1. The CLA represents around 40,000 landowners, farmers and rural businesses, many of whom, being active livestock farmers and associated businesses, will be affected by or have an interest in this new strategy. The incidence of Bovine TB has been on an upward rise since the mid-1980s with exponential rises since the late 1990s which have resulted in the level of disease we see today. It has resulted in a situation which costs the government somewhere over £70million a year, costs farmers thousands of pounds per incident, and costs the country in terms of lost productivity, impact on farming systems, the loss of rare and important genetics and the loss of health status when trading outside the UK. In addition it results in huge mental and social stress, can lead to farm and family breakdown and can result in the loss of otherwise efficient and productive farming businesses.

2. The impact of Bovine TB is therefore not just on the health and welfare of affected animals and the associated financial consequences that brings, but also has implications for the wider rural economy and the long term ability of the industry to compete on the world market – an essential requisite in the light of the CAP reforms.

3. This consultation seeks views firstly on the principles underpinning a 10 year strategy and secondly on detailed proposals for short term measures. Our response reflects this two-part approach,

TB Strategy Principles

4. The present TB strategy is based around the five point plan for protecting human health, vaccine development, research into TB spread, cattle testing and controls and the Randomised Badger Culling Trial (RBCT). This approach was instigated as a result of the Krebs Report of 1997 and follows on from a variety of differing approaches to the TB problem.

5. It is worthwhile considering the history of TB control. In the post-war period widespread TB testing and the arrival of “TT accredited” herds together with the culling of badgers through gassing combined to achieve a dramatic decline in the incidence of TB so that by 1981 less than 0.1% herds were found to have TB. Changes in that policy so that culling of badgers was undertaken on the basis of a “clean ring “ strategy resulted in the maintenance of a low level incidence of TB. The Dunnett report led to a new strategy based on the culling of badgers on reactor farms only and was implemented from 1987 to 1997. During that decade incidence of TB began, steadily, to increase. By 1997 there were 515 herds representing 0.5% affected by TB.

6. Those figures were of concern even in 1997. However, since then, with a policy based solely on cattle restrictions and controls, (as demanded to ensure the “integrity” of the Krebs trials), there has been a massive and exponential rise in incidence of TB. Latest figures indicate that in 2003 almost 5500 herds have been placed under restriction because of a TB incident at some stage during the year. Whilst we might expect the absence of the “foot and mouth effect” to result in a slight reduction, or at the very least, stay in increase this year, that should not be
taken as evidence that the present strategy is working. The overall trend must be considered. It is therefore with some concern that we note that for the first two months of this year, already over 2500 herds have been placed under restriction due to a TB incident.

7. The government seeks comments on the principles that should guide its new TB strategy. The review paper acknowledges the very serious challenges to be faced in tackling TB, including a recent year on year increase in the order of 18-20%, an increase that cannot be expected to change unless radical action is taken to alter control measures.

8. The paper also explicitly identifies the key problem within the UK which differentiates it from the rest of the EU: the wildlife reservoir of disease. The paper states: The core of our problem is that evidence from other countries shows that, in the apparent absence of a significant wildlife reservoir, cattle controls...can be effective at controlling the disease".

Vision for TB Policy

9. The CLA has a vision for TB policy, a goal which TB policy should seek to achieve: a healthy countryside with all susceptible species free from bovine TB. It is crucial that government continues to accept that this vision is achievable and is not deterred from this goal by setbacks in recent years in the fight against this disease. Those setbacks have arisen largely from changes in control policy which have sought to minimise culling levels – an understandable aim, particularly when the incidence of Bovine TB was low. However, the substantial increase in incidence of TB should not deter government, or any other organisation, from attempting to rid this country of this terrible disease.

10. It is therefore, exceptionally disappointing to see the consultation paper state that "eradication....might be a popular 10 year vision" but that "this is not within our reach in this timeframe"[our italics]. It is not the case that it “is not” possible, but that the government “will not” take the actions necessary. It is perfectly possible to achieve that goal within this timeframe, but it will require the sort of tough decisions which successive governments have so far shown themselves incapable of making.

11. With every procrastination and delay the incidence of TB escalates, the problem seems ever more insurmountable and the inaction continues. Whilst no government would, perhaps, wish to have to make decisions on TB based on ‘where we are now’, we have to think that if no decisions are taken, we may look back in five years time and wish we were ‘where we are now’.

12. Many organisations accept that the complete eradication of TB may not be possible until the development of an effective vaccine. However, this is not an excuse for failing to tackle the disease in the meantime. Indeed, it is, if anything, the reverse – the lack of an effective vaccine makes the need for effective control now even more important.

13. Past control strategies show that it is possible to bring the level of disease down to a very low level, below 0.1% as was the case in the early 1980’s, despite the absence of an effective vaccine. We now have the benefit of improving diagnostic tests, most particularly the gamma interferon test for which research is now needed to assess the specificity of newer versions, whilst retaining sensitivity. In addition, the research into the disease continues, with sequencing of mycobacterium tuberculosis, M. bovis and BCG largely complete. These offer
opportunities for new methods of achieving control in addition to those tried and tested in the past, even without the panacea of an effective vaccine.

14. The CLA cannot accept a strategy which does not seek the elimination of the disease as its primary objective. Anything less signals acceptance of the endemic nature of the disease and the government’s lassitude in permitting its growth and failure to keep it in check. The proposal for a “two-tier” system – one where the aim will be to maintain low incidence in existing low incidence areas and to “contain” the spread of high incidence areas does nothing to meet the concerns of the majority of cattle keepers – most of whom reside within the “high incidence” areas.

15. The flawed nature of such a policy, based on cattle controls and little else, can be evidenced by the new incidence of Bovine TB in Cumbria. There the incidence was largely attributed to farmers’ laxness of biosecurity when purchasing bought-in cattle. Analysis of affected herds shows, however, that the situation is rather more complex than certain groups would have us suppose. Of the herds with TB reactors, only a small proportion came from herds which were re-stocked, (the remainder therefore unrelated to re-stocking and cattle movement) and furthermore it is known that several of those had purchased from pre-tested clean herds. In TB “hotspot” areas there are many documented instances of closed herds succumbing to the disease. Cattle controls alone cannot, and will not, work whilst there is an uncontrolled and uncontained reservoir of disease.

16. The suggestion that a “realistic goal” may be the “control of the geographic spread of TB” and a “reduction in the size of the affected area” is to decry the very urgent needs of those people now facing and affected by the disease. It is disingenuous to pretend that the disease is simply beyond control until a miracle cure vaccine appears and that the best that can be hoped for is to stop it spreading much further.

Response to Questions:

17. **Question 1:** Bearing in mind that we are looking at what we might achieve in terms of Bovine TB controls in the next 10 years, do you agree that the most realistic target has to be to contain and progressively reduce spread, incidence and economic costs of the disease and to continue to develop the science base to inform future strategy?

18. Given the foregoing comments it will be clear that we do not believe that a 10 year strategy which simply has as its objective a reduction in incidence of disease is sufficiently hard-hitting to achieve the necessary results. We believe that unless government continues to seek the elimination of the disease there is a very real danger that it will become endemic, with the associated ongoing costs that implies. It may be that elimination of the disease cannot be achieved within 10 years, but to return to levels very close to that – where overall incidence is around 0.1% - would be a worthwhile and acceptable achievement within a 10 year timescale and a milestone on the way towards eradication.

19. **Question 2:** In defining what we hope to achieve in terms of bovine TB disease control, to what extent should this be regionally differentiated to reflect the distribution of the disease?

20. Whilst a proposal to discriminate control strategies between areas of differing incidence may, on paper, seem acceptable, the consultation document itself notes that the efficaciousness of such strategies is uncertain bearing in mind the
unpredictable impact due to spread by wildlife. Indeed it states: "the benefits of cattle based measures alone will be difficult to predict". As the proposed measures that might be taken regionally are examined in more detail in part two of the consultation, we have reserved our detailed comments for that section. However, in general, we believe that there can be no justification for imposing additional cattle control measures, whether nationally or regionally, unless and until corresponding control measures are taken against wildlife vectors to eliminate spread.

21. It is inequitable for farmers to have to continue to bear the brunt of disease control measures through cattle controls, which are recognised as having little effect on the overall incidence of the disease, when a more efficacious course is not taken for political reasons.

22. Question 3: How should the interests of wider society, and the principles of sustainability be recognised in a 10 year vision for bovine TB?

23. The suggestion that the farmer should bear a greater cost and responsibility for disease control fails to recognise the wider responsibilities of government, and, in particular, the need to ensure that the burden of responsibility is proportionate to the ability to effect change. The CLA accepts that there may be some scope for further improvements in cattle controls; however, it is clear that the farmer has extremely limited (if non-existent) powers to effect change elsewhere. It is certainly the case that the farmer cannot control the disease in wildlife populations – indeed, he is bound by law not to do so. Thus for that the responsibility falls firmly on government.

24. Equally, it is clear that wildlife populations are implicated in the disease – from the Dunnett report in the mid 1980s, to Professor Krebs' report of 1996 to the most recent Godfray report produced in April this year. All have clearly noted the implication of the badger population in the spread of bovine TB. Professor Krebs stated: "The sum of evidence strongly supports the view that, in Britain, badgers are a significant source of infection in cattle. Most of this evidence is indirect, consisting of correlations rather than demonstrations of cause and effect; but in total the available evidence, including the effects of completely removing badgers from certain areas, is compelling."

25. Professor Godfray noted that policy "should not continue to wait" on the findings of trials such as the RBCT but that policy should be formulated "based on the assumption that badgers are involved in disease transmission as a wildlife reservoir".

26. It is in no-one’s interests that the badger population is decimated. However, in the face of evidence which suggests a 77% increase in badger populations between the mid 80’s and mid 90’s, or, even rather more dramatically, an increase from 250,000 to 850,000 (a threefold increase), it would appear that burgeoning badger numbers counter the apparent need and desire to conserve badgers which was thought at the time the Protection of Badgers Act 1992 was passed. It is clear that policy must match present circumstances. The proliferation of the badger, at a time when TB is spiralling out of control and the badger is a known vector, serves only to make the possibility of controlling the disease solely by cattle control measures, pretty much impossible.

27. The government must consider the rationale and justification for the 1992 Badger Act, which merits thorough review in the face of such massive increases. The collared dove, once a protected species, is no longer so as risen population levels
render such protection unnecessary. Similarly this appears so with the badger population. It cannot be beyond the wit of government to ensure that cruelty to badgers remains prevented through specific measures designed to do so and which do not have the adverse effects on “wider society” that the present broad brush approach causes.

28. We note other costs arising from this badger protection policy which impact not just on farmers and landowners, but on the countryside and, ultimately, the government. This protection delays the implementation of planning consents, damages archaeological features, and decimates the populations of ground nesting birds, such as hen harriers. The rationality of such overt protection for a species which is so prevalent, which is a known vector of disease and which damages protected sites and species considerably rarer than itself defies all logic.

29. The consultation paper, rather disingenuously, suggests that government “does not intervene” in the natural regulatory processes which govern wildlife populations, and that growth may be expected to continue until it reaches the “natural carrying capacity of available habitats”. The paper does not provide an idea as to the number of badgers which these “available habitats” might support, but, given that the badger has no natural predator and that its present increase has already seen massive population explosion, has the government considered what level of increase the British Isles can tolerate? And, rather more pertinently, what level of TB the British Isles will consequently have to tolerate? The role of government is not, perhaps, to manage the populations of each individual species within these islands. But it is, certainly, to enable it to keep in balance. Populations which are out of balance cause massive damage before the natural system checks itself. We have the knowledge, skills and wherewithal to prevent these sorts of cataclysmic shocks. The government does not purport to ignore the issue of climate change – a change, which would, and on this premise that the government does not intervene in such processes, be left to right itself – neither then should it ignore this specific imbalance in wildlife.

30. The interests of “wider society” are met through healthy cattle and badger populations, the reduced risk of transfer of disease to humans, and the associated ability to trade freely thus benefiting national and individual economic interests. The principles of sustainability apply as much to human interests as to wildlife ones. Thus a 10 year strategy needs to include, as part of its aims, the retention of viable, healthy cattle populations, alongside viable, healthy wildlife populations. Society accepts the culling of large numbers of cattle – not in themselves ill, but simply showing a reaction to the disease – in order to achieve the greater good (until a more humane method of control such as vaccine, is achieved); that greater position is not presently being achieved, despite this high level of culling. It is therefore the responsibility of government to explain the rationale for culling of wildlife in order to reduce populations to more manageable levels, reduce stress, reduce susceptibility to disease and ultimately reduce the wildlife vector which has, according to successive scientific reports, contributed directly to the spread of the disease and the failure to contain it with existing cattle controls.

Policy vision – the next 10 years

31. Widespread consultation – throughout our own membership, and by Defra itself – has shown the strong desire for, if not elimination of the disease by 2014, then very significantly reduced incidence – certainly back to the levels seen in the early 1980’s. A strategy which offers anything less than those sorts of challenging targets will indicate the government’s lack of commitment to solving the problem. It seems that all parties are agreed that a vaccine (and specific DNA vaccines at
present offer the best hope of success) would offer a solution acceptable to all. Public acceptability of vaccines should not be an issue – it is not for the many products already subject to vaccine treatments. However, until that solution arrives, hard and difficult decisions will have to be taken immediately to reverse the rising trend, so that within the next 12 months significant falls in TB incidence can be seen. This will inevitably require badger culling alongside increased cattle controls, and we discuss these in more detail below.

Rationale for Government Intervention

32. **Question 4: Does the Government need to intervene in the control of Bovine TB. If so, why, and to what extent? If not, why not?**

The questioning of the government’s commitment to intervention in the control of Bovine TB appears to have been driven from two sources – the rising cost to the public purse, and the perceived political difficulties with regard to badgers and TB.

33. The consultation paper sets out the broad categories for government intervention: the protection of human health, the interests of the wider economy and society, to secure opportunities for trade and the protection and promotion of animal welfare.

34. We examine each of these in turn. Firstly, the protection of human health. *M.bovis* has been largely eliminated as a cause of TB in humans thanks principally to the heat treatment of milk and meat inspection. However, those controls have existed alongside a longstanding cattle testing programme which aimed to rid cattle of TB, thereby reducing risk of exposure throughout the food chain, as well as through direct contact with infected animals. This is a precautionary principle well-established for many other potential diseases arising from food production. To abandon testing controls could result in exposure to infected animals and, over the longer term, an increase in *M.bovis* within humans. Tuberculosis was once a major cause of death and disease, and, indeed, still is today within many parts of the world. Vaccines, considered globally, are only effective in certain areas and against certain strains. The UK’s success at reducing the incidence of TB within humans should not allow complacency to arise. With hindsight, it could be considered that a certain complacency allowed the changes to cattle and wildlife controls which have led to the current levels of disease in those species. We cannot allow the same to happen within the human population.

35. The second issue is the protection of the wider economy and thus society. This is linked to the third issue which is the government’s role in providing opportunities for trade.

36. International controls through the OIE and the EU require the maintenance of certain health standards in order for trade to take place. Those standards are implemented through testing and cattle controls and are achieved by government intervention in terms of the legal framework within which such controls operate as well as through the associated supervision and monitoring. There is a requirement on government to undertake such intervention on the basis that there are wide trade and societal benefits. Those benefits serve all, not merely a small section of society, and consequently it would be wrong for government to seek to offload those costs onto a particular sector.

37. The consultation paper acknowledges the significant cost burden to farm businesses affected by the disease. Much has been made by government of the Reading University research paper which assessed the economic impacts of TB and suggested that some 20% of dairy farms and 35% of beef farms gained
financially as a result of a herd breakdown. As the survey methodology excluded
the very real financial impacts that can accrue as a result of cash flow difficulties
relating to closure and the associated retention of extra stock, plus appeared to
discount some extra costs incurred as a result of closure (the cost of leasing milk
quota, for example), there are concerns about the validity of the headline figures.
Nevertheless, it is clear that for the vast majority of farm businesses,
notwithstanding the levels of existing compensation, there are significant losses
associated with a TB breakdown.

38. For those farms, and we are aware of specific instances, where successive
inconclusive reactors have resulted in farm closure but no culled animals and
therefore no compensation, the results can be devastating. We are aware of beef
farms closed in this way which have had no income for a year or more (but all the
bills still to pay); or pedigree dairy farms, for whom livestock sales essentially
account for the profit, forced out of business after years of closure due to
“inconclusives”. None of these receives government compensation. All do their
bit, by accepting closure and the associated cattle control measures, in society’s
efforts to beat the disease. Many have paid the price with their businesses.

39. Society requires control of the disease, most particularly for trade and health
benefits. It is therefore incumbent on society, through the government, to pay in
order that those benefits may be achieved. We have to consider what state our
society is in, when we reach the stage where it is unwilling to pay for such basic
protections.

40. The consultation paper identifies a fourth reason for government intervention –
that of animal health and welfare (AHW). The government has taken a key role in
the promotion of AHW, most particularly on its recent consultations on the subject
and its new AHW strategy. Yet the prime responsibility for the health and welfare
of farmed livestock rests with its keeper. Under normal circumstances for an
animal that is diseased the keeper would be responsible for ensuring firstly, that
the appropriate action is taken to treat or cull the animal, and secondly that
measures are taken to prevent re-infection.

41. However, in the case of bovine TB, much of that responsibility has been assumed
by other parties. The controls put in place by the OIE and the EU to prevent
spread of the disease have resulted in cattle testing, movement controls and
procedures. The responsibility for treating or culling the affected animal has
therefore been removed from the livestock keeper. Similarly, the measures he
might take to prevent re-infection find him also similarly ham-strung. There are
actions that can be taken by way of isolation, disinfection and general biosecurity
to prevent further occurrence of disease. But in the UK, as a result of, inter ailia,
the Protection of Badgers Act 1992, the livestock keeper is powerless to take
action against any wildlife vectors, despite clear scientific statements implicating
badgers in the spread of the disease. If the protection of this wild species is for
the benefit of society as a whole, then clearly individual livestock keepers cannot
be expected to bear the responsibility or cost resulting from the lack of action to
reduce this disease reservoir.

42. We note also the lack of consideration within this consultation of the impact of
potential policies on the welfare of cattle. Many policies will result in the need for
extra handling, testing and consequent slaughtering of cattle. The Reading
University study, whilst concerned primarily with cost, noted the high level of
stress reported amongst subject farms simply as a result of the testing procedure
– evidenced as reduced milk yield (reported in 70% of dairy respondents),
increased levels of mastitis and an increase in abortions. There are other costs
of TB testing “that are difficult to quantify” (certainly in the simple terms of cost) according to the study, but which relate to the injuries incurred during testing by both animals and humans. These issues cannot simply be ignored – they are a cost and factor of the TB testing and control policy. They result in real damage to animals and humans — in some cases severe — and deserve the fullest consideration.

43. Defra should note other impacts from a failure to grip TB. These include the impacts already being seen on habitat management. A high badger presence in a high risk area will lead to a reduction in grazing necessary to maintain important habitats. These areas will be unable to meet environmental objectives as a direct result. We have already heard from a members who planned to establish a herd of Devon cattle to graze his countryside stewardship pastures but could not because of the risk posed by the badgers.

44. Defra should also note that large badger sets cause significant damage to soils and soil structures, and can be responsible for significant point source pollution from eroded soils.

Balancing Costs, Benefits and Risks

45. The CLA strongly supports the view that the government has a responsibility to intervene in order to control bovine TB.

46. We find it extraordinary that, whilst accepting and acknowledging the public health, trade, and wider societal benefits of controlling the disease, many of which are required by international organisations, the government should then suggest that notwithstanding these, it is the livestock keeper who is the “main beneficiary” of these controls.

47. This is the sort of “topsy-turvy” thinking which has resulted in the muddled and confused TB policies we see today.

48. The document asks two questions:

   Question 5: Who in your opinion are the main beneficiaries of current bovine TB controls and how should costs be shared between beneficiaries?
   Question 6: What contribution should the farming industry make to reduce the risks to their herd of bovine TB?

49. We refer to our earlier comment that this consultation is at least partially cost-driven in the face of 20% year on year increases in the incidence of TB. The CLA believes strongly that rather than assessing how to live with the disease and attempt to “manage” it, we should be looking very much to eradicate it — which has the added benefit of reducing the cost burden in the longer term. Arguments over who will finance what tend to allow the main issue to be ignored. This must not happen with TB. It is vital that every effort is made toward eliminating the disease and this must be the prime focus of any strategy.

50. In terms of the beneficiaries of policy and the contribution that should be made by the farming industry, the CLA is extremely disappointed that in the face of rising TB incidence the government attempts to abandon ship, abdicate responsibility and leave the industry to sort out the mess, yet all the while refusing to allow it free rein so to do.

51. Bizarrely it seems that the main beneficiaries are undoubtedly a very small number of activists in single issue pressure groups who, with widespread but
almost wholly un-or misinformed public support, have been able to pinion the
government and the industry into expensive, unsustainable and ineffective
measures in “controlling” the disease to their narrow ends.

52. The current bovine TB controls provide essential public health benefits. It is
questionable as to how far the current controls provide wider trade benefits, or
indeed, how they are protecting the cattle population from spread of disease,
because it is quite clear that neither these objectives can be achieved with the
current incidence of disease.

53. It is, perhaps, more appropriate to discuss what future controls may offer, in terms
of disease control and associated benefits, and, therefore, how costs might be
apportioned.

54. The CLA believes very strongly that government bears responsibility for the
implementation of the cattle controls and measures required by the EU and OIE,
and should, in consequence, and because they will result in trade and wider
societal benefits, be responsible for paying for them.

55. The Reading University study attempted to assess the costs of some possible
future control measures, and provided an estimate of the comparable costs of
each type of measure. However, that type of assessment can provide only bald
data, and fails completely to take account of the pressures which drive policy,
other than direct costs. In particular we would have very strong concerns at
attempts to create policy based on these sorts of basic “cost-effectiveness” figures
which fail to consider the wider benefits to society and the economy.

56. The suggestion that individual herd owners benefit from TB controls is valid only in
the sense of a wider market – which, having wide benefits, validates government
responsibility for cost.

57. We find it extremely worrying that the paper suggests that the RBCT may provide
some estimate of the level of contribution of badgers to the disease in cattle, from
which an estimate of the level of public good the farmer is providing, through his
tolerance of the species, may be extrapolated. The purpose of the RBCT was to
assess the efficaciousness of particular culling strategies in reducing the
incidence of TB. We would caution very strongly against attempting to manipulate
the results for other purposes.

58. Where increased biosecurity is required by the farmer, it seems that this arises
principally as need to protect against the wildlife reservoir. There is considerable
doubt cast as to the practicality and effectiveness of many of these measures at
preventing ingress by wildlife to livestock areas. Time after time we return to the
knowledge that the existing cattle control measures would be effective, were it not
for the wildlife reservoir. That wildlife is protected solely for public benefit, and
consequently the cost must fall on the public purse.

Development of Future Policies

59. **Question 7:** Do you agree that, in the light of current evidence, policies
should be developed (including badger culling) that seek to control
transmission of bovine TB between badgers and cattle?

**Question 8:** Should we consider introducing, in conjunction with badger
control/management, better controls on the disease in cattle using, for
example, the gamma interferon test?
60. The CLA has urged for some time for a pragmatic solution to the problem of TB, taking account of scientific knowledge gleaned elsewhere in the world. We regret the premature cessation of the reactive part of the badger culling trials and would concur with Professor Godfray’s analysis that “at most sites there was an insufficient time between the implementation of reactive culling and the increase in cattle disease to make this a likely explanation for the observed effect”. However, Professor Godfray was also at pains to point out that this did not mean that perturbation did not occur.

61. The RBCT was set up merely to consider the effectiveness of certain particular control strategies. It did not attempt to consider every possible control strategy, and indeed, did not include previous culling strategies. The failure of any part of the RBCT to reduce the disease means simply that that particular strategy, undertaken in that particular way, did not work. There are countless other possibilities as well as research elsewhere, and previous control strategies which have been successful at reducing incidence of the disease.

62. It is clear that the pragmatic solution which will enable us to get “on top” of this disease, halt the spread, achieve a swift decline and enable, if not eradication, then something very close to it, will involve looking at previous control strategies and work elsewhere. To bring TB back under control will also then enable other, more perhaps politically acceptable strategies, to be undertaken, although we need to be very conscious of the dangers of allowing the disease to escalate once more.

63. The CLA is pleased that the consultation document recognises that “without tackling exogenous infection, cattle based measures may not be sufficient to have a significant impact on the incidence of the disease”. However we do not accept that, knowing this, there should be governmental failure to tackle the problem thus resulting in farms being forced out of business because of endemic and persistent TB infection.

64. We advocate the following strategy:

• In the short term, the policy must provide for culling of badgers around known and new hotspots. This replicates the “clean-ring” strategy of the 1980s, which ensures that only healthy badgers are left. This requires tough political decisions, as was acknowledged within the Godfray report, but that is, indeed, the job of government.
• Alongside this, testing and cattle controls must continue. The improved gamma interferon test, which offers greater specificity than the first version, will have an important role to play in identifying infection within cattle. However, it is essential that the level of false positives is reduced otherwise this will result in unnecessary culling of both cattle and badgers.
• The public distaste for such culling can be made more palatable through both vastly improved communication by government and evidence of the will and desire of ministers to resolve this problem. The government has found itself able to take decisions in other areas of government in the absence of a groundswell of public support but for the greater good, and should consequently find no difficulty in doing so here.
• We acknowledge that there will be public concern at badger culling, but such concerns can be addressed through explanation of the extent of the disease, the explosive increases, the lack of alternative effective control measures and the knowledge that the sooner action is taken, the less culling will be needed to resolve the issue. Although bovine TB affects cattle it is clear that there are issues of public good which justify both control measures and government intervention. Care will, however, be
needed in the dissemination of any information in order to ensure that public confidence in the food chain remains unaffected.

- An effective badger culling strategy would give confidence to farmers of the government’s commitment to solving the problem. It would be an essential pre-requisite to the introduction of any further cattle controls (discussed below).
- In the longer term, the CLA, like many other organisations, seeks a workable and effective vaccine. There is huge concern, particularly among pedigree breeders and those with rare breeds or bloodlines, that the continuation of cattle culling will ultimately result in the loss of vital and diverse genetics. However, the government cannot afford to "wait and see" until such a vaccine is found – action must be taken now.

**Badger Management/Control**

65. **Question 9:** Under what circumstances would a badger culling or management policy be acceptable?
66. **Question 10:** How would any badger management/culling be organised, monitored and evaluated? Who should pay?
67. **Question 11:** If proactive culling is not shown in the RBCT to be effective, what other action should be taken to control the spread of bovine TB in cattle?

66. The CLA believes that the rise in disease levels coupled with years of inaction have made the culling of badgers now inevitable. Culling should continue (in concert with cattle controls) until such time as the disease is brought firmly under control – consultation meetings have indicated that 1980’s levels of c. 0.1% should be the aim.

67. The RBCT offered the possibility of gaining effective control of TB with minimal levels of badger culling. However, with the cessation of the reactive part of the trial and doubts cast as to the reliability of results for the remainder of the trial, plus the timescale necessary to gain such results, regard must be had to previous culling strategies and work undertaken elsewhere.

68. The results of the Irish Four Area Trials have not yet been published, but early indications are that culling over large areas (c. 400-500 sq km) has been effective at reducing TB incidence. This was also the case with the UK culling strategy prior to the Krebs report where large areas, of approximately 100sq km were identified. Even the clean ring strategy (which used different and more effective culling methods) required at least a 10 sq km area in order to ensure infection was culled out. It therefore seems inevitable that effective culling strategies may be based on larger areas than are currently the case under the Krebs trials.

69. There is also the question of the remaining Krebs trials which have required a complete cessation on culling of badgers even outside the control areas. Whilst the ISG have suggested that they can still be complete by 2006, Professor Godfray did not anticipate meaningful results until 2008. Whichever is correct is somewhat immaterial as it is clear that with current rates of increase of TB in the order of 20% we cannot afford to wait even two more years before action is taken. The urgency for immediate action cannot be over-emphasised.

70. The CLA had supported the Krebs trials, but, in the light of the premature cessation of part of the trials, the need to take immediate action to combat the disease now, which we understand could compromise the integrity of the trials, and Professor Godfray’s call for greater information from and clarity about the
purpose of the trials we believe that culling cannot be delayed until the RBCT are complete.

71. The consultation paper asks who will pay for any badger control. In the light of earlier comments regarding public benefits it seems clear that the cost falls on the government. However, the sooner action is taken, the fewer animals will have to be culled, and so the lower the overall cost will be.

72. The paper also asks for views should the RBCT show proactive culling to be ineffective. The question is somewhat disingenuous, however, as the RBCT was very clearly set up to trial particular sorts of culling. As Professor Godfray makes clear: *it is important to realise, though, that an inconclusive result does not of itself mean that badgers are not a significant wildlife reservoir, nor that other types of culling will not work*”. There is much research taking place, and much earlier evidence which has consistently demonstrated the link between badgers and incidence of TB, a link which is broken by the effective culling of badgers and concurrent testing and culling of cattle. The rising costs caused by refusal to take action whilst the RBCT are in progress will only continue to escalate until that action is taken.

What role could vaccines play?

73. **Question 12: On the basis of scientific evidence to date, how should Government focus research efforts on vaccines? Wider views on the prospects for vaccination would be welcomed.**

74. The DNA vaccine (or mix of several DNA vaccines, each coding for a different TB protein) has been trialled with some success in cattle as a priming vaccination before boosting with BCG. It is also possible to give BCG as the primary vaccination with the secondary a few weeks later in the form of a TB protein inserted into an attenuated vaccinia virus. The BCG vaccine, when used alone, is of variable efficacy.

75. Concerns relating to vaccines have focused on their efficacy, the difficulty of differentiating vaccinated from infected cattle and potential trade constraints.

76. The CLA recognises that it may be some considerable time before a truly effective vaccine is available. However, continued research is essential as an effective vaccine offers a solution to the culling of animals as a control measure. Field trials on promising vaccine candidates can assist in reaching this goal. There is much to be gained from vaccines already available and of which advantage should be taken – waiting for the perfect vaccine may mean we wait for ever.

77. The efficacy of vaccines can be improved by using vaccines in combination and the establishment of field trials would assist in establishing how effective that can be.

78. There is scope for vaccination in both cattle and wildlife. Vaccination within wildlife may not have the immediate impact at reducing incidence of disease that an effective cattle vaccine would but it could be an important factor in reducing spread of TB. Orally palatable vaccines, thus suitable for wildlife, are possible. Veterinary focus is often on the farmed livestock, but vaccination of wildlife would provide a further step towards humane control of TB.

79. Progress has also been made towards the differentiation between vaccinated and infected stock. Tests based on the absence of a number of proteins from BCG
that have been deleted during the attenuation of M. bovis have been developed to distinguish between vaccinated and infected stock and in both cattle and badgers. Whilst laboratory and field trials are now required to assist in the validation process, it is clear that progress is being made and that the prospect of a suitable vaccine is not impossible.

80. The CLA believes that the development of an effective vaccine is the most humane and sustainable long term solution to control of TB. There are already vaccine possibilities which now require field scale trialling in order to prove their effectiveness. The government has a responsibility to support and encourage such trials which have the potential to offer a solution desired by all parties. However, the prospect of that solution is not an excuse for inaction now, and does not absolve the government of responsibility for the short term, rather less palatable options that we have outlined in this response.

Improved Diagnostics

81. Question 13: How should the gamma interferon diagnostic test for cattle be used or developed in GB – to reduce the time herds spend under restriction by increasing the number of animals taken as reactors, to deal rapidly with herd breakdowns outside existing TB hotspot areas and/or to distinguish between vaccinated and infected animals.

82. The CLA supports improved tests with greater specificity which ensure that the number of false negatives (which may be possible under the existing skin test) and false positives (which can result from the GI test) are reduced as much as possible.

83. We would caution against the over-use of the GI test so as to increase the number of animals taken as reactors whilst the level of false positives associated with the test is still high. There is a particular danger to herds with rare or important genetics from such a policy. We understand that improvements to the GI test have improved the specificity considerably. The government’s reluctance to undertake field trials is incomprehensible given the potential this has to vastly improve diagnostics. We believe there is an urgent need for proper field trials as a step to ultimate validation of this important technique.

84. We understand that the cost of the GI test is significantly higher than the existing skin test. However, those increased costs must be balanced against the ability to quickly identify reactive cattle, the greater reliability of the test in terms of false negatives and in particular the reduction in potential for spread from skin test unidentified reactor cattle, the overall contribution this can make to reducing the incidence of TB, and the consequent reduction in total costs associated with the disease.

Effective Partnership and Governance of a New TB Strategy

85. Question 14: What could “effective partnership” mean in relation to bovine TB and what contribution could your organisation make to this?
    Question 15: What should be the governance arrangements for a new TB strategy?
    Question 16: Should the remit of the TB Forum be recast, for example, have a focus on communicating results of the recent research programme as recommended by EFRAC?
86. The CLA has welcomed the role that the TB Forum can play in contributing to dialogue and the exchange of information between government and stakeholder interests. There are, however, concerns at the lack of information provided to the Forum and its inability to be more than a mere discussion forum. EFRAC’s suggestions for its possible future direction are, therefore, a welcome first step.

87. However, the role of the TB Forum is part of wider consideration of “effective partnership”, a term which could be construed as the government seeking to abdicate responsibility for difficult decisions to regional groups or animal health boards. The problems with TB control lie not in the practicalities of governance, but in the key decision making process itself. The problems of TB will not be resolved by the creation of different boards or groups, whether regional or otherwise. What is required is the will and commitment of government to take the necessary actions now to resolve the problem. The creation of new groups will appear suspiciously like an attempt to divert attention from the lack of will at the core of government, and will have the added disadvantage, through the distraction of their creation and multiplicity, of making it increasingly difficult to hold any one party, or part of government to account. The creation of a new body does not strike us as a solution to the TB problem, nor one which would be helpful in that process.

Short Term Measures

88. Given the recognition within the earlier part of the consultation that, facing a wildlife reservoir of disease, cattle controls are unlikely to prove effective at reducing incidence of TB, we find it astonishing that the paper persists in the fallacy that increased cattle controls will produce any sort of efficacious result. We note that some changes are proposed in order to align the UK with EU requirements. However, in other instances, there is a dogged persistence to increased cattle controls with a rationale that is hard to comprehend.

89. Question 17: We have proposed five measures (below) that are aimed to improve our surveillance testing and make the system more transparent. Are these measures appropriate, should any be changed and if so, what changes should be made?

The five measures are:

- Adopt the Directive 64/432/EEC method of calculating base herd testing frequencies, and allow local discretion to increase testing
- Equalise the numbers of herds that are tested every year in 2, 3, and 4 yearly testing parishes
- Impose movement restrictions immediately routine tuberculin tests become overdue (aligns us with Directive 64/432/EEC)
- To retain out present system for inconclusive reactors, that is to allow up to three tuberculin tests before compulsory slaughter
- To carry out three check tests at 12 monthly intervals on all new or reformed herds

90. The CLA is generally content with the alterations to the surveillance testing regime proposed above. We would note that on the question of inconclusives who are clear at the 3rd test, there is no discernable pattern as to whether such cattle will then subsequently contract TB. Inconclusives seem to relate as much to the individual cow, how the test was undertaken and other factors as to exposure to TB.
91. **Question 18:** What are your views on our proposal to reduce the risk of spreading TB from high to low incidence areas by requiring pre-movement testing of all cattle from 1-2 year testing herds to other herds?

92. The CLA understands that Defra is keen to take these short term measures forward “in advance” of any other measures that may be agreed. We have strong concerns that whilst in principle the proposal for pre-movement testing (so as to prevent spread from high to low risk areas and provide farmers with the confidence to purchase) seems attractive, the **practicalities** will far outweigh any possible benefits.

93. In the first place it has been made abundantly clear in scientific reports that wildlife spread and reservoir of TB has significant implications for the continued spread of the disease, a factor that will not be tackled by these proposals.

94. In the second place, the basic practicalities of achieving pre-movement testing – something that could occur potentially every 60 days for farms which are dependent on stock sales and movements – do not appear to have been considered at all. There are details such as:

   - policing/monitoring/validating
   - seasonality of testing (strong bias towards certain times of year)
   - validity of test on an individual animal basis
   - paperwork trails which make implementation extremely difficult
   - the fact that the person who gains from the test – the purchaser – has no influence over it, nor any responsibility for it
   - how it would affect shows (exemption?)
   - testing does not deal with incubation of disease (therefore stock considered clear could move to a low risk area – there is a possibility of inspiring false confidence)
   - how should cattle be isolated, what steps are taken after the test

Why is pre-movement testing rarely undertaken now? It is for precisely these reasons – it is difficult to organise, expensive to the farmer, and does not provide the certainty on an individual animal basis that is required.

95. Consultations have branded pre-movement testing as “unwanted, unworkable and unenforceable”. The presentation of this proposal at Defra’s regional consultation meetings has implied that pre-movement testing is essentially a **fait accompli**. We would hope that is not the case and that this is a genuine consultation on the issue.

96. The CLA recognises that in calling for government action on wildlife there is an implied incumbency on farmers to do as much as they can from their side to combat the disease. However, any farm based measures must clearly result in some recognisable biosecurity or other benefit.

97. The CLA is persuaded that pre-movement testing would be largely ineffective at solving the problem of TB. However, we could see a place for such testing if **at the same time** and as part of the same TB policy control programme, the government introduced a sustained and effective policy to cull wildlife vectors. We see no benefit in the absence of such culling.

98. **Question 19:** What are your views on our advice that farmers should themselves apply post-movement testing in order to minimise the risk of transfer of disease from high to low incidence areas?

**Question 20:** What are your views on the other options we have considered?
- zoning – banning all cattle movements from areas of high TB incidence to areas of low TB incidence without some form of risk assessment and assurance testing
- post-movement testing for all cattle moving from 1 and 2 year testing herds to 3 and 4 year testing herds
- pre-movement testing for all cattle moving from 1 and 2 year testing herds and subsequent post-movement testing at all 3 and 4 year testing herds
- pre and post movement testing for all cattle sold for breeding and production regardless of herd of origin and destination
- pre-movement testing system based upon herd TB history, i.e. cattle to be tested that come from herds that have experienced an outbreak in the past five years.

99. Our views above relating to pre-movement testing and the simple practicalities of undertaking such testing apply in these alternative scenarios too. The lack of understanding of farming systems and the havoc these proposals would wreak – without any discernible benefit – is quite breath-taking. There are some cattle herds, for example those that finish beef, where, because the finished product passes through a slaughterhouse, there is an almost constant process of inspection for disease. The measures are not proportionate to the benefit they would produce, if indeed there is any such benefit.

100. The earlier proposals which align GB testing with EU requirements will result in many more herds undertaking more frequent testing and that, of itself, will assist in identifying new incidences rather more cost effectively and efficaciously than large and cumbersome schemes for pre-movement testing of all cattle.

101. **Question 21:** how effective do you think the new proposals for the early detection and prevention of developing TB hotspots will be?

102. Once again the proposals to deal with new hotspots only deal with one part of the problem. The consultation paper recognises that the flaw in the present approach to dealing with hotspots is that little account is taken of any wildlife component. The new methodology seeks to address this by proposing an improved system for dealing with new and emerging hotspots. However, once again, having identified the wildlife vector, the proposed solution fails to deal with the whole problem. A vast array of proposals including increased testing, use of GI tests, and cattle movement controls is all suggested. However, if wildlife is implicated it is clear that unless that reservoir is dealt with, and quickly, no cattle controls, no matter how rigorous, will be effective.

Conclusions

103. The most serious issue raised in this consultation is that Government apparently recognises the wildlife problem, but then in our view fails to provide policies adequately to deal with it. The CLA accepts that there may be cases where cattle controls and biosecurity could be improved, and we would encourage our members to take all reasonable steps to reduce the spread of TB in cattle. But it is entirely inequitable to expect the cattle industry to bear the continuing brunt of the problem when there is a known cause that is not being dealt with for reasons beyond their control.

104. Increased cattle control measures will only be acceptable to cattle keepers if they are introduced in conjunction with equally strong measures to control the
disease in wildlife. Increased controls introduced in any other circumstances will be seen for what they are, a political fudge and will meet resistance from those who must implement them. Difficult decisions must be taken if incidence of TB is to fall. Scientific opinion already implicates the badger in the spread of disease - the Godfray report advises, "policy is based on the assumption that badgers are involved in disease transmission as a wildlife reservoir".

105. It is time the government listened to that scientific advice, and then acted upon it. The continuing failure to do so merely undermines the credibility of the whole policy and whilst CLA will not condone it, will inevitably lead to those on the ground seeking their own solutions.

Country Land and Business Association
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