This guidance is for Scotland

While Scotland has been declared officially tuberculosis free (OTF) the disease remains notifiable. The Tuberculosis (Scotland) Order 2007 sets out various controls, including a requirement for pre- and post-movement testing of cattle moving to Scotland from England, Wales and Northern Ireland (with a few exceptions).

The Tuberculosis in Specified Animals (Scotland) Order 2015 also aims to control tuberculosis in any 'specified animal' in order to protect the OTF status. A specified animal means a deer, goat, pig, sheep, alpaca, guanaco, llama or vicuna.

The main purpose of the legislation is to keep the incidence of bovine tuberculosis in Scotland to its current low levels.

Testing

Bovine tuberculosis (bTB) is a notifiable disease. If there is any suspicion of the disease in any bovine or specified animal the Animal and Plant Health Agency (APHA) must be notified and the animal detained and isolated. Any person who has a carcase of any farmed animal or pet mammal that they believe to be affected with the disease must also notify APHA.

On 8 September 2009 Scotland was declared officially tuberculosis free (OTF). In order to maintain the OTF status strict controls apply to movements of cattle into Scotland. All cattle moving to Scotland from England, Wales and Northern Ireland must have a clear bTB test prior to the move. The bTB test must have been applied no more than 60 days prior to the movement and no less than 60 days after any previous test. Exceptions to this are:
• cattle that can be shown to have lived all their life in an area of low incidence of bTB - that is, three- or four-year testing interval
• cattle going direct for slaughter in Scotland
• calves less than 42 days old (these will need to be post-movement tested if moved from an area of high incidence of bTB - that is, one-or two-year testing interval)
• cattle moving to shows / exhibitions and returning direct to the same farm

In addition to the pre-movement testing, cattle moving from areas of high incidence of bTB in England, Wales and Northern Ireland must also undergo post-movement testing on the first premises they move to in Scotland, within 60-120 days of arrival there. The cattle must remain on such premises, with a few exceptions, until the post-movement testing for bTB has been carried out and a negative result obtained. Exceptions to this are for cattle moved:

• direct to slaughter
• for veterinary treatment and returned directly to the same premises (unless killed or moved direct to slaughter)
• under a licence issued by a veterinary inspector

Some herds are also required to undergo routine bTB testing. APHA annually assesses holdings and will notify the keeper when herds require testing.

There is no requirement to routinely test any specified animal.

**Test records**

As soon as practicable after the results of the test have been read by an inspector or approved veterinary surgeon, the keeper of the animals and APHA must be given a written record of the results.

The keeper should:

• retain the records of the results
• enter the test in the farm veterinary medicine record

Farmers are advised to take a copy of the clear results of the test (undertaken during the previous 60 days) with them when presenting cattle moved off a farm for sale at market.

**Testing intervals**

Details of bTB testing intervals are available on the GOV.UK website.

**Cost of testing**

Herd owners are expected to cover the costs of the veterinary inspector's time in order for them to carry out pre- and post-movement tests. The Government will continue to fund the provision of all routine bTB surveillance testing.
Compensation

There are provisions for the Scottish Ministers to pay compensation for animals slaughtered for disease control purposes under the legislation. Compensation will be paid at the market value.

Further information

Further information on tuberculosis, including in non-bovine animals is available on the Scottish Government website. Specific information on pre- and post-movement testing, including requirements for cross-border movements within Great Britain, is available on the GOV.UK website.

Penalties

Failure to comply with trading standards law can lead to enforcement action and to sanctions, which may include a fine and/or imprisonment. For more information please see ‘Trading standards: powers, enforcement & penalties’.

Key legislation

Animal Health Act 1981
Tuberculosis (Scotland) Order 2007
Tuberculosis in Specified Animals (Scotland) Order 2015
Tuberculosis (Miscellaneous Amendments) (Scotland) (No 2) Order 2018

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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 may only show 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 amendments to legislation can be found on each link's 'More Resources' tab.
Though not marked as relevant for Northern Ireland, the advice and guidance that applies to England can be taken to reflect the 'spirit' of the law in NI, but should not be relied upon without professional advice.

If you are in any doubt about your legal responsibilities with regard to the topics on this site and would like more guidance, start by getting in touch with your local trading standards service; you can find their contact details by using the search tool on the Chartered Trading Standards Institute website.

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