, such as a certificate of posting (you are advised to ask for a certificate of posting for any paper applications)
- those outside your control ('acts of God'), such as major floods, regional or national power failures, or postal strikes
- personal circumstances, including a death in the family, a sudden serious illness and theft of or damage to your farm records or computer
- mistakes made by BCMS or a breakdown of CTS

The following are not grounds for appeal:

- a mistake, oversight or misunderstanding by you or anyone acting for you
- being too busy with other farm work
- financial difficulties

Send your appeal in writing to:
Appeals Section, BCMS, Curwen Road, Workington, Cumbria, CA14 2DD

It is imperative that if you are going to appeal, you do so immediately.

BCMS may issue a cattle passport outside the specified time, but only if it is satisfied about the animal's identity and that all the information in the application is accurate.

This can be based on a DNA test, which proves that the animal or the offspring of the dam shows in the application. Further information on appeals of DNA testing can be obtained from the BCMS telephone helpline (0345 050 1234).

Cattle without passports, whether male or female, cannot be moved off your holding alive except under a licence issued by BCMS. Alternatively, the cattle can be shot on your holding and disposed of to a knacker's yard, hunt kennel, rendering or incinerator plant in accordance with animal by-products legislation. Further guidance on cattle without passports can be found on the GOV.UK website.

Fallen cattle that die or are slaughtered on-farm or in transit (other than for human consumption) may need to be tested for BSE; see 'BSE testing of cattle' for more information.

Cattle keepers must contact a collector within 24 hours of death to arrange delivery to an approved sampling site.

If delivering the carcases themselves, they should contact an approved sampling site to agree to this within 24 hours and must deliver the carcase within a further 48 hours; contact your normal collector or the National Fallen Stock Company (NFSCo) on 01335 320014.

Female cattle can be used as milking or suckler cows, and their calves are eligible for passports. Cows used in this way will have no value at the end of their commercial life and will have to be put down on-farm and dealt with as mentioned above.

Male cattle (except for a bull kept for breeding purposes) have no value and should be shot and disposed of as outlined above as soon as possible to avoid the cost of keeping them and the subsequent disposal

cost. In financial terms, the sooner the cattle are slaughtered the less it will cost you. It is in your interest to have these animals slaughtered without delay.

Cattle without passports can be slaughtered on-farm for your own consumption, subject to strict criteria; see 'Home slaughter of cattle'.

You may be required by the Department for Environment, Food and Rural Affairs (Defra) or local authority inspectors to account for all the cattle on your holding that have been refused passports.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

No major changes.

Last reviewed / updated: March 2024

Key legislation

- Cattle Identification Regulations 2007
- Animal By-Products (Enforcement) (England) Regulations 2013
- Transmissible Spongiform Encephalopathies (England) Regulations 2018

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links often only shows the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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Source URL:
https://www.businesscompanion.info/en/quick-guides/animals-and-agriculture/cattle-that-have-been-refused-passports