



# Consultation on Proposed Introduction of Bovine Viral Diarrhoea (BVD) Herd Restrictions October 2022

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Department of  
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## Ministerial Foreword

Bovine Viral Diarrhoea (BVD) is one of the most serious cattle diseases in Northern Ireland. It significantly compromises animal health which, in turn, has substantial ramifications for farm productivity. It is estimated that BVD places a burden of between £25 million and £30 million per year on Northern Ireland industry<sup>1</sup>. I find this staggering not least because it is avoidable. It is particularly disconcerting given the unprecedented challenges the farming sector currently faces as it emerges from a global pandemic, with living and business costs at an all-time high.



My Department and I are committed to working with industry to eradicate BVD from Northern Ireland so as to remove the animal health issues it presents as well as the pressures it can bring to farms. It is clear to me, however, that its eradication requires a concerted effort on the part of government, the farming community and industry as a whole.

I am grateful for the efforts of every farmer that has tested cattle for the BVD virus since my Department introduced the compulsory eradication scheme in 2016 as well as the actions of those that led the way before then by voluntarily testing their animals. I greatly appreciate the work of Animal Health & Welfare Northern Ireland (AWHNI) in administering the scheme and its tireless endeavours in raising awareness of the need for compliance with it. I also welcome the measures industry has proactively put in place to encourage the prompt removal of cattle that are persistently infected (PI) with BVD (i.e. the slaughterhouse ban and introduction of BVD Farm Quality Assurance requirements).

I have no doubt that these combined efforts have, along with those of my Department, contributed to the reduction of BVD levels in recent years. Since the compulsory scheme was brought into effect, I am pleased to report that the prevalence of BVD in Northern Ireland has fallen over 50%. Currently, over 98% of cattle here have a negative BVD status. Good progress has, therefore, undoubtedly been made but more is required to eradicate this disease completely. In the past 12 months, more than 1,500 calves in Northern Ireland have tested positive for BVD in around 800 herds. This confirms that BVD remains virulent here and supports my view that additional steps must be taken to stamp it out.

We must also be mindful of the trading implications that the recent European Union (EU) approval of the Republic of Ireland (ROI) BVD eradication programme has brought for Northern Ireland farmers, and the additional implications that may arise as the ROI works towards achieving BVD Free Status. My Department has put in place measures to facilitate trade in light of the new requirements that have arisen. Needless to say, however, the ultimate solution to frictionless trade is for us to eradicate the virus here.

BVD is predominantly spread by persistently infected (PI) animals that become infected with the virus whilst in the womb. These animals are the major reservoir of the disease as they continue to shed the virus throughout their lifetime. Our overall aim must, therefore, be to encourage the prompt identification and removal of this critical source of BVD infection. PI animals have a high

<sup>1</sup> Cost to industry estimates in Agri-land article (July 2021); [NI BVD maps: Where is your nearest PI animal? - Agriland.ie](#)



likelihood of suffering from poor health and diminished productivity throughout their lives. This lowers their market value and presents health issues that often need treated. It is, therefore, in a farmer's financial interests to remove PI animals. I am pleased to note that most farmers appreciate this and are already removing these animals from their herds as soon as they can following a positive test result. There are, however, a cohort of farmers that are not testing all animals in their herd and continue to retain PI animals despite the risks they present to their herds. The animals proceed to infect other animals, which are in turn moved to other herds and so - the cycle continues.

I want to help farmers banish this disease from their farms. I want to protect unaffected herds and remove the risk PI animals pose to them. To achieve this aim, I propose to introduce restrictions for herds that retain PI animals or fail to test animals for BVD within a specified period. In making these proposals, I am heartened by the experience of other jurisdictions like Scotland and the ROI where herd restrictions have proved to be a very effective tool in the fight against BVD.

This consultation, therefore, seeks views from stakeholders on proposals to introduce herd restrictions in Northern Ireland to eradicate BVD. It also seeks views on the introduction of an additional legal requirement to test any bovines without a BVD status that were born in or entered herds prior to the introduction of the 2016 statutory scheme. I would strongly encourage all of those with an interest in the proposals made to respond to this consultation.

In embarking on this exercise, I am appreciative of the support my Department has received from industry. The BVD Implementation Group has welcomed my earlier announcement to consult on the introduction of herd restrictions and, in the spirit of partnership and collaboration, this consultation has also been informed by engagement with AHWNI, the Department's key industry delivery partner in BVD eradication.

I am convinced that eradicating BVD will bring significant animal welfare and economic benefits to keepers and animals. It will also give rise to environmental benefits by reducing the carbon footprint of Northern Ireland farms and, as such, deliver on commitments contained in the Climate Change Act (Northern Ireland) 2022. Furthermore, it will support the campaign against antimicrobial resistance championed by my Department, the Department of Health and the Food Standards Agency, Northern Ireland.

Finally, while I am convinced that the proposals set out in this consultation will be a significant step forward in eradicating BVD in Northern Ireland, they will not be the end of the journey. Following the delivery of herd restrictions, my Department intends to continue working with industry to support the disease eradication process and progress those further measures considered necessary to drive forward the eradication of this disease. Again, this will require the support of the whole farming community and industry as we work together to combat this endemic disease.

A handwritten signature in black ink, appearing to read 'Edwin Poots'.

**Edwin Poots MLA**

*Minister of Agriculture, Environment and Rural Affairs*



## Chapter 1: Introduction

- 1.1. This consultation seeks views on a proposal to introduce herd restrictions to eradicate BVD in Northern Ireland. It is aimed at industry stakeholders who have an interest in BVD eradication as well as farmers who may be impacted by the introduction of the restrictions. A list of consultees is included at **Appendix 1**. It is not, however, meant to be exhaustive and responses are welcomed from anyone with an interest in, or views on, the matters covered by this consultation paper.
- 1.2. The consultation paper is divided into four chapters. Chapter 2 provides some background information on the nature of the BVD virus, its impact on the farming industry as well as the progress which has been made, to date, to eradicate the disease in Northern Ireland. Chapter 3 sets out the position on herd restrictions in other jurisdictions of the United Kingdom (UK) and the Republic of Ireland (ROI). Chapter 4 details the Department's proposals (see **Appendix 2** for a summary of them) while Chapter 5 outlines the procedure for providing responses to the paper. Equality, rural needs screening and regulatory impact exercises have been carried out and can be found at [www.daera-ni.gov.uk/consultations/BVD-herd-restrictions](http://www.daera-ni.gov.uk/consultations/BVD-herd-restrictions). The Department welcomes any comments that consultees might have on any of these exercises.
- 1.3. The consultation is being conducted using the online survey tool Citizen Space and will commence on 25 October 2022. It will run for eight weeks closing on 20 December 2022. Following analysis of the responses received, the Department of Agriculture, Environment and Rural Affairs (the Department) will consider and publish a summary of the responses received. Subject to the nature of those responses, the Department will then take steps to make the legislation needed to implement herd restrictions for BVD in Northern Ireland. The need for other potential additional measures to drive forward the eradication of BVD in Northern Ireland, such as requirements for neighbour notification, will be considered once herd restrictions have been implemented.



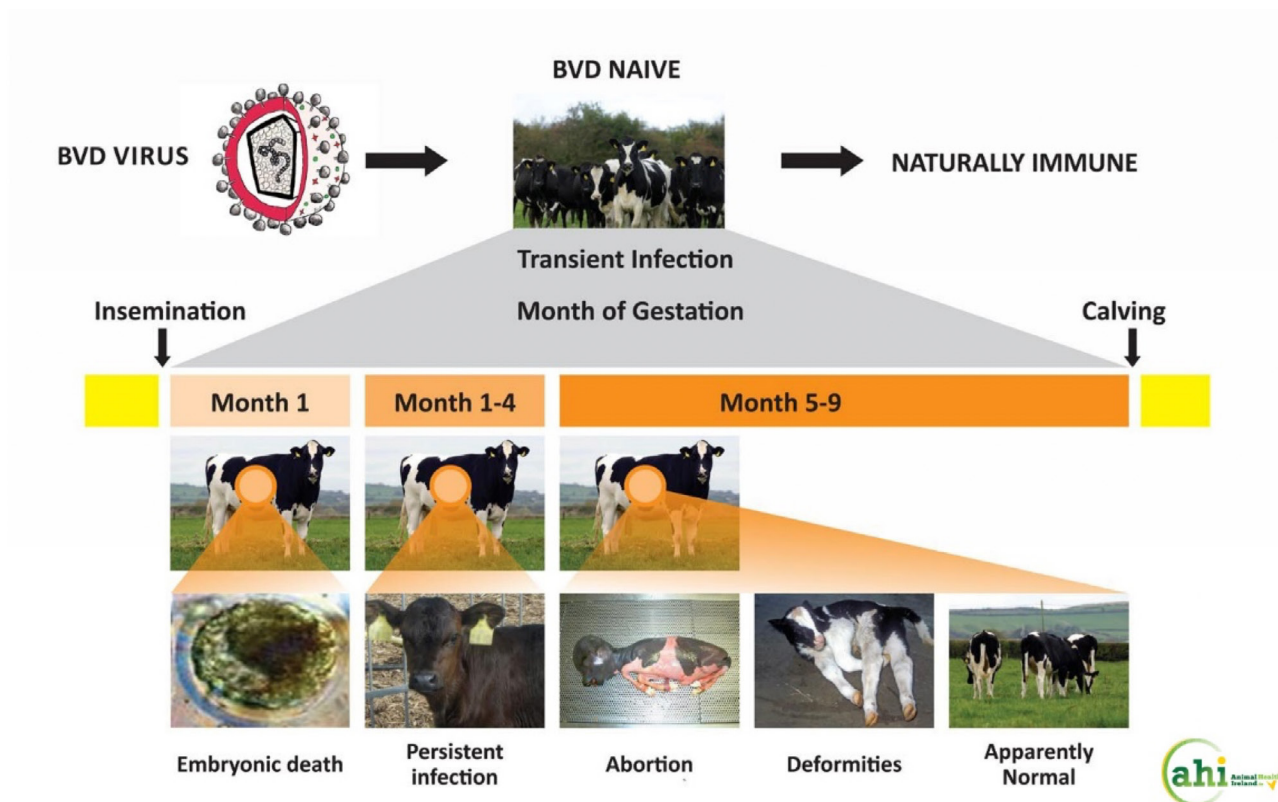
## Chapter 2: Background

### Nature of the disease

- 2.1 BVD is a highly contagious viral disease of cattle which reduces the productivity of affected cattle and compromises their welfare. Cattle can become infected with BVD through direct or indirect contact with infected cattle, via transmission in the uterus from a pregnant infected dam, contact with objects or materials carrying infective material, or sexually, via infected semen.
- 2.2 Bovines that are infected with the disease during their lifetime can suffer symptoms for a transient period of approximately three weeks. Transient infection with the BVD virus causes significant immune suppression, leaving cattle, particularly young calves, temporarily less resistant to disease. This can contribute to outbreaks of scours or respiratory infections in a herd. In adult animals, BVD infection can reduce milk yield and increase the risk of clinical mastitis. BVD can also cause reproductive issues. BVD virus infection during pregnancy can cause embryo death, abortion, stillbirth, premature birth, mummification of the foetus and foetal abnormalities.
- 2.3 Calves that become infected with the virus between approximately day 30 and 120 of gestation are of particular concern. This is because, unlike bovines infected as adults, these calves do not develop immunity and remain persistently infected (PI) throughout their lives. PI animals typically fail to thrive and tend to be smaller and less healthy than their age cohort. The majority die before the age of two, without reaching breeding age or slaughter weight. Mucosal Disease can present as a sudden onset of depression, fever and anorexia, profuse diarrhoea, rapid weight loss and ultimately death. Some PI animals can, however, appear clinically normal. If a PI does give birth to a live calf, the calf will also be a PI.
- 2.4 PI animals shed the virus at high levels for life and, as such, are the most significant source of infection within a herd. The retention of PIs by a relatively small minority of herd keepers, therefore, continues to hinder progress on the eradication of BVD from Northern Ireland.



### The effects of BVD infection



Source: Animal Health Ireland (AHI)

## Impetus for eradication

2.5 As well as the animal health considerations outlined above, the Department recognises that BVD can impact significantly on farm finances and has wider societal impacts on the environment and antimicrobial usage.

### Financial impacts

2.6 According to the World Organisation for Animal Health, over 20% of animal production losses are linked to animal diseases<sup>2</sup>. At farm level, unhealthy animals decrease productivity and increase inefficiencies including mortality rates and veterinary costs, making farms less profitable. At an industry level, an unhealthy livestock population requires more intervention to tackle disease and can also interfere with opportunities for trade and market access. BVD is now a listed disease within the EU Animal Health Law which came into effect in April 2021. This enables EU Member States to apply restrictions on the import of cattle based on BVD status.

2.7 BVD places a significant economic burden on the agricultural industry. In Great Britain, it is estimated to cost £61 million annually<sup>3</sup>. Estimates from July 2021 put its cost to

2 OIE-WAHIS: A new era for animal health data - WOA - World Organisation for Animal Health

3 Updated Estimates of the Costs Associated with Thirty Four Endemic Livestock Diseases in GB (Bennett and Ijpelaar, 2005)





Northern Ireland industry at between £25 million and £30 million a year<sup>4</sup>. At a farm level, estimates from Wales indicate that the presence of BVD in a herd can cost in the region of £4,500 for a farm with 100 beef cattle and £15,000 for a herd of 130 dairy cattle, annually<sup>5</sup>. Under the Northern Ireland BVD Scheme, farmers are required to pay for testing. This is estimated to have cost industry £15.2 million since the voluntary scheme began in 2013<sup>6</sup>. The longer it takes to eradicate this disease, the longer industry will have to bear these costs. Addressing BVD, is therefore, of considerable importance to farm profitability in Northern Ireland. Indeed, the regulatory impact assessment of the proposals estimates that they could give rise to estimated savings of between £0.3 million and £1.2 million annually<sup>7</sup>. As such, eradication of the disease would deliver on the broader strategic aim of the Northern Ireland Executive set out in its draft Programme for Government (PfG) to have an economy that is globally competitive and regionally balanced.

### **Environmental**

- 2.8 It is recognised that poor cattle health and diseases, such as BVD, lead to production inefficiencies and greenhouse gas emissions from livestock, most notably methane. Reports suggest that 45% of UK methane emissions come from ruminants and it is feasible that there could be as much as a 10% reduction in greenhouse gases emitted from livestock delivered through their improved health status<sup>8</sup>.
- 2.9 A 2015 study commissioned by the Department for Environment, Food and Rural Affairs (DEFRA) highlighted that in the UK, BVD was the third highest livestock disease driver of greenhouse emissions arising from milk production and the highest contributing disease to emissions arising from beef production. The study also noted that, with intervention, greenhouse gas emissions which are a result of BVD could be reduced by much as 90%<sup>9</sup>.
- 2.10 In 2012, a study of the dairy industry in Northern Ireland undertaken by Agri-Food and Biosciences Institute evaluated how the eradication of BVD would impact on the mortality and reproductive performance of bovines here. It found that it would reduce the relative number of replacement cattle and increase the milk production per cow. Based on an assumption that BVD eradication would lead to a 2% improvement in milk production per animal and a 3% reduction in replacement rate, the study estimated that the resulting reduction in carbon dioxide and other gas emissions (collectively known as 'CO<sub>2</sub>e') from the dairy industry in Northern Ireland would equate to £3.64 million per year in savings to farms. Similarly, the study indicated that BVD eradication would lead to an estimated 3% improvement in replacement rate in the beef industry in Northern Ireland leading to a 1.5% reduction in greenhouse gas emissions equivalent to an estimated CO<sub>2</sub>e savings of £1.74 million per year. The impact of the eradication of BVD virus (BVDV) from NI dairy and suckler herds, on greenhouse gas emissions, was estimated as CO<sub>2</sub>e savings equivalent to £5.38 million per year<sup>10</sup>.

4 Cost to industry, estimates in Agri-land article July 21, NI BVD maps: [Where is your nearest PI animal? - Agriland.ie](https://www.agriland.ie/news/where-is-your-nearest-pi-animal/)

5 [Consultation on the compulsory Bovine Viral Diarrhoea eradication scheme GOV.WALES](https://www.gov.uk/government/news/consultation-on-the-compulsory-bovine-viral-diarrhoea-eradication-scheme)

6 [BVD tissue tag spend passes £15m 06 July 2022 Free \(farmersjournal.ie\)](https://www.farmersjournal.ie/news/bvd-tissue-tag-spend-passes-15m-06-july-2022-free)

7 <https://www.daera-ni.gov.uk/consultations/consultation-proposed-introduction-bovine-viral-diarrhoea-bvd-herd-restrictions>

8 [Ruminant-Report-Acting on Methane, April-2022](https://www.defra.gov.uk/news/20220408-ruminant-report-acting-on-methane)

9 Study to Model the Impact of Controlling Endemic Cattle Diseases and Conditions on National Cattle Productivity, Agricultural Performance and Greenhouse Gas Emissions, February 2015 [http://randd.defra.gov.uk/Document.aspx?Document=13320\\_AC0120Finalreport.pdf](http://randd.defra.gov.uk/Document.aspx?Document=13320_AC0120Finalreport.pdf)

10 Agri-Food Biosciences Institute, [Summary Report for DARD Research Challenge Fund Project: Serological Survey to determine prevalence of Northern Ireland suckler and dairy herds with evidence of current or recent infection with Bovine Viral Diarrhoea Virus \(BVD\)](https://www.agrisearch.org/research/summary-report-for-dard-research-challenge-fund-project-serological-survey-to-determine-prevalence-of-northern-ireland-suckler-and-dairy-herds-with-evidence-of-current-or-recent-infection-with-bovine-viral-diarrhoea-virus-bvd) (agrisearch.org)



- 2.11 The reduction of greenhouse gas links directly to the draft PfG outcome ‘we live and work sustainably - protecting the environment’. The eradication of BVD would deliver against this outcome as well as contributing to the Green Growth Strategy for Northern Ireland and commitments under the Climate Change Act (Northern Ireland) 2022. It would also contribute to the Department’s Vision for supporting a living, working, active landscape, valued by everyone.

### ***Antimicrobial resistance***

- 2.12 As noted, BVD can give rise to other health issues in cattle that are often treated with antibiotics. Reducing the use of antibiotics in livestock is a key Departmental aim and aligns closely with the public health outcome of the draft PfG. The five-year Northern Ireland Antimicrobial Resistance (AMR) Action Plan ‘Changing the Culture 2019-2024’<sup>11</sup>, developed by the Department of Health, the Department and the Food Standards Agency, Northern Ireland, identifies the continued support, promotion and regulation of disease eradication programmes, including BVD, as one of the ways to help lower the burden of animal infection.
- 2.13 There is clearly, therefore, a need to address BVD to ensure that the potential financial and societal benefits outlined above can be realised. Details on the schemes introduced in the rest of the UK and the Republic of Ireland to deal with the disease are set out in Chapter 3.

## Action to date

- 2.14 In Northern Ireland, co-ordinated efforts to tackle the disease began in 2012 when Animal & Health Welfare Northern Ireland (AHWNI) was established. AHWNI is an initiative by farmers’ organisations and the wider cattle industry to promote improved cattle health and welfare in Northern Ireland. Its remit covers BVD and other endemic cattle diseases and conditions. The BVD Implementation Group (BVDIG), a cross-industry body convened by AHWNI, takes forward the planning and implementation of the national BVD eradication programme. BVDIG consists of a range of industry stakeholders including the Ulster Farmers’ Union, Northern Ireland Agricultural Producers’ Association, breed societies, Northern Ireland Veterinary Association and the Association of Veterinary Surgeons Practising in Northern Ireland.
- 2.15 AHWNI, through the BVDIG, initiated a voluntary BVD testing scheme in Northern Ireland on 1 January 2013. The scheme was based on farmers voluntarily agreeing to test ear punch samples for BVD virus using tissue sample-enabled official identity tags. Under the voluntary scheme, each participating herd keeper agreed to carry out tissue tag testing of calves for a three-year period. In addition, they agreed to isolate any PI animals and not to move them off farm except for slaughter. A target number of tests were met, and stakeholders subsequently asked the Department to consider introducing legislation to make the voluntary BVD programme compulsory.

<sup>11</sup> [One-Health-Changing the Culture-2019-2024 Final Proof.pdf \(daera-ni.gov.uk\)](#)



2.16 Following a public consultation on proposals for a compulsory scheme which were supported by the majority of respondents, the BVD Eradication Scheme Order (NI) 2016 (“the BVD Order”) came into operation on 1 March 2016. It aims to reduce the incidence of BVD by placing a number of legal obligations on herd keepers. Under the BVD Order, herd keepers are required to:

- ensure that a tissue sample is taken as soon as possible from all new-born calves born after 1 March 2016 and no later than 20 days after birth. [The tissue sample should be sent for testing for BVDV to an approved laboratory, within seven days of it being taken];
- test aborted bovine fetuses, stillborn bovine calves or bovine calves that have died before being tagged;
- carry out repeat analysis following any initial positive or inconclusive results;
- test any bovine born after 1 March 2016 that enters a herd without a negative BVD status from an approved laboratory. [This should be done by ensuring that either a tissue sample or a blood sample is taken from the bovine as soon as possible and no later than 20 days after the bovine enters the herd. The tissue sample or the blood sample should be sent to an approved laboratory to be tested for BVDV, within seven days of it being taken];
- isolate any bovine that has a positive or inconclusive test result to prevent direct or indirect contact with other susceptible animals.

A bovine required to be sampled under the BVD Order must not be moved from the holding on which it was born or moved to, unless a negative test result has been obtained from an approved laboratory. It is an offence not to comply with the requirements of the BVD Order. The Department is responsible for enforcing the statutory scheme provided for by the Order, while AHWNI is responsible for its delivery.

2.17 Since the introduction of the BVD Order, the following additional steps have been taken to further support BVD eradication:

- *Incentivisation of PI removal:* a time-bound scheme to incentivise the prompt removal of PI calves ran between February and September of 2017. This scheme, funded by European Adjustment Aid, allowed for payments to herd owners who removed PI calves within 42 days of an initial positive BVD test result.
- *Slaughterhouse ban on BVD-infected animals:* An industry initiative to prevent PIs from being accepted by slaughterhouses was implemented at the start of May 2018. The voluntary adoption by many slaughterhouses of this measure serves to further encourage herd keepers to remove PIs from their herds.
- *Removal of PIs as requirement of Farm Quality Assurance Scheme (FQAS):* In 2020, the Livestock and Meat Commission Board agreed, with other industry bodies, to amend its FQAS to include the removal of BVD-infected animals from herds as a requirement of FQAS membership.



- *Voluntary herd restrictions:* In recent months, AHWNI has asked all keepers whose animals receive positive test results to voluntarily cease selling animals to other herds until 21 days after removal of the PI animal.

## Progress on prevalence rates

2.18 Since the compulsory BVD eradication scheme was introduced on 1 March 2016, over four million cattle in Northern Ireland have been tested for the BVD virus. The initial positive test rate at the start of the compulsory scheme in 2016/2017 was 0.68% and this has fallen to 0.31% in 2021/2022. As a consequence of the compulsory BVD scheme and the further measures introduced to support BVD eradication, the proportion of PI calves in Northern Ireland has fallen from 0.66% in 2016 to 0.34% in May 2022. Significant progress has been made in reducing the levels of BVD in Northern Ireland and prevalence of the disease has fallen by over 50% since 2016. Currently, over 98% of all cattle have a negative BVD status.

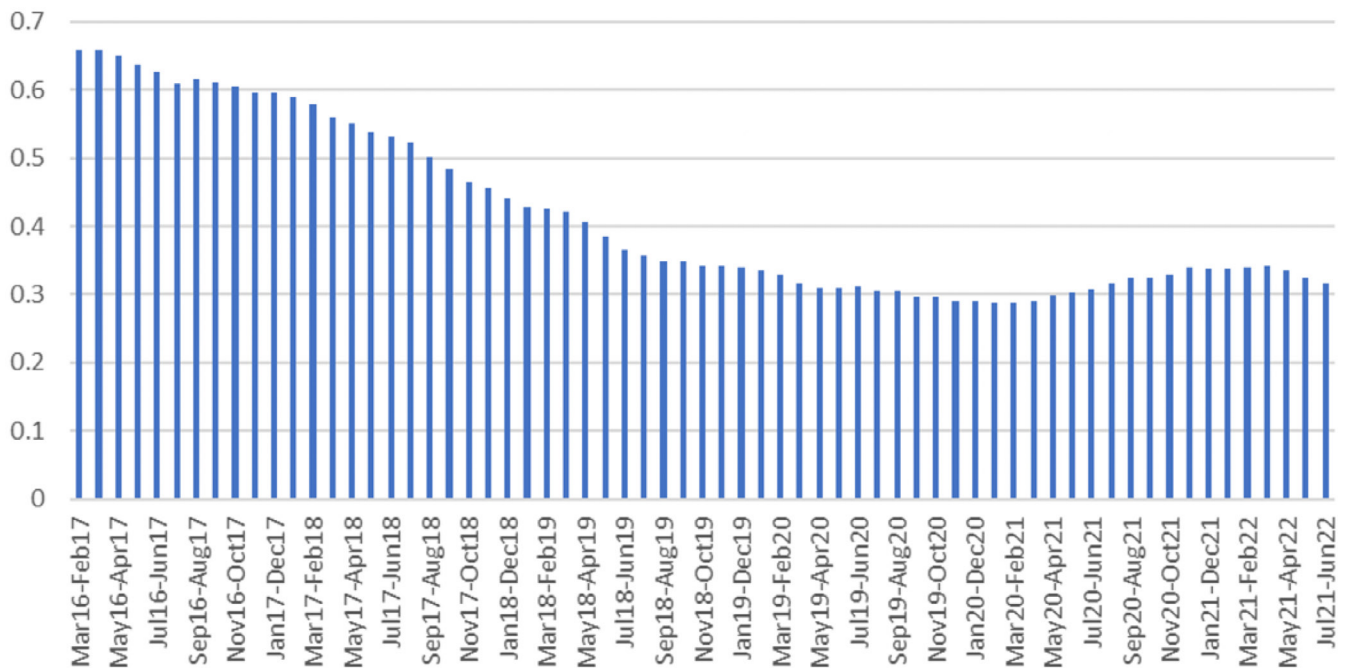


Figure 1. Percentage of animals tested that are BVD positive by rolling 12-month period.

Source: AHWNI



### No. of BVD Positive Animals

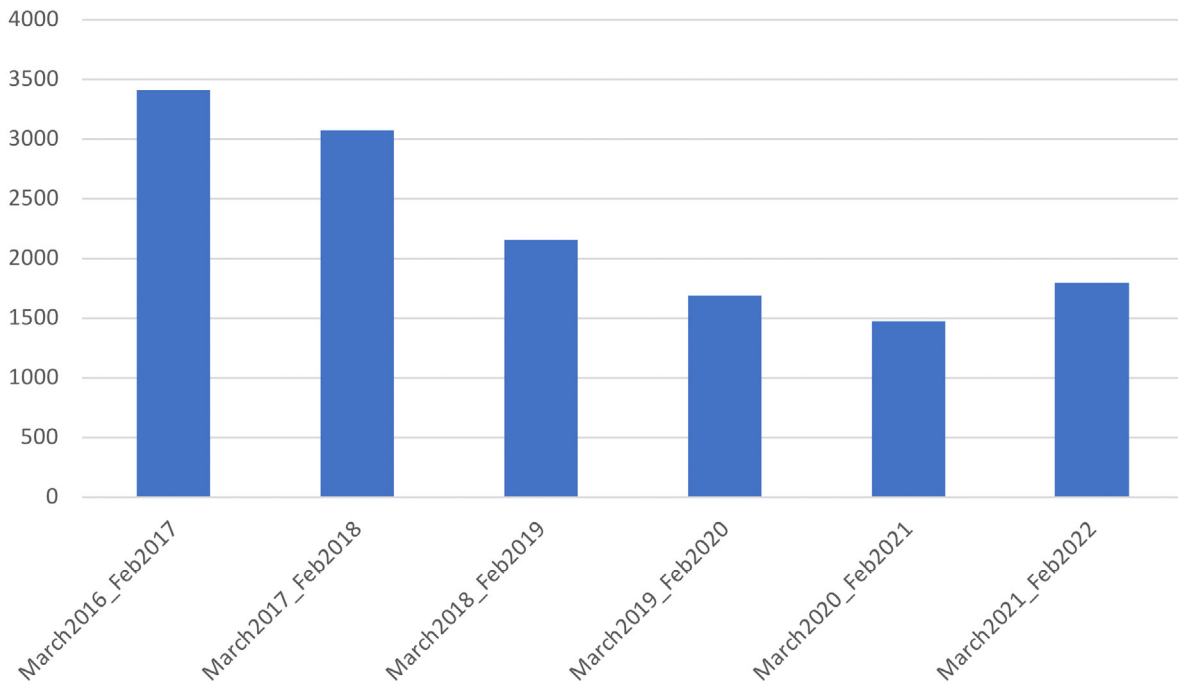


Figure 2. Number of BVD positive animals disclosed during the NI BVD Eradication Scheme (Each 12-month period is based on March to February as the compulsory scheme began in March 2016). Source: *AHWNl*

### BVD Positive Retained

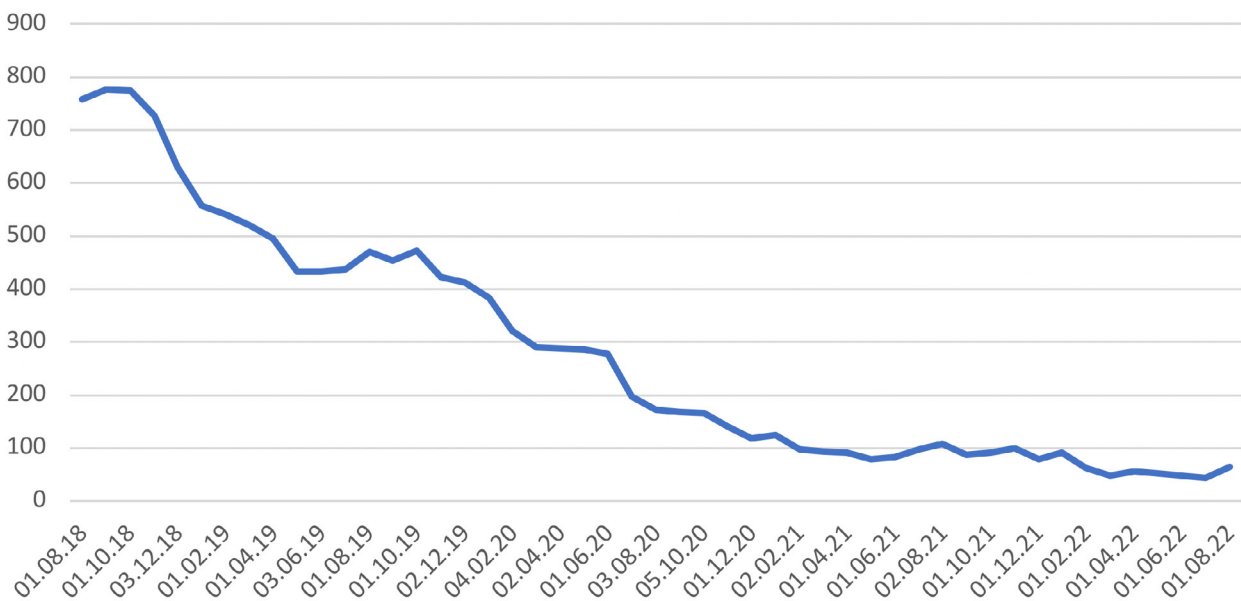


Figure 3. The number of BVD positive retained animals at the start of each month. Source: *AHWNl*



## Need for further action

- 2.19 The Department is encouraged by the progress that has been made since the compulsory scheme came into force. It notes, however, that the rate of progress has recently slowed; between July 2021 and June 2022, 1,648 BVD positive animals were disclosed and, as of 3 October 2022, there were 141 positive animals alive in 98 herds. Of these, 36 animals in 28 herds were still alive more than 28 days after the positive test result was given to the herd keeper. The Department finds the retention of these PI animals disconcerting especially given the risks they pose to the perpetuation and spread of the disease. It is of the view that this reluctance on the part of a minority of herd keepers to remove PI animals is obstructing the efficacy of the entire eradication scheme.
- 2.20 The Department is also conscious of the trading implications that the recent EU approval of the ROI BVD eradication programme has brought to Northern Ireland farmers and the extra implications that may arise as the ROI works towards achieving BVD Free Status. While the Department has put in place measures to facilitate trade in the light of the new requirements, it considers that the ultimate facilitator for unrestricted trade is to eradicate the virus here.
- 2.21 The Department is satisfied that additional measures are required to ensure that the disease is eradicated from Northern Ireland. It is convinced that its eradication will bring substantial animal welfare and economic gains to keepers and animals as well as benefits to society as a whole, by reducing the carbon footprint of Northern Ireland farms and lowering antimicrobial resistance. It is of the view that the proposals detailed in Chapter 4 are the most effective way of ensuring that these benefits are realised.



## Chapter 3: Herd Restrictions in Other Jurisdictions

3.1 This chapter sets out the position on herd restrictions in other parts of the UK and the ROI. Where relevant, it highlights the impact that the restrictions have had on the prevalence of BVD in those jurisdictions.

### England

3.2 A BVD eradication scheme was launched in England on 1 July 2016. It is currently voluntary and, as such, not supported by legislation. Herd restrictions are, therefore, not applied. BVDFree England, the industry body that leads the scheme, is looking towards working with DEFRA to develop a scheme based in legislation. It is not clear whether any such scheme, if established, would contain provision for herd restrictions.

### Wales

3.3 A voluntary BVD eradication scheme has been in place in Wales since 2017. The Welsh Government has, however, recently consulted on the introduction of a compulsory BVD scheme for Wales which it hopes will be in place by early 2023. Under the proposed scheme, cattle keepers would be required to test their herds annually for BVD and take steps to isolate PI animals. It is proposed that herds which contain animals that test positive for BVD would be subject to movement restrictions. The consultation closed on 25 August 2022 and the Welsh Government is currently considering its findings.

### Scotland

3.4 The application of herd restrictions is an integral part of the Scottish BVD eradication programme and they have been applied there since 2015. Herd restrictions in Scotland are based on herd statuses and are applied to breeding herds only. Keepers of breeding cattle herds do not have to individually test every animal in the herd for the BVD virus after birth. Rather, there are three testing options available to them which must be completed annually:

- check testing which indicates the herd's exposure to BVD. This involves taking blood samples from a representative number of appropriately aged homebred calves, to test for BVD antibodies. Check testing is carried out annually in herds that calve seasonally and every six months in year-round calving herds (i.e., most dairy herds in Scotland);
- individual testing of all calves born within the last 12 months, which indicates presence of BVD infection. This requires either a blood or tissue sample that is tested for BVD antigen/virus; or
- testing every animal in the herd for BVD antigen/virus, which indicates the presence of BVD infection.



3.5 Under the Scottish programme, herd statuses are assigned by laboratories when they issue test results. Results and herd status are uploaded to the official BVD Database, ScotEID, at the same time as the herd keeper is informed. The herd status expires after 13 months (seven months for 'dairy' check test) and keepers are advised to complete their BVD testing within 12 months (a further month is allowed for recording the results).

3.6 There are two different herd statuses that can be applied in Scotland:

- *Negative*: herds that have complied with testing requirements and do not have any positive animals or high-risk animals without a BVD status; and
- *Not-negative*: herds that have not complied with testing obligations or herds that have positive or high-risk animals without a BVD status.

'High-risk animals' are cattle that may present a risk of BVD infection to others. Specifically, these are animals that move out of Scottish 'not negative herds' without an individual BVD status, animals born on Scottish non-breeding holdings that have no individual BVD status and animals from outside Scotland that have no individual BVD status recorded on ScotEID.

3.7 Moves into or out of a herd with a 'negative herd status' in Scotland are not restricted. Moves out of 'not-negative herds' in Scotland are restricted unless an animal to be moved has a negative individual BVD status, is moved directly to slaughter or moved under licence issued on behalf of the Scottish Government. Moves into 'not-negative herds' are allowed except in respect of herds that contain known BVD positive animals. Movements into herds that contain positive animals are restricted except where the move takes place under licence. Licences are only granted in exceptional circumstances, for example, for animal welfare reasons.

3.8 Non-breeding herds in Scotland are not allocated a herd status. However, keepers are still required to test any calves born in their herds for the BVDV. Any non-breeding herds with a positive animal are subject to herd restrictions. In these instances, moves in are prohibited (except under licence). The Scottish decision to target breeding herds reflects that the main source of BVD infection is from PI bovines (i.e., bovines that are infected with the virus in the womb at a certain stage of gestation and excrete large volumes of the virus from birth until death).

3.9 Restrictions in Scotland are applied automatically and immediately on upload of a positive test result to ScotEID. The herd keeper receives a call from a government funded helpline following a positive result advising him or her of the restrictions now in place on the herd, the potential impact in terms of disease transmission and encouraging removal of the animal. Restrictions are immediately lifted when a positive animal is removed from the herd or is retested BVD negative. No compensation is paid for removal.

3.10 The imposition of herd restrictions in Scotland has been very effective in reducing PI retention and, therefore, BVD incidence levels. There are a total of approximately 10,600 herds in Scotland of which approximately 8,300 are breeding herds. When herd restrictions were introduced in June 2015 there were 430 PIs in 204 herds. This had reduced to 187 PIs in 57 herds by December 2019 after which further measures were introduced.





## Republic of Ireland

- 3.11 The Republic of Ireland (ROI) began imposing restrictions on herds with bovines that test positive for BVD, in 2016. Restrictions in that jurisdiction are applied to breeding and non-breeding herds by serving notice on the herd keeper.
- 3.12 Initially, herds were restricted in the ROI if the animal remained in the herd 36 days after a positive test result. This ‘grace period’ was reduced to 21 days in 2019. The periods of grace were initially relied on to provide an opportunity for the relevant veterinary officers in that jurisdiction to work with farmers to secure compliance. However, since the beginning of 2021, herds in the ROI have been restricted on day one following the date of the initial BVD positive or inconclusive test result.
- 3.13 All moves out of, and into, restricted herds are prohibited in the ROI. However, movements out of the herd to slaughter or to non-breeding herds may be authorised on a case-by-case basis under permit issued by the Regional Veterinary Officer, provided animals move directly to their destination.
- 3.14 In the ROI, restrictions remain on the herd for three weeks after the BVD positive animal is removed, provided; whole herd testing has been completed; all females aged 12 months old and above have been vaccinated; and an epidemiological investigation has been carried out. These requirements were introduced in January 2021 to mitigate against the risk of disease spread and the costs arising are fully funded by the Irish Department of Agriculture, Food and the Marine’s Regional Development Programme.
- 3.15 Following lifting of restrictions, herds in the ROI are required to:
- continue to tissue tag test for a minimum of 24 months after the removal of the last animal with positive or inconclusive results;
  - continue the vaccination programme in the herd in the following year;
  - not to sell any potential Trojan females in the herd (i.e., females that were in calf at the time of the positive or inconclusive result) until their calves have been born and tested for BVD.
- 3.16 The ROI’s BVD eradication programme, which has now received EU approval, has been very successful in reducing the incidence of BVD. Herd restrictions have been highlighted as the measure which has had the most significant impact in reducing the prevalence of BVD. In 2016, when herd restrictions were first introduced, there were 4,540 positive cattle within 2,501 herds. Recent figures from July 2022 have shown this has reduced to 461 positive cattle in 222 herds, out of approximately 73,000 breeding herds in total.
- 3.17 The Department notes the effectiveness of herd restrictions in the eradication of BVD in both Scotland and the ROI, as well as the move toward introducing them in Wales. This reinforces its view that they are a necessary measure to achieving freedom from the disease in Northern Ireland.



## Chapter 4: Proposals

### Introduction

- 4.1 The Department proposes to use herd restrictions as a disease control measure against BVD. As noted, PI animals shed the BVD virus throughout their lives. They will always remain infected and as such, the disease is in effect, maintained by them. The Department is satisfied that PI animals pose the most significant risk to the eradication of BVD from Northern Ireland. It is of the view that the spreading of the virus by PI animals is putting those herds that are not infected, at risk and is thereby undermining the salutary efforts that have been made to date to eliminate the BVD virus.
- 4.2 The Department notes that the movement of individual animals that test positive for BVD is already prohibited, except in defined limited circumstances, and that these animals must also be isolated from the rest of the herd. Nonetheless, given the seriousness of the risk posed by PI animals, the Department considers it necessary to go a step further to support industry in its efforts to eradicate this disease. It wants to ensure that all PIs are identified to remove the risk of them triggering BVD breakdowns in non-natal herds via the animals they transiently infect. It also wants to remove the risks associated with bovines carrying PI calves entering holdings.
- 4.3 The proposals contained in this chapter are, therefore, aimed at reducing the transmission of the BVD virus within and between herds in Northern Ireland by further encouraging the prompt identification and removal of PI animals. The Department considers this to be key to effective BVD control and ensuring that the virus is contained. Based on the experience in other jurisdictions like Scotland and the ROI, the Department is satisfied that imposing herd restrictions is the eradication measure most likely to have the greatest impact on BVD levels in Northern Ireland.
- 4.4 During the recent voluntary restrictions exercise taken forward by AHWNI, most participating keepers did follow its advice to remove PI animals from their herds. There was, however, limited adherence to its advice to cease selling other cattle while the PI animal remained in the herd, or during the weeks immediately after its removal. Worryingly, in a significant number of cases, the dam of the positive animal was sold to another herd within a short period after the PI animal was removed. The Department is of the view that this exercise, although admittedly limited by uptake, demonstrates that compulsory herd restrictions are required to ensure that the BVD virus does not move into herds with no previous history of BVD.

**Do you agree with the proposal to introduce herd restrictions as a disease control measure for BVD in Northern Ireland?**



## Herds with positive animals

- 4.5 The Department proposes that **herd restrictions should be applied to all herds containing one or more BVD positive animals** 28 days after the keeper has been notified by the Department of a positive test result. In practice, it envisages that at least initially, most restrictions are likely to be imposed on herds that retain PI cattle as any transiently infected animals should test negative after 21 days. As noted, the retention of PI cattle has presented as an ongoing difficulty for the effectiveness of the BVD eradication scheme. While there has been a substantial reduction in BVD incidence, the retention of BVD PI animals continues to be the most significant obstacle to eradicating this disease. At the start of October, there were 28 BVD positive animals knowingly retained on farm for more than 28 days following receipt of a positive result. The Department, therefore, considers it necessary to restrict herds containing PI animals.
- 4.6 The Department is mindful that the removal of any PI animals can have a cost to farmers. Research has, however, shown that keepers can recover the costs associated with removing PI animals in a relatively short period of time; published evidence suggests that recovery of intervention costs can be accrued swiftly if infection is brought under control quickly<sup>12</sup>. Overall herd health benefits from the removal of PI animals, resulting in financial benefits to the farm business (see the Regulatory Impact Assessment at <https://www.daera-ni.gov.uk/consultations/BVD-herd-restrictions> for more detail). As noted, PI animals do not tend to thrive. Their prompt removal avoids wasted expenditure associated with their keep. The Department, therefore, considers it to be in the farmer's best interest to remove PI animals.

**Do you agree that the Department should restrict movements from herds that retain BVD positive animals?**

### *Category of herds*

- 4.7 **Applying restrictions to all herds with one or more BVD positive animals irrespective of the herd size or herd nature** is considered by the Department as critical to controlling spread of the disease. This approach should encourage farmers to remove positive animals promptly from the herd and, thereby, reduce the risk of infection being passed to other animals in that herd and other herds.
- 4.8 While the Department proposes that restrictions should be applied to all herds, it acknowledges that the main impact would be on breeding herds, as this is where the majority of BVD testing is carried out. In this regard, its proposal is the same as the approach taken in the ROI, where restrictions are applied to all herds irrespective of their nature and size. In Scotland, while testing requirements are different for breeding and non-breeding herds and herd statuses are only applied to breeding herds, restrictions are also applied to all herds.

<sup>12</sup> [Predicted costs and benefits of eradicating BVDV from Ireland \(Stott et al, 2012\)](#)



- 4.9 The Department is also conscious that extending the restrictions to all herds aligns with the conditions for attaining BVD free status under the EU Animal Health Law; to achieve this status, at least 99.8% of the establishments representing at least 99.9% of the bovine population must be free from BVD.

**Do you agree that herd restrictions should be applied to all herds that retain positive animals irrespective of herd size or herd nature?**

#### ***Associated herds***

- 4.10 The Department also proposes that **the restrictions imposed should extend to any herds ‘associated’ with the herd containing the positive animal** i.e., herds that are kept, managed or housed together. There is a higher risk of disease transmission between ‘associated herds’ as animals in these herds are under common management and are regarded as being in the same epidemiological unit. As such, the Department considers it appropriate to extend any restrictions applied to these herds. Its proposal is broadly consistent with the position in the ROI, where notices can be served in relation to land or premises and can, therefore, be used to restrict more than one herd. The Department also notes that a similar approach is taken to the imposition of herd restrictions in Tuberculosis infected herds in Northern Ireland.

**Do you agree that herd restrictions should apply to herds ‘associated’ with the herd containing the positive animal i.e., herds that are kept, managed or housed with the herd that has the positive animal?**

#### ***Timing and application***

- 4.11 The Department proposes allowing **a period of 28 days from the date on which the Department issues official notification to the herd keeper of a positive test, before imposing herd restrictions.** The Department considers this is a reasonable timeframe as it should provide the herd keeper with adequate opportunity to retest animals and remove any PIs from the herd. It is intended that herd keepers would, as well as receiving official notification from the Department, also be advised immediately of positive BVD results by AHWNI and informed as to the steps required to avoid restrictions being imposed on their herds; results from retests can generally be obtained within three to four working days and positive animals can then be removed immediately from the farm. Restrictions would not be applied if the positive animal is removed from the herd or tests negative within the 28-day period.
- 4.12 The Department notes that Scotland and the ROI apply herd restrictions immediately after receipt of a positive BVD test result. As well as encouraging rapid removal of PIs, this approach substantially reduces the potential risk of the disease spreading to other herds. The Department is, however, conscious that when the ROI introduced herd restrictions it did so with an ample grace period. It is anticipated that approximately 20% of animals with an initial positive result will test negative at re-sample as they will have been transiently infected only. It is therefore recommended that a grace period should be provided before



the imposition of herd restrictions, at least initially. It notes that herd keepers are already prohibited under the BVD Order from moving individual animals that test positive for BVD (unless the move is to slaughter, for disposal as an animal by-product or under licence) and must isolate positive animals. It considers that this should go some way towards mitigating against the risks of disease transmission during the proposed initial grace period following the positive test result.

- 4.13 The Department has considered providing a longer grace period of 36 days as was initially provided for in the ROI, or a shorter period of 21 days to which the ROI moved in 2019. On balance, it views the period of 28 days as an appropriate starting time frame, based on the current disease situation. The Department envisages reducing the period at which restrictions are imposed, gradually, within one to two years as the disease situation improves, so that eventually the restrictions would be applied immediately following a positive test result, as in the ROI and Scotland. As well as encouraging rapid removal of PIs, the Department recognises that this would substantially reduce the potential risk of the disease spreading to other herds.

**Do you think there should be a ‘grace period’ before herds with positive BVD test results are restricted to allow herd keepers time to retest or remove PI animals?**

**If so, do you consider 28 days an appropriate initial ‘grace period’?**

**Do you agree that the ‘28-day grace period’ should be reduced within one to two years so that eventually herd restrictions would be applied immediately following a positive BVD result?**

#### ***Movements out of, and into, restricted herds***

- 4.14 The Department proposes **to prohibit the movement of all bovines in and out of a restricted herd**. The only exceptions it proposes would be movements directly to slaughter, for disposal as an animal by-product or, in exceptional circumstances, under licence issued by the Department e.g., for welfare reasons or to allow the movement of a breeding bull into a herd when considered justified. As is currently the case, movements of untested bovines to slaughter would continue to be prohibited. This would mean that moves out of the herd to other farms, markets or shows would generally be prohibited. It is not proposed that the restrictions would affect trade of animals between Northern Ireland and EU Member States.
- 4.15 The Department considers that restrictions on movements out of and into the herd are required to prevent spread of the disease. Banning moves into the herd is important to reduce the number of negative animals which could become transiently infected and silent spreaders of the virus, even though they have a BVD negative test status. Additionally, there is a risk pregnant animals could become infected, resulting in a further generation of persistently infected animals. The Department’s proposal is consistent with the approach in the ROI. In Scotland, there are slight differences in restrictions on movements from a



restricted herd, as animals with an individual negative virus test result may be allowed to move from positive or non-negative herds. However, this is because of a differing approach in Scotland to BVD testing; most herds there have undertaken annual check testing rather than testing all animals at birth, as is the case here and in the ROI.

**Do you agree that no movements should be permitted into a restricted herd apart from exceptionally under licence issued by the Department?**

**Do you agree that no movements should be permitted out of a restricted herd apart from moves to slaughter, for disposal as an animal by-product or exceptionally under licence issued by the Department?**

**Are there any other moves that you think should be allowed out of, or into, a restricted herd? If so, please provide details.**

#### ***Lifting of restrictions***

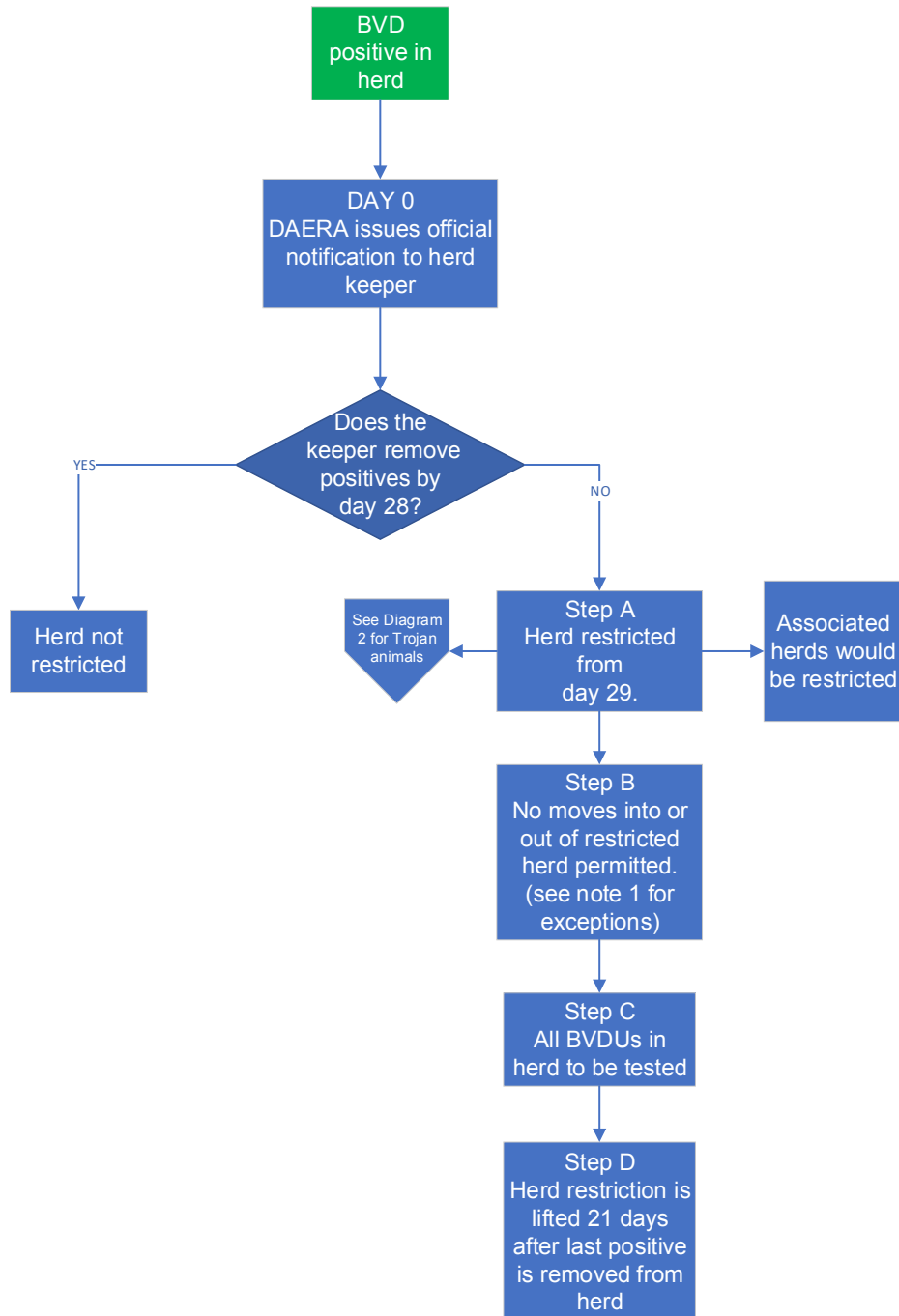
- 4.16 Where **restrictions** are applied to a herd that has retained a BVD positive animal(s), the Department proposes that they **should remain in place until 21 days after the positive animal has been removed or has retested negative**. The Department notes that, in this regard, its proposal differs from the approach taken in Scotland where restrictions are lifted immediately on removal of the positive animal. The Department is, however, conscious that animals can remain transiently infected with BVD for up to three weeks from the onset of infection. It is therefore satisfied that keeping the restriction in place for an additional three weeks following removal or retesting, should reduce the risk of the disease spreading to other herds. It should also encourage herd keepers to take action to address the retention of PI animals promptly to negate the need for restrictions to be applied. The proposal is consistent with the position in the ROI.
- 4.17 The Department acknowledges that there is a residual risk that transiently infected animals might remain in the herd even at the end of the three-week period. The risk is not however, considered sufficient at this juncture to justify the retention of restrictions for longer than three weeks.
- 4.18 The Department further proposes that **restrictions should remain in place unless all animals within the herd over 27 days of age have received a direct or indirect negative BVD test result**. Its proposal aims to reduce the risk posed by unidentified positives in the herd, which may have been the source of the positive outbreak. It is consistent with the current BVD Order, which requires all new-born calves and any animals without a negative status that come into possession of a herd keeper, to be tested within 20 days of birth or entry into the herd. While this proposal doesn't go as far as the ROI approach, which requires whole herd sampling and vaccination of females over the age of 12 months, it is considered a reasonable response to disease control at this stage of eradication. The Department may, subject to resource constraints, take further surveillance measures in the future.



4.19 If the testing of any animals in the herd without a negative status identifies any further positives, it is proposed that restrictions should remain for a further 21 days after the removal of the last positive animal. Again, this aims to reduce the risk of spread of disease to other herds by transiently infected animals that were in contact with the positive animal.

What do you think of the Department’s proposals regarding the lifting of herd restrictions?

**Diagram 1: Proposed process for restrictions in herds with BVD positive animals**



Note 1: Exceptions are movements directly to slaughter, for disposal as an animal by-product, or, in exceptional circumstances, under licence by the Department. Movements between NI and EU Member States would not be affected.

The grace period of 28 days is proposed to be shortened by the Department over 1-2 years.



### ***Trojan animals***

- 4.20 Pregnant animals which have become exposed to the BVD virus during gestation present a significant risk to the eradication of this disease, as the calf they are carrying may be persistently infected with BVD virus even though the dam is virus negative. Such animals are referred to as ‘Trojans’. These animals can silently cause the introduction of BVD into previously uninfected herds. The Department believes Trojan animals will play an increasingly significant role in spreading BVD virus as we progress towards final eradication.
- 4.21 As noted, PI animals shed the BVD virus all their lives. The risks emanating from PI animals cannot therefore be overstated. The introduction of one pregnant bovine carrying a PI calf into a susceptible herd can cause very significant financial losses for that herd. The Department is determined to protect herds from the risk posed by PI animals. Laboratory tests to identify Trojan animals are not however available and it is difficult, in any event, to determine whether a bovine is pregnant without an on-farm examination being carried out by a veterinarian. The Department therefore, considers, that to minimise the disease risk arising from the calves of potential Trojan animals and ensure that any restrictions imposed are practicably workable, they should be applied to all breeding females in a herd that has been restricted. Most heifers reach puberty and can be bred from 12 months.
- 4.22 **The Department is, therefore, proposing to restrict the movement of all female bovines that are 12 months old and over on the date that an entire herd has been restricted for having a positive animal.** This proposal would not extend to herds whose movements are restricted because of the retention of inconclusive animals or BVDUs. Restrictions would be applied to individual animals and lifted as each restricted animal meets one of the criteria below.
- 4.23 Most cows have their calves between 38 to 41 weeks following conception. The Department, therefore, proposes that the movement of bovines of breeding age should automatically be restricted for 41 weeks following removal of the last BVD positive animal in the herd unless the breeding bovine:
- has calved and its calf has tested negative for the BVD virus;
  - has received negative BVD virus antigen and antibody results (antibody samples to have been taken at least 21 days after disposal of last positive animal in the herd); or
  - tested positive for antibodies against BVD virus before the insemination preceding its current gestation.
- 4.24 The Department proposes that female bovines of breeding age should still be permitted to be moved to slaughter, for disposal as animal-by products or in exceptional circumstances under Departmental licence. The Department considers that allowing movements in these circumstances and permitting the restrictions to be removed earlier than the normal bovine gestation period of 41 weeks, should limit the impact that the proposal could have





on those farms that wish to move animals of breeding age. In any event, however, the Department considers it important to highlight that it would be within the gift of individual herd keepers to avoid the imposition of restrictions on bovines of breeding age, by removing any PI animals in his or her herd within the 'grace period' to be afforded. The Department notes that authorities in the ROI also have the power to restrict the movement of potential Trojan animals in restricted herds. The Department considers that this reflects the significant risk posed by the movement of Trojan animals into a herd. It, therefore, considers that it would be remiss of it not to address this risk and protect herds from the virus.

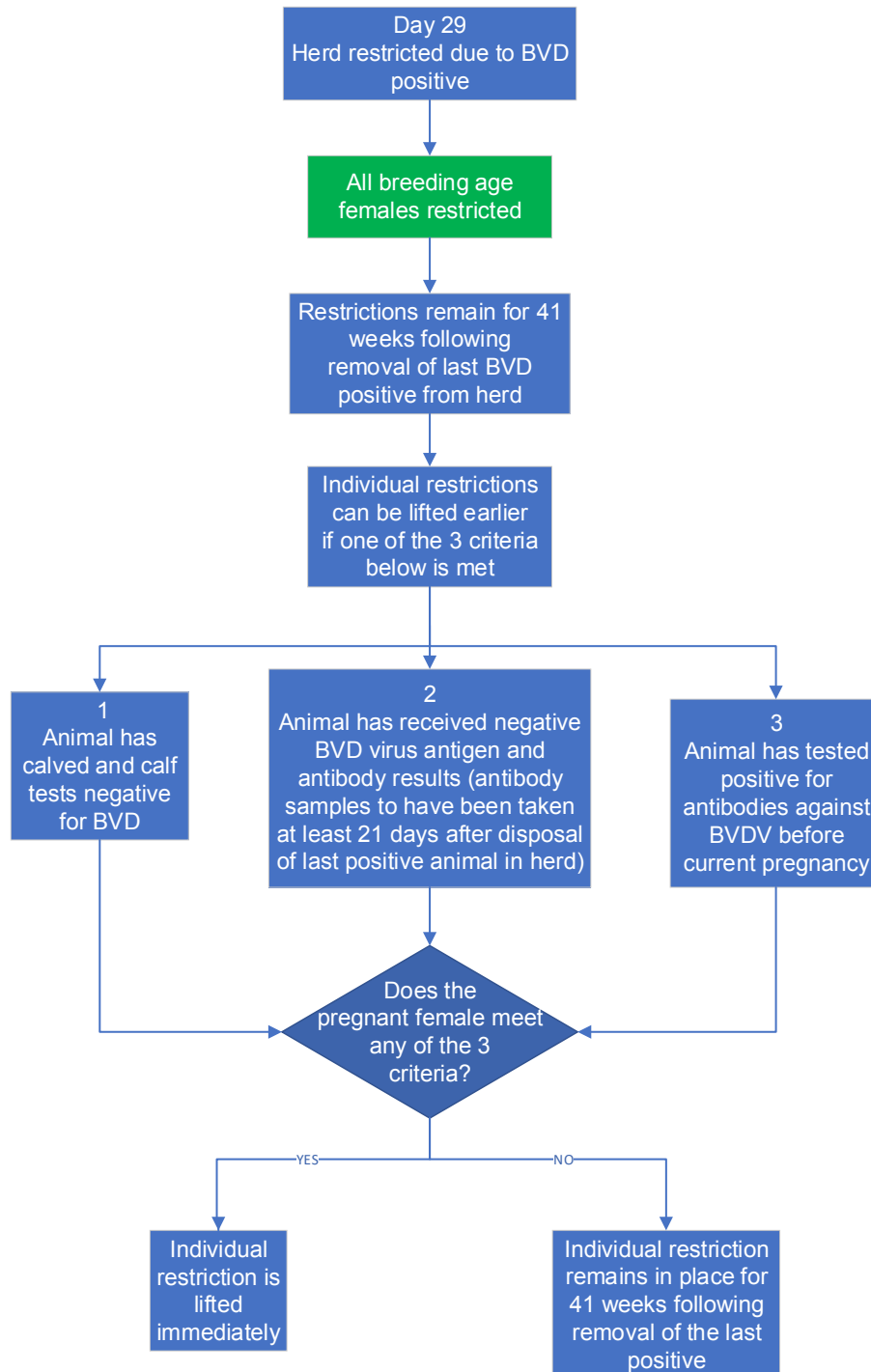
- 4.25 However, implementation of this proposal would require changes to the Department's computer systems. This means that it would not be possible to restrict the movement of breeding females as soon as herd restrictions are introduced. The Department would intend to restrict breeding females in herds that have been restricted, as soon as the relevant adaptations can be made to its systems.

**Do you agree with the Department's proposal to impose restrictions on breeding age females in the herds restricted because of positive animals?**

**If breeding females are restricted, under what other circumstances, do you consider that restrictions should be removed and why?**



Diagram 2: Proposed process for restrictions in herds with Trojan animals





## Herds with inconclusive animals

- 4.26 The Department further proposes **that herds that contain bovines with inconclusive BVD test results should be restricted** if they remain in the herd 28 days after the result is received. Restrictions would apply to all herds with one or more inconclusive animals, irrespective of the herd size or herd nature.
- 4.27 From September 2021 to August 2022, approximately 0.007% of tissue samples gave an inconclusive test result (a total of 37). Of those that were re-tested, approximately 8% returned a positive result on re-sample. An animal which is given an inconclusive test result is approximately 45 times more likely to be positive on re-test compared to a previously untested animal. In summary, although very few animals are given inconclusive test results, those that do, are at much higher risk of being infected compared to other animals. It is, therefore, very important that all bovines with inconclusive test results are re-tested promptly.
- 4.28 Under the BVD Order, these animals must already be isolated from the rest of the herd and cannot themselves be moved from the herd except in limited circumstances. The Department accepts that this goes some way towards reducing the risk of disease spread from these inconclusive animals. It is, however concerned that, in the absence of a positive result, keepers may not consider these animals to be a high disease risk and may not therefore be as rigorous in the application of isolation requirements as the current legislation requires. Given the risks posed by PI animals, the Department considers it to be of the utmost importance that repeat testing is carried out on any inconclusive animals to ensure that any PIs in a herd are identified. Under the Department's proposal, it is within the gift of the herd keeper to avoid the imposition of restrictions on his herd; he or she can re-test any animals whose results are inconclusive and will receive the results within days. If the animal is retested with a negative BVD result, no herd restriction would be applied.
- 4.29 As with herds containing positive animals, restrictions due to inconclusive animals would apply to both breeding and non-breeding herds and restrictions would also apply to 'associated herds'.

**Do you agree that the Department should restrict movements out of herds that retain BVD inconclusive animals?**

**Do you agree that restrictions on herds with retained BVD inconclusives should apply to associated herds?**

### ***Timing and application***

- 4.30 The Department's proposal to restrict herds that contain BVD inconclusive animals aligns with the position in Scotland and the ROI. It notes however, that, as in the case of positive animals, those jurisdictions apply herd restrictions immediately after receipt of an inconclusive BVD test result. As well as incentivising rapid retesting of inconclusive



animals, this approach reduces the potential risk of the disease spreading to other herds. The Department proposes that restrictions would initially be placed on herds following a 28-day grace period from the date the Department notifies the keeper. The grace period would be gradually reduced to immediate restrictions, in line with its proposals for positive animals.

**Do you think there should be a 'grace period' before herds containing animals with inconclusive test results are restricted to allow herd keepers time to retest and if necessary, remove PI animals?**

#### ***Movements in and out of restricted herds***

- 4.31 The Department proposes **to prohibit the movement of all bovines in and out of herds retaining inconclusive animals**. The only proposed exceptions, like for those herds retaining positive animals, would be movements directly to slaughter, for disposal as an animal by-product or, in exceptional circumstances, under licence issued by the Department e.g., for welfare reasons or to allow the movement of a breeding bull into a herd when considered justified. The restrictions would not affect trade of animals between Northern Ireland and EU Member States.

**Do you agree with the Department's proposals regarding movements in and out of restricted herds because they retain inconclusive animals?**

#### ***Lifting of restrictions***

- 4.32 **Restrictions placed on herds because they contain bovines with an inconclusive BVD result would be lifted immediately if these animals test negative**. This is because any potential risk of disease spread will have been removed on confirmation of the negative results. However, if the animal tests positive, it is proposed that the herd would be subject to the same restrictions as herds with positive animals. This means that the restrictions would remain in place for 21 days following removal of the last positive animal and until all animals within the herd over 27 days of age have received a direct or indirect negative test result. In addition, all breeding females in the herd would be restricted (see paragraphs 4.16- 4.25 above).

**Do you agree with the Department's proposals regarding the lifting of restrictions for herds that retain inconclusive animal(s)?**



Diagram 3: Proposed process for restrictions in herds with inconclusive animals



Note 1: exceptions are movements directly to slaughter, for disposal as an animal by-product, or, in exceptional circumstances, under licence by the Department. Movements between NI and EU Member States would not be affected. The grace period would be shortened by Department over 1-2 years.



## Herds with unknown status animals

4.33 Under the BVD Order, all animals born since 1 March 2016 are required to be sampled within 20 days of birth or arrival into a herd if they do not already have a BVD status, and the keeper has a further seven days to send the sample to an approved laboratory for testing. Any animal born since 1 March 2016, which has not had a BVD test, is given 'BVD unknown' status (BVDU) on APHIS. The Order currently restricts the movement of individual animals unless they receive a negative BVD test result. The Department is, however, aware of a significant cohort of animals with a BVD unknown status. As of 4 October 2022, there were 18,062 BVDU animals over 30 days of age, of which 2,614 were imported animals. 2,935 herds had at least one BVDU animal. A breakdown of the numbers of BVDUs per herd is as follows:

BVDUs >30 days old @ 04/10/22	Number of herds	Number of BVDUs
200+	0	0
150-199	1	199
100-149	9	1,060
50-99	39	2,614
40-49	28	1,219
30-39	38	1,281
20-29	87	2,022
10-19	262	3,435
5-9	414	2,694
1-4	2,057	3,538
<b>Total</b>	<b>2,935</b>	<b>18,062</b>

4.34 These BVDU animals are of significant concern given the risk that they may be infected with BVD and may spread the virus. **The Department is, therefore, considering taking a power in legislation to allow it to restrict individual herds that do not test their animals for BVD within the required timescales.** It considers that having the power to restrict these herds could provide further incentive to keepers to establish the BVD status of animals in their herds that do not have a recorded test result. The Department considers that this could expedite the disclosure of positive animals and, thereby, allow herd owners to remove them. The prevention of movements might also help to decrease the level of spread of BVD virus between herds.

4.35 The Department proposes that, if it were to have such a power, it should be able to exercise it based on the risk the offending herd poses to the eradication of the disease. The Department considers that herds containing a higher number of BVDUs present an increased risk of having an undisclosed infection and, as such, pose a heightened risk to the eradication scheme. The Department would, therefore, initially intend to use the



power to target those herds that contain the highest number of BVDUs. As the disease situation improves, the Department would envisage exercising the power to target other 'lower level' offending herds until eventually any herd containing one or more BVDUs would be restricted. Calves less than 30 days old, which have BVDU statuses, would be disregarded for this purpose. This would take account of the statutory time frame for testing and submission of samples.

- 4.36 As with herds containing positive and inconclusive animals, the Department envisages that restrictions due to BVDU animals would apply to both breeding and non-breeding herds and restrictions would also apply to associated herds.

**Should the Department be able to restrict herds retaining animals whose BVD status is unknown?**

**Do you agree that restrictions placed on herds with retained BVD unknowns should also be applied to associated herds?**

**What criteria do you consider the Department should consider when deciding whether to restrict herds which retain BVDUs?**

#### ***Timing and application***

- 4.37 If the Department were to take a power to restrict BVDUs, it is proposed that it would exercise it by giving notice to the herd keeper. The Department considers that it might initially be appropriate to **provide herds retaining BVDUs with a 'grace period' of 28 days from the date of notice is given from the Department to test animals with an unknown status, before imposing restrictions.** Any animals that are identified as positive following testing would need to be removed to avoid restrictions being placed on the herd.

**Do you think there should be a 'grace period' before herds retaining BVDUs are restricted, to allow herd keepers time to test and, if necessary, remove PI animals?**

#### ***Movements out of and into restricted herds***

- 4.38 The Department is of the view that, if it were to have a power to restrict herds that retain BVDUs, it should be able to utilise it **to prohibit the movement of all bovines out of, and into, herds that do not test animals for BVD within the timescales specified in the current legislation.** Again, the only exceptions that it considers would be appropriate would be movements directly to slaughter, for disposal as an animal by-product or under licence issued by the Department. Any restrictions would not affect trade of bovines between Northern Ireland and EU Member States.

**Do you agree with the Department's views regarding movements in and out of herds restricted because they retain BVDU animals?**



### ***Lifting of restrictions***

- 4.39 **The Department considers that any restrictions imposed on herds because they have BVDUs should be lifted immediately if these animals test negative.** This would reflect the removal of the disease risk posed by these animals on confirmation of the negative results. However, if any of the tests identify a positive animal, the Department is of the view that the herd should be subject to the same conditions as herds with positive animals i.e., the restrictions would remain in place for 21 days following removal of the last positive animal and restrictions would also be applied to breeding females in the herd (see paragraphs 4.16 - 4.25 above).
- 4.40 If the Department were to have a power to restrict herds containing BVDUs and exercised it, it is proposed that all BVDU animals over 30 days of age in the herd would have to receive a direct or indirect negative result before the restriction would be lifted.

**Do you agree with the Department's views regarding the lifting of any restrictions that might be imposed on herds that retain BVDU animal(s)?**

### **Herds with untested 'pre-2016 animals'**

- 4.41 As noted in Chapter 2, the BVD Order requires keepers to test all calves born, or brought into a herd, since 1 March 2016. When a calf is tested with a negative result, the dam will also be negative. Therefore, since 2016, dams of negative calves have been allocated an 'indirect negative' status on the Department's systems. As such, after six years of compulsory testing, most pre-March 2016 females now have an indirect negative status. However, there remains a relatively small pool of animals born before March 2016 which have no BVD status. As of 3 October 2022, there were 2,141 animals (561 females and 1,580 males/bulls) born before March 2016 which do not have a direct or indirect test result. Under the current BVD Order, these animals can move without restriction.
- 4.42 The Department considers it likely that, among these older animals, there will be a small number of undisclosed PIs which may be maintaining infection in some herds and present a source of infection to other herds when animals are moved. It is considered essential that, at this stage of the eradication scheme, these animals should be BVD tested. **The Department, therefore, proposes to make it a legislative requirement to test animals born, or brought into a herd, before March 2016 which currently do not have a BVD status.** All keepers who have one or more such animals in their herd would be informed of the requirement to test these animals by supplementary tissue tag or blood sample. It is proposed that any pre-March 2016 animals which remain untested would be given BVDU status on the Department's APHIS system and these animals would be restricted from moving off farm until tested with a negative result. The Department is satisfied that extending the requirement to test to 'pre-2016 animals' would remove any risk that these animals currently pose to the eradication scheme. It notes that the proposal would also ensure alignment with the conditions for attaining BVD free status under the EU Animal Health Law.





**Do think that there should be a legal requirement to test those animals born, or brought into a herd, before 1 March 2016, which currently have no BVD status?**

## Conclusion

4.43 The Department considers the proposals outlined above necessary to reduce the transmission of the BVD virus within Northern Ireland. It is satisfied that, if implemented, they will constitute a very significant step forward in the journey towards the eradication of this disease and in doing so would provide positive benefits for the farming sector and society as a whole. It is very interested to hear any views that consultees may have on them.



## Chapter 5: How to Respond and When

### Responses

5.1 You can respond to this consultation online by accessing the consultation at the following link: [www.daera-ni.gov.uk/consultations](http://www.daera-ni.gov.uk/consultations).

5.2 If you wish to respond in writing, you can request a copy of the written response template by e-mailing: [BVD.policy@daera-ni.gov.uk](mailto:BVD.policy@daera-ni.gov.uk).

5.3 Written responses should be sent to E-mail: [BVD.policy@daera-ni.gov.uk](mailto:BVD.policy@daera-ni.gov.uk)

Postal address: Animal Health Strategy and TSE Branch  
Department of Agriculture, Environment and Rural Affairs  
Jubilee House  
111 Ballykelly Road  
Limavady  
BT49 9HP

5.4 When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents, and where applicable, how the views of its members were assembled.

### Closing date

5.5 Responses should be submitted by **20 December 2022**.

### Confidentiality

5.6 The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority, the Department in this case. This includes information provided in response to this consultation.

5.7 The Department will publish a synopsis of responses to the consultation. This will include a list of names of organisations that responded but not personal names, addresses or other contact details.

5.8 The Department cannot automatically consider information supplied to it in response to a consultation, to be confidential. However, it does have a responsibility to decide whether any information provided by you in response to a consultation, including information about your identity, should be made public or treated as confidential. If you do not wish information about your identity to be made public please include an explanation in your response. Please be aware that confidentiality cannot be guaranteed, except in



very particular circumstances. Please note, if your computer automatically includes a confidentiality disclaimer, it won't count as a confidentiality request.

- 5.9 Should you respond in an individual capacity: the Department will process your personal data in accordance with the Data Protection Act 1998. This means that your personal information will not be disclosed to third parties should you request confidentiality.
- 5.10 For further information about confidentiality of responses please contact the Information Commissioners Office (see its website at [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk))



## Appendix 1: List of Consultees

Aberdeen Angus Society	Donemana Livestock Mart
ABP Lurgan	Downpatrick Co-op Marketing Ltd
ABP (Newry) Ltd	Draperstown Market
Agricultural Markets Taskforce (EU)	Dunbia
Agri-Food & Biosciences Institute	Dunbia (Ballymena & Dungannon)
Ai Services (artificial insemination)	Dungannon Farmers Market
Animal Health & Welfare NI	Elite Butchers Association
Armoy Livestock Mart	Etherson Meats
Armstrong Meats	European Angus Cattle Registration Company
Association of Veterinary Surgeons Practising in NI	Eurostock Foods
Ballymena Meats	Fairhill Sale Draperstown
Ballymena Livestock Market	Fanevalley Livestock Sales
Belfast Hills Farmer Group	Farmers for Action
Belfast Zoological Gardens	Fivemiletown Livestock Mart
British Veterinary Association NI	Food NI Ltd
Camlough Livestock Market	Food Standards Agency (FSA)
C & J Meats	Foyle Meats
Clogher Valley Livestock Mart	Foyle Omagh
Countryside Alliance Ireland	FC Robinson
Countryside Services	Glenpac Bacon Products
Cranswick Country Foods	Gortin Livestock Market
Crossgar Meats	Hewitt Meats
Crossmaglen Livestock Sales	Hilton Meat Products (Carrickfergus) Ltd
Crumlin Livestock Mart	Hilton Meats (Cookstown) Ltd
D.A.B Farmers	Hilltown Farmer Attested Sales Ltd
Dairy UK (NI)	Holstein/Holstein UK
Dale Farm	Humane Slaughter Association
Doherty & Gray	International Fund for Animal Welfare UK

## Consultation on

Proposed Introduction of Bovine Viral Diarrhoea (BVD)

Herd Restrictions



Karro Cookstown	NI Meat Exporters Association
Kettle Irish Foods Ltd	NI Pork and Bacon Forum
Killeter Livestock Sales Ltd	Northern Ireland Simmental Club
Kilrea Livestock Mart	NI Sheep Breeders
Linden Foods	NI Shows Association
Lisahally Livestock Market	NI Veterinary Association
Lisnaskea Livestock Sales	O'Dohertys Bacon Company
Livestock and Meat	Omagh Auction Mart Ltd
Livestock Auctioneers Association (NI)	Omagh Meats Ltd
Markethill Livestock and Farm Sales	Organic NI
McKees Meats	Park and District Farmers Association
National Trust	Piedmontese Society
National Beef Association	Plumbridge Livestock Market
National Sheep Association	Pinkerton's - T/A Armagh Bacon Agency
Newtownstewart Livestock Market	Primestock Meats
NI Agricultural Consultants Association	P Traynor Quality Meats
NI Agricultural Producers Association	Rathfriland Farmers Co-op Society
NI Beef Shorthorn Breeders Club	Royal College of Veterinary Surgeons
NI Blonde Club	Royal Ulster Agricultural Society
NI Blue Cattle Club	Ruminant Health and Welfare Group
NI Cattle Traders and Stock Owners Association	Rural Action
NI Charolais Club	Rural Support
NI Farming & Wildlife Advisory Group	Saintfield Livestock Mart
NI Food and Drink Association	Salers Cattle Society
NI Grain Trade Association	Sperrin and Bann Valley Mart
NI Hereford Breeders Association	South Down Hill Farmers Association
NI Holstein Friesian Breeders Club	The Society of Local Authority Chief Executives
NI Independent Retail Trade Association	Topping Meats
NI Limousin Cattle Club	Ulster Ayrshire Breeders Club
NI Livestock Auctioneers Association	United Dairy Farmers Ltd

## Consultation on

Proposed Introduction of Bovine Viral Diarrhoea (BVD)  
Herd Restrictions



Ulster Farmers Mart	W D Meats Ltd
Ulster Farmers' Union	Wm Grant & Co Ltd
Ulster Jersey Cattle Club	Wm Sprott (Portadown) Ltd
Vegetarian Economy & Green Agriculture	Young Farmers Clubs of Ulster
Vet NI	



## Appendix 2: Summary Of Key Proposals

The Department's key proposals are that;

- Herd restrictions should be applied to all herds containing one or more BVD positive animals or animals with inconclusive BVD test results.
- Restrictions should initially be applied 28 days after the keeper has been notified by the Department of a BVD positive test result.
- This 'grace period' before the imposition of restrictions should be gradually removed over one to two years.
- Restrictions should also be applied to associated herds.
- Restrictions should be applied automatically on notification of a positive or inconclusive result, rather than at the discretion of the Department.
- All movements into or out of restricted herds should be prohibited except for movements:
  - to slaughter of BVD tested animals;
  - for disposal as an animal by-product;
  - under Departmental licence, for example, for welfare reasons or to allow a breeding bull into a herd when considered justified.
- Restrictions should not affect movements between Northern Ireland and the EU.
- Restrictions on herds that retain positive animals should remain until all animals in the herd without a negative status are tested for BVD.
- Restrictions on herds that retain positive animals should be lifted 21 days after the last BVD positive animal has been removed from the herd and recorded dead on the Department's system.
- Restrictions on herds with an inconclusive result would be lifted immediately on confirmation of a negative BVD result for these animals.
- If testing of animals in the herd without a negative status identifies any further positives, restrictions should remain until 21 days after the removal of the last positive.
- Restrictions on herds retaining positive animals should be placed on breeding females (aged 12 months and over) for 41 weeks unless their calves have been born and have tested negative or other testing requirements are fulfilled. These restrictions would take effect once the Department's computer systems can accommodate them.

## Consultation on

Proposed Introduction of Bovine Viral Diarrhoea (BVD)

Herd Restrictions



- It should be a legislative requirement to test animals born, or brought into a herd, before March 2016, which currently do not have a BVD status.
- The Department is considering taking a power to apply restrictions to herds containing animals with unknown BVD status (BVDUs) on the basis of risk to the eradication scheme. If so, as in the case of inconclusive animals, it considers that restrictions on herds with BVDUs should be lifted immediately on confirmation of a negative BVD result for these animals.



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