

## DERBYSHIRE COUNTY COUNCIL

## MEETING OF CABINET MEMBER – HEALTH AND COMMUNITIES

23 August 2016

Report of the Strategic Director – Economy, Transport and Communities

**ANIMAL HEALTH AND ANIMAL FEED ACTIVITY 2015-16**

(1) **Purpose of Report** To notify the Cabinet Member of activities carried out during 2015-16 to ensure compliance with animal health and disease control requirements in Derbyshire.

(2) **Information and Analysis** The local authority is responsible for enforcing a wide range of animal health and disease control measures to ensure that livestock, bread for human consumption, is reared in a hygienic environment and that appropriate disease control and traceability requirements, to minimise the likelihood of disease outbreak and spread of disease, are adhered to. As well as responding to complaints, Animal Health officers regularly attend livestock markets at Bakewell and carry out a programme of inspections at farms and other venues to check that both animal welfare and disease control measures are complied with.

In addition, the Trading Standards Division carry out a programme of visits to farms and other 'primary producers' of animal feed products to ensure that hygiene requirements for animal feed are maintained. Previous animal health disease outbreaks have been traced to poor hygiene controls at animal feed producers, thus putting at risk the entire food chain from 'farm to fork'.

This report summarises a range of activities undertaken during the year and provides a number of case studies to illustrate the work of the team.

**Animal Health Activities**

	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Complaints and requests for advice	483	545	483
Complaints relating to animal by-product	52	52	59
Animal health interactions	1,428	905	797
Animal health visits	266	278	205
Visits to Bakewell Livestock Market	121	100	88

The majority of requests received by the Animal Health Team are from local farmers and stock-holders requesting advice and information, or relate to the paperwork associated with the movement of animals. Complaints about animal by-product which relate to the disposal of animals that have died, are separately identified and are included in the larger figure. Animal health visits are those that are either planned to 'high risk' farms, markets or slaughter houses, or are in response to complaints from the public or members of the farming community. Visits to Bakewell market, still one of the largest in the country, have been prioritised and both these figures are incorporated in the total animal health interactions which includes responding to telephone and e-mail requests. The total number of visits and other interventions has fallen reflecting the reduction in resources for this activity in recent years.

### **Bakewell Livestock Market**

Animal Health officers attend Bakewell Livestock market on a regular basis to check that animal health and welfare legislation is being complied with; during 2015-16, 88 visits were carried out. In addition to checking the cleanliness and condition of the market, Animal Health officers dealt with issues including a sheep with Orf (a zoonotic disease that can be contracted by humans), lame and injured animals, calves not being transported from the market within the prescribed time, animals being loaded in to dirty trailers or vehicles and missing cattle identification tags. Animal Health officers work with farmers and market staff where possible to rectify infringements and prevent recurrence of issues in the future.

It is a requirement of the Disease Control (England) Order 2003, that vehicles used to transport livestock are cleansed and disinfected after each use. Failure to comply with the order is a criminal offence as it increases the risk of the spread of disease and infection, particularly where calves are being transported. During late October and November 2015, officers became aware that some farmers and livestock hauliers were using dirty trailers and vehicles to transport animals from the market. In many cases, farmers and hauliers were turned back until their vehicles had been cleansed. However, four farmers and hauliers were sent warning letters with advice on the requirements of the Order. This issue was highlighted in the livestock market newsletter and the situation is currently being monitored with a substantial improvement being noted.

Whilst at the market, officers are on the lookout for health and welfare issues amongst the livestock sent for sale. Unfit (infirm, diseased, ill, injured and fatigued) animals must not be exposed for sale in a market. On one particular occasion, a sheep was found with an ingrowing horn. The tip of the sheep's horn was starting to wear away at the hair on the face and left a mark on the skin. This type of problem should be easily picked up by the farmer when he checks his sheep. If the sheep had remained on the farm unchecked, the horn would have continued to grow and secondary infection and haemorrhage would have occurred, resulting in significant animal health and welfare issues.

Calves may only be sold at the livestock market if they are at least seven days old and their navels are healed. Even at this age, they are susceptible to disease and must be bedded on straw. The livestock market, including the calf pens, are cleansed after each sale. Officers noticed that some farmers were repeatedly arriving at the market before market staff and were leaving their sheep in the calf pens; this resulted in sheep droppings and urine contaminating the calf area which could result in infection. It was not possible to identify the farmers involved but officers worked with market staff to prevent this happening in the future.

### **Bovine Tuberculosis**

Bovine TB is a very complex, multi-factorial and challenging disease that is difficult to eradicate and which has an adverse impact on those farm businesses affected by it. It is widely regarded as the most difficult animal disease problem currently facing Government, the veterinary profession and the farming industry. There is no simple cost-effective solution or “quick fix” to eradicate TB in cattle. Eradication requires the use of a range of measures aimed at addressing the infection in cattle and preventing its spread from wildlife. The objective across the UK is the progressive reduction and eradication of TB from the national cattle herd, based on conventional test, slaughter and movement control methodologies.

The Tuberculosis (England) Order 2014, sets out requirements for pre-movement testing of cattle, and controls the movements of tested and untested cattle. The legislation provides for ‘Exempt markets’ that sell cattle which have not been pre-movement tested. It also restricts movements from exempt markets to the following:

- (i) Slaughter.
- (ii) An Exempt Finishing Unit.
- (iii) An Approved Finishing Unit.
- (iv) The Holding of origin.

Any other movement from an exempt market of an untested bovine is an illegal movement.

Bakewell Livestock market holds an exempt market every Monday. The movements of untested cattle were checked over two separate periods during the year. During an initial period from May to July 2015, 33 illegal movements were identified. Three farmers who contravened the legislation were individually advised of its requirements and advice was also given to farmers through the livestock market newsletter.

During the follow up period from November 2015 to January 2016, no further infringements were found, however, the Division will continue to monitor and check for any further breaches. Further details of the project to check compliance with Bovine TB requirements are provided in the Appendix 1 to this report.

## Animal By-Products

The purpose of the Animal By-Products (Enforcement) (England) Regulations 2013 is to prevent the spread of diseases, for example foot and mouth, by providing for the proper disposal of carcasses, covering them initially to prevent scavengers and then ensuring there is proper disposal via a licenced incinerator. The Division takes seriously any complaints or notification about dead livestock that has not been disposed of appropriately and received 59 such complaints during the year. Details of three such instances are provided in Appendix 2 to this report, including the prosecution of a farmer for continued failures to properly dispose of dead sheep.

## Animal Feed Activities 2015 to 2016

Ensuring that feed intended for animal consumption is produced, stored and delivered to animals is hygienic and fit for consumption is essential to protect the food chain. Previous animal disease out-breaks have been traced to poor hygiene conditions at animal feed processing units and, in recent years, this Local Authority duty has been under close scrutiny by both national and European Parliament because of the importance of trade with Europe. As a result, local authorities have had limited additional funding from the Food Standards Agency (a non-ministerial government department) and the Division has carried out a programme of farm and feeding establishment inspections and other interventions to ensure compliance. The Division also responds to complaints, provides advice in response to enquiries and takes proportionate enforcement action in the event of non-compliance.

### Inspection of feeding establishments

	2013-14	2014-15	2015-16
Number of scheduled feed inspections conducted	331	203	240
Number of feed inspections not including desktop inspections	225	130	219
Unsatisfactory visits (expressed as % of visits carried out)	40 (18%)	73 (56%)	82 (37%)

### Animal Feed complaints and advice

	2013-14	2014-15	2015-16
Number of complaints <sup>1</sup>	51	26	15
Number of requests for advice <sup>2</sup>	297	241	208

<sup>1</sup>This apparent reduction in complaints is due to better coding on receipt of information.

<sup>2</sup>The majority of these requests are administrative i.e. feed registrations.

The number of scheduled feed inspections is determined by the Food Standards Agency and can vary from year to year depending upon national priorities. The non-compliances were across a range of activities. The top four non-compliant activities for the year relate to record keeping, pest control, registration and storage. This was the case in the previous year. One hundred

and fifty one of the inspections were carried out at farms. Farmers, as primary producers, have to follow basic hygiene procedures in relation to the feed they use or grow and ensure that hazards are properly controlled. These include measures to:

- prevent the contamination and spoilage of feed;
- clean equipment used for mixing, storing or transporting feed; and
- maintain records of feed used or sold.

There is also a code on feeding food producing animals that livestock farmers have to follow. All of this is designed to help ensure that feed provided to animals is safe and that feed products can be traced in the event of a safety incident.

Feed hygiene inspections were also carried out at feed mills, other feed manufacturers (e.g. pet food manufacturers and quarries), feed transporters and food premises generating co-products destined for animal feed (e.g. breweries and bakeries). The Feed Law Code of Practice (England), which was published in May 2014, introduced 'earned recognition' into the feed sector. This means that where a feed business is either a compliant member of a Food Standards Agency (FSA) Approved Assurance Scheme or can demonstrate a history of compliance, it will qualify for a reduced frequency of inspection. The FSA has established a comprehensive and robust process for assessing Assurance Schemes for approval.

Further details about advice given to a local business and action taken in response to a complaint received about a local feed producer are provided in Appendix 3 to this report.

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

(4) **Key Decision** No.

(5) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(6) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Robert Taylour, extension 39830.

(7) **OFFICER'S RECOMMENDATION** That the Cabinet Member notes the report.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Communities**

## **Appendix 1 - Bovine Tuberculosis (TB) Checks at Bakewell Livestock Market**

It is a requirement of The Tuberculosis (England) Order 2014, that cattle are pre-movement tested. Cattle that have not been pre-movement tested can be sold through what is often called an 'exempt' or 'red' market. These cattle can only be moved on to an 'approved finishing unit', an 'exempt finishing unit' or a slaughterhouse. Under the regulations, it is a criminal offence to move untested bovines on to a normal farm holding.

Bakewell Livestock market operates an 'exempt' section on a regular basis and early in 2015, the Division became aware that one farmer was regularly purchasing untested cattle and moving them on to his normal livestock holding. The project aimed to determine whether this activity is widespread.

Lists of cattle sold through the 'exempt' section at Bakewell Livestock Market were obtained from Bagshaws who operate the market. Initially, lists were obtained from one Monday in May, June and July 2015. Bagshaws identified which cattle had not been pre-movement tested on each list, as well as the eartag number, lot number, seller and buyer for each bovine. The unique eartag number was then used to obtain the movement history of the bovine from CTS online, the online Cattle Tracing System of the British Cattle Movement Service (BCMS).

From the movement history, it was possible to identify where the stock holding the cattle had been moved to from the market. Any movement to a known Animal Finishing Unit (AFU), Exempt Finishing Unit (EFU) or slaughterhouse was deemed a legal movement. Movements to any other type of holding were identified for further investigation. Animal and Plant Health Agency (APHA), the relevant authority within the Department of Food and Rural Affairs (Defra) were contacted to establish the status of each holding that was not a known AFU, EFU or slaughterhouse.

Derbyshire holdings that had illegal movements on to the holding were sent warning letters with advice on the requirements of the Tuberculosis (England) Order 2014. Where the holding was based in another local authority, the information was forwarded to the Home Authority for action. The requirements of the legislation in relation to permitted movements were also circulated to farmers via the newsletter issued by the livestock market and Bagshaws.

A similar follow up exercise was carried out for the months of November and December 2015 and January 2016. During the first exercise (May, June, July 2015), 467 lots were checked. Of these, 33 lots were found to have been illegal movements to holdings which do not have an AFU/EFU/slaughterhouse. Only three purchasers/holdings were responsible for these movements. One holding, based in Derbyshire, was responsible for a total of 25 illegal movements during May, June and July 2015, and was sent a

warning letter. He subsequently contacted the Division for advice and no further illegal movements have been identified to this holding.

The other two were based in other local authorities and the information was forwarded to the Home Authority for action. All three agreed to apply for an EFU or AFU and have agreed not to purchase any more untested cattle until the unit has been confirmed by APHA. During the follow up exercise 538 lots were checked. No illegal movements were found.

A significant improvement was found during the course of the project. Thirty three illegal movements were found during the first phase. No illegal movements were found during the second phase. The second phase of the project was carried out following warnings and advice to individual farmers and also general advice to all farmers receiving the livestock market newsletter.

## Appendix 2 - Animal By-Products (ABP) Case Studies

### 1) Use of a 'dead pit' for the disposal of the carcasses of 11 sheep

*("Dead pit"- A "historic" method of disposal, which has long since been prohibited.)*

Following a tip off from an Rural Payments Authority (RPA) Inspector, one of the Animal Health officers visited the premises and found an uncovered sheep carcass apparently awaiting collection in the yard, another sheep carcass on the site of an unlit bonfire, and partially buried sheep carcasses in a shallow pit covered over with earth. The legs of the buried sheep had been exposed by scavengers.

Officers ensured that the farmer exhumed the buried carcasses, made arrangements to store and dispose of all the carcasses correctly, all at the farmer's expense. The 'dead pit' was demolished and filled in.

The farmer signed a Caution.

### 2) Decomposing carcasses in a barn, yard and fields

This visit followed a complaint from a delivery driver visiting the farm who had been concerned by what he had seen when he entered the barn looking for the farmer. Two officers visited the farm and as nobody was present, an inspection was undertaken. Carcasses of sheep and lambs (*Animal By-products*) were found in several locations throughout the main barn, rear yard and in the nearby fields. These were in various stages of decay and showed signs of having been eaten by predators.

To the rear of the main barn was a pen containing 26 sheep, several of which were lame and in a filthy state with heavily soiled fleeces. The sheep were housed in atrocious conditions on a layer of wet stinking soiled bedding without any access to dry bedding or well drained lying area as required by the legislation.

A Notice was left at the premises requiring the immediate disposal of by-products, treatment of lame sheep, and provision of dry lying area, adequate feed and clean water. A series of visits followed during which it was noted that the previous Notice had still not been complied with and further welfare problems and carcasses with signs of additional predator activity were found. Despite Notices addressing the sheep welfare concerns and instructions requiring the disposal of the animal by-products, no remedial action was taken by the farmer.

The farmer had been previously advised by the Division on similar matters. Given his continued failure to comply with the Animal By-Products (ABP)



Regulations, together with his repeated failure to comply with notices issued, it was considered appropriate to initiate legal proceedings and, in November 2015, the farmer, who pleaded guilty, was given a 12 month community order requiring him to carry out 40 hours unpaid work and was also ordered to pay a total of £950 in costs and charges.

### **3) Animal parts dumped in a lane**

In September 2015, the Division received a complaint from a dog walker who had seen two pig carcasses dumped in an overgrown turning space at the bottom of a lane. There were a number of boxes of animal body parts, predominantly pig parts, with the heads intact, the rest of the animal parts appeared to have been butchered professionally. Amongst these was a bovine thigh bone with a label indicating it was from an animal that had been slaughtered and butchered at a local abattoir.

The owners of the abattoir were concerned about how this had happened, but could not offer any explanation and agreed to assist in an investigation. This revealed that the slaughterhouse allowed small quantities of animal by-products to leave the premises in boxes. These were for collection by individuals with dogs to be used as complimentary food/bones for pets. The business had concerns that this practice was now being used as a cover for criminal activity at the abattoir and potential theft. The business did not realise this practice of giving Animal By-Products away was illegal and was reminded in writing of its responsibilities under the Animal By-Products Regulations.

Since implementing a new system there have been no further instances of animal by-product dumping, which has reinstated an important disease control measure within the wild and farmed animal population. Animal by-products can present a risk to human and animal health. The business also feels it now has better animal by-product control and may have had the added benefit of reducing their risk of theft.

## **Appendix 3 – Animal Feed Case Studies**

### **1) Feed inspections at microbreweries**

A number of visits were conducted at microbreweries. This is a growing area and there are currently 31 microbreweries on the trading standards database. The main waste product generated by this process is spent brewer's grains. In the past, these would have gone into the landfill waste system, thus generating a disposal cost to the business, as well as using up a valuable resource in landfill space.

Most of these businesses now give this product a secondary usage as animal feed which has two major benefits in producing a very palatable high protein feed suitable for most farmed livestock and reducing the businesses environmental impact. Large breweries have, for some time, been able to sell this product to farmers and there is some evidence that microbreweries may be able to generate a modest income from this.

### **2) Suspected sheep poisoning**

In March 2016, the Division received information from an animal health colleague in Denbighshire that a farmer in his area had reported the death of 14 pregnant sheep. This happened after feeding the sheep from a 28 tonne delivery of a molasses blend animal feed containing the additive urea, supplied by a Derbyshire feed manufacturer. A local vet had looked at the dead sheep and thought it could be potassium, urea or salt poisoning causing hypoglycaemia in the sheep. A number of samples of the molasses were taken from the farm.

When this incident was discussed with the manufacturer of the feed, he was convinced it was a case of 'nutritional shock'. This happens when an animal with a rumen stomach takes in too large a quantity of a sugar rich feed after not being on this type of feed for a while, causing the rumen to blow up (he suspected the sheep had not been feeding for a while because the farmer had rung him before the delivery and stated he had sheep 'waiting at the gates' for feed and asked if he could try and urge the delivery on quicker). It was later confirmed that the farmer had run out of the molasses feed about two weeks prior to receiving the new consignment.

The colleague in Denbighshire sought the opinion of an expert vet from APHA (The Animal and Plant Health Agency) who advised on a number of potential reasons for the deaths, including those mentioned earlier. The local vet had a sample tested to eliminate his theories for the death and the test results confirmed these were not the cause. The Officer from Denbighshire had a sample tested for composition to clarify the product was blended correctly (another potential reason for the deaths). The analysis showed only minor deviances from the declared blend. These were not significant enough to cause death or injury.

The 28 tonne load delivered to the farmer was part of a 64 tonne batch of the blend. Three cattle farms also took product from the batch and had not reported any ill effects. The manufacturer has reports of this problem about once a year, always in sheep. This is because, as a complimentary feed, their smaller body weight means they can only take about 0.5 kilos a day (1% of total bodyweight) as opposed to cattle whose large bodyweight (approximately 10 times that of sheep) means they can take much more before any similar problem would arise.

It was concluded from the analyses of the samples and the enquiries made that this feed safety incident was not linked to the compositional standards of the feed. It was agreed with the colleague in Denbighshire that a local Officer will visit the Derbyshire feed business to look at the labelling accompanying this type of animal feed and the procedures in place to ensure feed safety.