

# **RURAL DEVELOPMENT COMMITTEE**

Tuesday 20 March 2001  
(*Afternoon*)

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## RURAL DEVELOPMENT COMMITTEE

### 8<sup>th</sup> Meeting 2001, Session 1

#### CONVENER

Alex Johnstone (North-East Scotland) (Con)

#### DEPUTY CONVENER

\*Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)

#### COMMITTEE MEMBERS

\*Mrs Margaret Ewing (Moray) (SNP)  
\*Alex Fergusson (South of Scotland) (Con)  
\*Rhoda Grant (Highlands and Islands) (Lab)  
\*Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab)  
\*Richard Lochhead (North-East Scotland) (SNP)  
\*Mrs Mary Mulligan (Linlithgow) (Lab)  
\*Dr Elaine Murray (Dumfries) (Lab)  
\*Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD)  
\*Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

\*attended

#### THE FOLLOWING ALSO ATTENDED :

David Mundell (South of Scotland) (Con)  
Ben Wallace (North-East Scotland) (Con)

#### WITNESSES

David Dickson (Scottish Executive Rural Affairs Department)  
Ross Finnie (Minister for Rural Development)  
Leslie Gardner (Scottish Executive Rural Affairs Department)

#### CLERK TO THE COMMITTEE

Richard Davies

#### SENIOR ASSISTANT CLERK

Tracey Hawe

#### ASSISTANT CLERK

Jake Thomas

#### LOCATION

The Chamber



## Scottish Parliament

### Rural Development Committee

*Tuesday 20 March 2001*

*(Afternoon)*

[THE DEPUTY CONVENER *opened the meeting in private at 13:47*]

13:56

*Meeting continued in public.*

**The Deputy Convener (Fergus Ewing):** I declare the meeting open and welcome the Minister for Rural Development and his team.

Do committee members agree that it is in order to consider items 9 and 10 on today's agenda in private?

**Members** *indicated agreement.*

## Foot-and-mouth Disease

**The Deputy Convener:** I confirm for the minister that members of the committee have concluded unanimously that it would be incorrect, in the circumstances, to consider items 3, 4 and 5 on our agenda today, as members wish to focus on item 3, on foot-and-mouth disease. With the minister's permission, we will consider items 4 and 5 at a later time.

I should also make clear that the convener, Alex Johnstone, is attending the European Parliament on official business on behalf of the committee.

I welcome the minister. I know that this is an extremely busy time for you and your colleagues, and we appreciate the fact that you have taken the time to come here today. We understand that you have to leave by 3.10 pm to attend a Cabinet meeting. I invite the minister to introduce his colleagues and to make an introductory statement.

**The Minister for Rural Development (Ross Finnie):** I am grateful to the committee for concentrating its attention on the foot-and-mouth disease outbreak. I wholly concur that that is the appropriate course of action. I am joined by Leslie Gardner, who is our principal veterinary officer in Scotland, and David Dickson, who is in charge of livestock and—

**David Dickson (Scottish Executive Rural Affairs Department):** Animal health.

**Ross Finnie:** Animal health and welfare. I knew that that was the phrase; it was on the tip of my tongue. Both officials are heavily involved in the outbreak.

I am sure that there are many questions, but it would perhaps help if I started with one or two remarks to bring members up to date and take matters forward. I know that the committee wants to look ahead, but I will start with where we are. I want to outline the progress made since I addressed Parliament and explain in more detail the rationale of the policy in some areas, which is aimed at easing progressively—I stress, progressively—and prudently the grip that has bound some of the countryside since movement restrictions were first announced.

Last week, when I presented the grim news to Parliament of the necessity to cull large numbers of sheep, there were, if members recall, 33 confirmed cases of foot-and-mouth disease in Scotland. Some areas in Dumfries and Galloway had been given infected area status. The position as we speak is that there are 50 confirmed cases of foot-and-mouth disease. In fact, I have just been informed that there are 54 cases—and that is only in a journey's time. The outbreak clearly has not run its course.

14:00

So far, the only parts of the country with infected area status are in Dumfries and Galloway. Since last week, there has been a huge effort to continue to trace potential links with the Longtown mart. Steps have been taken to eradicate sheep on farms outwith the infected areas—some have been disposed of and measures are under way to deal with the rest.

Plans are well in hand to begin the systematic cull of sheep in the infected areas of Dumfries and Galloway. I am sure that the committee will understand that that is a major logistical exercise which, while it will bring immense grief to those involved, is absolutely necessary if there is to be any prospect of controlling the disease.

The steps that have been or are about to be taken to eliminate dangerous contacts and the measures that we have taken within the infected areas have enabled me to develop the rationale for containing and eradicating the disease and, I hope, for easing and, eventually, relaxing the impact of the restrictions not only on farming businesses but on the wider rural economy.

I wrote to the committee yesterday setting out my policy on that—I hope that all members have received that letter. There are three elements to the policy. The first involves the eradication of the disease—that remains my paramount objective—not only within the infected areas but in areas where there is a risk of infection. Most of that risk is in the southern half of Scotland. As members are aware, there have been isolated cases in the Highlands, which must be dealt with.

The second element of the policy involves the controlled movement of animals under various licence arrangements. That will allow animals to go to slaughter and to be moved for welfare reasons. In the next few days, I hope to confirm that a welfare slaughter scheme will be introduced in areas where the welfare problems are so intense that the humane way to proceed is to kill the stock. I emphasise the distress that that will cause farmers, but I think that it is unavoidable.

The third element is to zone Scotland according to the different levels of perceived risk from foot-and-mouth disease. Scotland is in effect divided into three areas. The infected areas are regarded as the highest risk, where the highest level of controls will remain. Other areas below the Forth-Clyde line are considered to be areas at risk. While there will be a progressive easing of movement restrictions once the dangerous contacts have been eliminated, those areas will remain under close surveillance and relatively tight controls will have to be maintained. The area north of the Forth-Clyde line is designated as a provisionally free area. Once the other places

have been tidied up under the extended cull, movement controls under licence will still apply, but I hope that they will be relaxed progressively depending on how circumstances unfold.

The zoning approach links logically with public access to the countryside. As members know, day-to-day activity has been badly disrupted and tourism has been especially badly hit. I have asked that decisions on public access be implemented in a way that is proportionate to the risks involved—I hope that the zoning plan will assist in that.

The Scottish Executive has provided veterinary advice on the key risk factors and suggested that the pattern and incidence of the disease and local circumstances should be considered when decisions are made or reviewed. That approach was set out in a letter on 7 March; since then we have been working with land management bodies to help them to review the process. I expect that blanket bans on access will progressively disappear—as they should do—once decisions about access are taken according to risk and take account of zoning.

While it is imperative that every effort is concentrated on control and eradication, I recognise that we must try to look forward. We are dealing with other issues, but I will confine my remarks to that and deal with the committee's questions.

**The Deputy Convener:** I thank the minister for that statement.

There has been and there remains a degree of unanimity and cross-party support for the policy objectives that have been outlined and for the Herculean efforts of your staff and all those involved in grappling with the massive task that we face.

Will the scientific basis for the decision to slaughter 200,000 sheep be published in full? Will the information be made available to all farmers and crofters, perhaps by letter? I believe that there are reports of a lack of information or, in some cases, of confusion over certain aspects of the policy or of the advice that has been given.

**Ross Finnie:** I shall ask Leslie Gardner to comment in a moment. The fundamental basis of our assessment is experience on the ground. It involves examining the movement and spread of foot-and-mouth disease not just within Scotland, but in the United Kingdom. The work has been done in a concerted way by the State Veterinary Service. The scientific basis is clearly related to the progressive movement of the disease within the existing infected areas and to the self-evident fact that the occurrence of outbreaks of the disease way beyond the initial incubation period means that there had to be only one source. That

source had to be animals that had not been picked up as having the infection, but which were carrying it and passing it on.

We should be careful about this—I will leave the epidemiology to Leslie Gardner and ask him to pick up on the deputy convener's points.

**Leslie Gardner (Scottish Executive Rural Affairs Department):** Scientific assessment happens in a dynamic situation, in which the disease and the pattern change almost from day to day—even from hour to hour. The first case in Scotland was confirmed on 1 March. A week later, there were eight cases; a week after that, there were 24 cases; last week, there were 46 cases and we are now up to 54.

The number of cases of the disease is increasing due to two key elements: first, the movement of sheep, which produced an initial wave of outbreaks; and later, the spread of the disease locally within sheep flocks and, by lateral spread, among cattle. There is a serious weight of infection and it is spilling over locally at the front of the disease.

The scientific assessment is carried out by a team of epidemiologists, who analyse all the breakdowns and feed them into a central analytical unit at the disease control centre in Page Street. The unit's view is that we are keeping pace with the disease outbreaks, but we are not getting ahead of them. The policy that has been devised is an attempt to create a fire-break—that is a good metaphor. We are trying to create an area of clean animals that the disease cannot jump beyond.

There is no formal publication of information on the development of the disease. The situation is assessed by epidemiologists on the ground and by the central epidemiology team.

**Dr Elaine Murray (Dumfries) (Lab):** First, I thank the minister for his visit to Dumfries and Galloway on Friday with the First Minister and the Secretary of State for Scotland. I am sure that his coming to the area at this time made a lasting impression on him.

There are a number of questions that I could ask—there are obviously many questions going round the community. The first relates to concerns about the possibility of cross-infection during the cull, when personnel who have been working on affected farms come to other farms, where cattle are present, to cull sheep. There is a fear that the disease could be spread to healthy cattle. How is that situation being dealt with?

Secondly, what mechanisms exist for appeals against decisions to cull? For example, there appear to be a number of isolated cases. Some people who have pedigree flocks believe that they

can keep their flocks isolated from other beasts. How will appeals against decisions to cull be dealt with?

Thirdly, there is some dubiety about the origin of the 3km radius. People are not sure whether the centre of the 3km zone is the centre of the farm or whether the zone covers an area that falls within 3km of the farm perimeter. How is the 3km radius defined? Would you also comment on the rumours that the 3km may be extended to 8km?

**Ross Finnie:** I will take those questions in reverse order.

The current zone has a radius of 3km. In response to the second part of your question, we have no intention of extending that to an 8km radius. The 3km zone is found within the European Union regulation and has been designed to take account of potential aerosol spread into the atmosphere. I hope that agricultural staff in all offices in the affected areas will have, by now, produced a map showing quite clearly the epicentre—which is a term that has been used—of each zone. Such a map should be available from the area offices and from the area office in Dumfries in particular.

The second question, which was split into two parts, was on appeals. I understand totally the enormous emotional pressure that the policy places on individual farmers, but we are in the hands of the veterinarians and their advice. The criteria for culling are that a flock either has a direct link with the disease, and is therefore deemed to be a potential carrier, or is located within the 3km zone, which would put it within the high-risk area, for the reasons that have just been given. If a flock is found to meet those criteria and if the policy is to succeed, there can be no individual exceptions. I give only one minor caveat: we cannot deal with extraordinary cases on that basis, and it would be regrettable if we had to. I am keen for us not to appear to be enforcing regulations in a heavy-handed way, given the particular sensitivity of individual farmers.

We have recognised that there may be a case for considering pedigree flocks with genetic tissue from a rare species. However, those cases would have to be proven absolutely and would involve elaborate procedures. I cannot and will not give the committee an undertaking that even those species will be exempt from the cull. The overriding concern is that of eradicating the disease—if the veterinarian advice that I receive is that there is a risk, that will be the overriding factor. We will consider genuine pedigree cases, but they will have to be genuine cases even to qualify for such consideration. Thereafter, all considerations, including the risk of continuing the spread of the disease, will have to be assessed.

I am not able to deal with your first question on cross-infection, which I pass to Leslie Gardner.

**Leslie Gardner:** The risk of cross-infection applies not only at the cull but in all foot-and-mouth disease situations, when teams of individuals go on to land to identify initial cases and then to carry out the evaluation, slaughter and disposal of animals. Our procedure is that people who are involved in such operations are classified as "dirty" and are not involved in any clean activities for three days. They all undergo thorough cleansing and disinfection and carry fully protective equipment. The time break is the additional measure in our standard procedures.

The aim of the cull is to take out animals that are potentially infected. Those animals may have been exposed to infection, but they will not show clinical signs of the disease. In the first place, there will be a veterinary inspection, before any activities take place. At that stage, there will not be a high chance of infectivity and we would not expect animals to excrete large amounts of virus. Nevertheless, we expect everyone involved in the operation to take full biosecurity measures and to discuss those in advance with farmers. We would also expect, wherever possible, that valuing and slaughter would be carried out in a separate part of the farm, away from remaining stock. That makes common sense as well as veterinary sense and that is what we would do.

14:15

**Alex Fergusson (South of Scotland) (Con):** When the minister mentioned the possibility of a reprieve for animals from small pedigree flocks, he also made mention of rare breeds. Will the minister clarify whether he is talking about small pedigree flocks where the gene pool would be deemed to be of importance to the national flock or about rare breeds, or both?

**Ross Finnie:** We would entertain both, but I have to stress that I do not wish to raise expectations on this matter. We recognise the importance of the gene tissue, but the overriding concern will be the veterinary risk of the disease being harboured in that stock. That said, we are prepared to entertain submissions, but I hope that they will be very narrowly drawn. Those making the submissions would need to start from the premise that the gene type was of genuine importance to the national flock.

**The Deputy Convener:** Will members let me know of points that they want to pursue from those that are raised today? I know that other members have points of concern to raise.

**Mrs Margaret Ewing (Moray) (SNP):** In his statement, the minister said that he felt that he was keeping pace but not ahead. That is a huge

worry for the farming community and for the public. Is the time between the suspicion of or the identification of foot-and-mouth disease and the cull being held up by procedures? My recall of the 1967 outbreak is that one followed on from the other very quickly. In some cases, in this outbreak, there seems to be a space of a few days.

Why do we have to burn the carcasses, causing the public great distress? Is there a problem in using pits and quicklime? That was an effective recommendation of the 1967 inquiry. Does the minister consider that enough public information has been given out? What can and cannot be done in attempts to stop the spread of the disease?

**Ross Finnie:** Let me pick up on a point that I should perhaps have made earlier. Members might find it helpful to look back at the timing and the number of cases that were known about when I made my statement to Parliament last week. At that time, I said that we were going to go beyond some of the affected areas and try to pre-empt the situation. People said that I had some evidence, but what was it? The hardest evidence is that, since I spoke in Parliament last week, all the cases that have been confirmed are in areas where we would have extended the cull. In other words, our proposition at that time, which was that, although it was latent and we had not seen it, the disease was breaking out in flocks, is confirmed by what has happened. That fact has to give a greater degree of certainty that the policy that we are pursuing is justified.

All the remaining staff at Pentland House are working on this and huge efforts are being made, particularly in Dumfries and Galloway. At the site of each case confirmed either by ourselves or in conjunction with Dumfries and Galloway Council, we have put in place the whole logistic train. At the point of confirmation, we have lined up valuers to effect the valuation, and made arrangements so that the killing can take place within 24 hours and the disposal can take place immediately thereafter. Because several people, operations and movements of goods are involved, I cannot say that things have happened perfectly in every case but, in the overwhelming majority of cases, the procedure has worked. Given that there are so many people carrying out such a huge logistic exercise, regrettably and very occasionally, there have been some lapses.

Leslie Gardner will comment on the policy of burning rather than using pits and quicklime.

**Leslie Gardner:** There is no difference in terms of biosecurity between burning and burial. The methods are equally effective in destroying the virus and disposing of the body. In terms of logistics and speed of operation, burial is very much the preferred option for our staff. Clearly, it



is a much simpler and quicker job and, presentationally, it is a more sympathetic method than having funeral pyres burning.

Unfortunately, as the minister said, the outbreak is concentrated in tightly defined pockets of Dumfriesshire. It is the nature of Dumfries and Galloway that it has a low level of soil cover in many parts and a high water table, with an aquifer down below. Those factors militate against burial. In particular, we have to take account of the views of the Scottish Environment Protection Agency and local authorities on the disposal of bodies. Regrettably, disposal by burial is not a practical option in Dumfries and Galloway.

**Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab):** I will follow up on a couple of questions that have been asked. The minister will be aware of my constituency interest as a site near Dalrymple has been identified as one of the places where a pre-emptive strike, for want of a better expression, has been made. Some people are suggesting that to stop the disease spreading further, the fire-break should be combined with the introduction of vaccination at some stage. Has that option been considered? If not, why not? Under what circumstances might that option be considered, if the measures that are being taken at the moment do not prove to be as successful as we all hope that they will be?

**Ross Finnie:** There are two issues. I do not know whether the case in Ayrshire to which you refer could be described as pre-emptive; it was more that the clinical signs gave rise to confirmation that the flock there would have to be destroyed. It would be very serious for the future of Scottish agriculture if we had to contemplate moving from a policy of eradication to policies of vaccination. I will ask Leslie Gardner to confirm this, but it is my understanding that to do so would mean that we would have to live with the fact that we might have latent foot-and-mouth disease in our flock.

While there is a close relationship between the farmer and his livestock, the animals are part of a commercial business. All sectors of our livestock trade depend hugely on our export trade. If we were to take a step that admitted a latent residue of foot-and-mouth disease, that would put at risk our ability to get export licences for our livestock. We could not do that as it would put at risk the livelihoods of a huge number of our farmers—livestock accounts for close to 50 per cent of Scottish agricultural output.

The logistics also pose a problem. The logistics involved in a policy of vaccination would not be simpler than those involved in the slaughter policy.

The fact that there is a range of types of foot-and-mouth disease also poses a problem for the

implementation of a policy of vaccination. Leslie Gardner will comment on that important point.

**Leslie Gardner:** Vaccination is a confusing issue. Europe has a lot of experience of the benefits and disbenefits of the vaccination policy. Members might be aware that, many years ago, the European Union had a vaccination policy. Periodically, waves of foot-and-mouth disease swept across Europe and also infected us, as happened in 1981, albeit only on the Isle of Wight.

All developed countries have adopted a stamping-out policy, which is what we are implementing at the moment. Through slaughter and eradication, we end up with a completely clean herd of animals. On that basis, all countries can trade freely between each other. If a country, for whatever reason, introduces a policy of vaccination, it is excluded from that trade club.

It has always been the case that a contingency reserve bank of vaccines is held within the EU for use in an emergency situation, or doomsday scenario, in which the disease was out of control. The use of the vaccine in such a circumstance would be an admission of defeat and would have a big downside. There is no intention to use the reserve vaccine.

**The Deputy Convener:** I should point out to Mr Gardner that it is not necessary to press the request-to-speak button. I know all about it now that I have read the idiot's guide to the mechanism that was prepared for MSPs.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** The minister wrote to the committee to outline the three foot-and-mouth disease boundaries around the infected areas, the at-risk areas and the provisionally free areas. I would like the minister to clarify a couple of points.

Because of the connection with the long-term market, slaughter has taken place in Aberdeenshire even though it is in the provisionally free area. I think that the same situation has occurred in the Highlands. Some clarification of that would be helpful.

In his opening statement, the minister said that the livestock movement controls would be relaxed progressively in those three areas, including the provisionally free area, with which I am most concerned. However, I assume that the controls will be relaxed progressively throughout the whole of Scotland. Does the minister have any idea of the time scale in which the livestock movements could be progressively relaxed in the provisionally free area of Scotland?

14:30

**Ross Finnie:** I will deal with the first question. When I announced the extended slaughter of

animals, I described two categories in that slaughter. The first category is the contacts. There were a number of those in the Inverurie area, Inverness and the Borders—I think that there were five—and, even taking only contacts, there were 19 in Dumfries and Galloway.

To eliminate those contacts was, in a sense, phase 1. We wanted to do that in the first instance, as, because of the movement of the disease in other contacts, we remained extremely nervous that we had carriers that needed to be eliminated. The 3km zone in the infected area, which gave rise to the larger number of animals to be slaughtered, applied to 3km around those farms in the infected area in Dumfries and Galloway that were already declared to be infected.

Having eliminated those contacts, we are quite content to declare those areas north of the Forth-Clyde area as a provisionally free area and to declare all the rest of southern Scotland, with the exception of the infected area, as a provisional risk area. I talked about unwinding the regulations progressively. We will start that in the provisionally free area. There will be no relaxation of movement in the infected area. That is still the case.

I should also make it clear that, even in the provisionally free areas, there will still be quite a high degree of supervision by our staff. It is fortunate, or unfortunate, that the outbreak has largely been confined to sheep at the moment. However, we have to be very careful, in an area such as the one that Mike Rumbles represents, that we remain vigilant about the potential for infection of the beef and pig herds. I am not saying that there is a risk of infection in those herds. It is just a question of vigilance. The movement of livestock will be relaxed proportionately.

I am not able to give a precise time scale at the moment. We have to get rid of the contacts. When we have done so, we hope that we will be able to start to move to the kind of situation that I have outlined, but we are reviewing the situation. Just as I come to the chamber and announce changes in the numbers of infected cases regularly, we have a meeting every day and we review the policy every day. We are clear that, as far as possible, we want to get to a position in which, in proportion to the risk, we can unwind some of the strict movement orders that are in place.

**Mr Rumbles:** Are you fairly confident that you have got rid of the contacts now through the slaughter that took place in Aberdeenshire and the Highlands?

**Ross Finnie:** We identified those animals that have had contact with the infection, and the slaughter of those started yesterday.

**Mr Rumbles:** So does provisionally free areas mean just that?

**Ross Finnie:** Yes.

**David Mundell (South of Scotland) (Con):** I thank the convener for allowing me to participate.

I do not underestimate in any way the sheer awfulness of the situation, as I live in the midst of the infected area. It struck me today, as I went from Moffat to Dumfries, that every sheep that we passed would be dead within weeks. That brings home how awful the situation is.

The proposed action clearly does not have universal support. It is very important that people feel that, if they have issues to raise about how far away they are from an infected farm or the impact on their breed, they have the opportunity to discuss those issues. Most of those people are away from what is regarded as the epicentre of the disease at the moment. It is important that they have that opportunity, rather than just being told, "Well, tough." There must be scope for an explanation, at the very least, and some discussion.

I have two other points. The first is the relationship between Cumbria and Dumfries and Galloway. As you are aware, most of the 3km circles in the Gretna to Canonbie area cross the border. Indeed, 3km circles in Cumbria will cross the border the other way. The concern that Dumfries and Galloway emergency centre is expressing to me is how the co-ordination of activities between Scotland and Cumbria is to be managed. Any of us who watch Border Television understand that the situation in Cumbria is chaotic, with lengthy delays in burial, a lack of focused local authority input, and a different attitude to the crisis than, thankfully, we have experienced in Scotland. It is essential that we have co-ordination with Cumbria, because there is no point in these measures being taken in Dumfries and Galloway, and taken so stringently, if only a few hundred yards away, similar measures are not being taken.

My final point is the speed of the cull. I accept that this is a tremendous logistic operation, and nobody underestimates it, but we will be one week on from this morning's emergency meeting with Dumfries and Galloway Council before the first slaughter takes place under the 3km philosophy. Many of the people who have reluctantly accepted slaughter have done so on the basis that it will happen quickly. Unless we are able to deliver the slaughter policy within a short period, we will run into serious difficulties, both practical and emotional. As my colleague Alex Fergusson pointed out last week, we are in the middle of the lambing season. People effectively are being asked to lamb for slaughter, which is a difficult thing to ask people to do.

In summary, my points relate to the need to explain to people who feel that they should not be

part of the exercise the relationship with Cumbria and the speed of the exercise.

**Ross Finnie:** On your first point, we ought to be clear that while you may be strictly accurate in saying that there is not universal support for the policy, there is overwhelming support. I am well aware that we are dealing not just with livestock, but with individuals. I have made that clear throughout the handling of this crisis. I am aware that very difficult decisions have to be taken.

Your point about areas away from the infected area was slightly Delphic. Did you have Kirkcudbright in mind?

**David Mundell:** One of the specific locations that I had in mind was the Twynholm area.

**Ross Finnie:** The policy statement letter that I sent out yesterday tried to take account of that point. It made it clear that the priority was the slaughter and disposal of animals in the concentrations of infection in the Dumfries infected area. The position in the Kirkcudbright infected area will be kept under careful review and a final decision on the action that will be taken there will depend on the veterinary assessment of the remaining risk of infection. We were trying not to make a mess of a policy; if a policy does not have consistency, it simply will not work.

It is a matter of great regret that another suspect case was discovered in the Twynholm area this morning. It is difficult to argue that, having had one case, the area is not suffering in a similar way to others.

Although we are keen to talk to people who feel particularly aggrieved, we could get into the most awful mess if that led to a whole series of people trying to undermine the policy objective. I do not wish to be unsympathetic to individual farmers in any way; however, I have a very difficult job, which is to ensure that we apply a consistent policy to eradicate the disease. I cannot go beyond that statement; I am making myself as clear as I can. I am not an insensitive person and I am always ready to listen, but I do not want to give the impression that I can somehow pick and choose between areas. The policy has been drawn up on the basis that there was clear contact with the Longtown mart on 15 or 22 February, or that the farms are within a 3km zone of a highly infected area. Given the support that I have received from all the operators and the National Farmers Union of Scotland, it would be silly of me to start picking and choosing areas.

As for the speed with which things are happening, we are indeed a week on. If, last week, instead of announcing my policy of eradication, I had phoned all the slaughtermen, abattoirs, providers of wood from the Forestry Commission and hauliers, and asked them for their views on

such a policy, the news would have been on the street and you would not have known what the policy was. It was a difficult decision; however, on balance, I had to announce the policy, because all sorts of rumours could have leaked out if I had talked to the whole range of people that we needed to talk to get the logistics right. That said, although that would have been more damaging than making a cohesive policy statement, I regret that it has taken so long to get the logistics right. However, I am confident that the logistics are in place and that we will begin the cull in Dumfries and Galloway tomorrow.

**David Mundell:** What about relations with Cumbria?

**Ross Finnie:** We are aware of that issue, and I should make two important points in that respect. When I was in Dumfries and Galloway on Friday, I indicated a keenness to drive this huge exercise from that area. We decided some days ago to send some people from my department to assist and augment the excellent team that is already in Dumfries; part of their responsibility will be to liaise with their equivalents in the Ministry of Agriculture, Fisheries and Food. It might also be announced today that some more senior MAFF people will operate in the Cumbria area, and it is our intention that there should be clear co-ordination in that fire zone across the border.

**Leslie Gardner:** I return to the point about the sensitivity of the operation. It is clear that farmers find themselves in an appalling situation and our staff on the ground and the team in Dumfries, who will be co-ordinating the arrangements with farmers, will all be acutely aware of the farmers' emotional problems. Our staff will endeavour, at all costs, to do their work as sympathetically as possible. With that intention in mind, we will involve local NFU representatives as key elements in the exercise.

14:45

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** The convener referred to the Herculean efforts of the minister and his department, which we all recognise.

I will shift attention to a slightly different aspect of the situation, minister. You will be aware from my line of questioning last week that we are all concerned about the desperate situation of some of our farmers and that we are anxious to explore possible ways ahead or lifelines that we, or you, might be able to throw to them. I have three brief questions that have been brought to my attention by farmers in my constituency, albeit they are far away from the outbreak.

First, there is some evidence of a mixed bag when it comes to the way in which banks work

with farmers. The NFU has made a statement about that, and some banks may be leaning on farmers a little too heavily and demanding monthly—even weekly, in some cases—reviews of cash flow. It may also be true that the Inland Revenue is not quite as helpful as it could be. What representations have you made to the banks? There may be something to be said for an amnesty in relation to banking and taxes. With all the pressures on the poor, wretched farmers, they need something like that right now.

Secondly, you will be aware of the Hilton Group's decision to discontinue buying Scottish lamb, pork and, surprisingly, chickens. What steps will you take to promote and restore confidence in Scottish meat products once we get through this dreadful episode? Farmers are looking for such a signal.

Thirdly, the farmers who are caught up in this situation need to see the way ahead, financially, in the short term. Would you or your department consider bringing forward some of the environmental grant schemes, and perhaps even increasing the proportion that is paid out by the public purse? There are opportunities in land management, tree planting and bracken control and I understand that the budget for those schemes is just sitting there. If those schemes could be brought forward, they might become a third lifeline, helping our farmers to get through this awful period.

**Ross Finnie:** I will deal first with the first question on banks.

Last Monday—I think it was then, but I hope that the committee will not hold me to a specific date, as I lost track of days in the midst of the crisis—I met the agricultural representatives of all Scotland's joint-stock banks. We discussed with them their attitudes and how they saw the situation. In Scotland, we can be grateful that in all the banks there are dedicated personnel who are up to speed on agricultural matters and on fishing matters. Therefore, they were fully apprised of the situation. I certainly did not get the impression that they were about to take draconian action, as they were fully seized of the difficulties.

I will move slightly towards the third question, on cash flow. As members know, we have written to every producer in Scotland to set out the schedule of dates—indeed, we have accelerated the dates—on which many of the mainstream agricultural support payments will be made.

All the dates on which the payments should be made are set out clearly. That has proved helpful to producers and bankers, who we copied in on the exercise. It should allow bankers to give their clients the certainty that payments will appear, in relation to experience of the CAP.

We have collaborated closely on matters relating to the Inland Revenue and so on. There are two task groups in Scotland, which I chair at ministerial level. One deals with gathering facts on the wider economic ramifications and the other liaises between bodies and deals with the information by working across the ministerial portfolios in a co-ordinated way. It also links with the Ministry of Agriculture, Fisheries and Food the Department of the Environment, Transport and the Regions. Reserved matters were referred to, and we have raised a range of such issues with those departments.

I will pass briefly over the Hilton Group which, I understand, I have upset hugely. I show no remorse for that. That group's public relations man was extremely upset by my suggestion that I could not think of a worse time at which to attempt to exploit Scottish farming by hiding behind foot-and-mouth disease as an excuse for cheap imports of foreign food. Apparently, those remarks did not go down well in the Hilton Group. I hope that it will change its mind.

Jamie Stone's serious point related to promoting confidence. We are examining that as part of the wider issue of deciding on the point at which it is appropriate to take action to promote and revitalise our tourist industry and agricultural sector.

**Richard Lochhead (North-East Scotland) (SNP):** I will return to the decision to cull sheep within a 3km radius of confirmed cases in the infected areas. There has been some concern about the fact that only sheep are being culled. Will you comment on the concerns about other livestock and wild animals? What potential do they have to carry the infection? I think that you said that the 3km designation came from Europe. Do you and your officials think that that figure is appropriate?

**Ross Finnie:** We believe that the figure is appropriate. The radius that we have introduced has some basis in its potential for covering airborne transmissions of the disease. Richard Lochhead asked why we chose to cull only sheep. The answer relates to a difficulty that we have had throughout the outbreak of the disease. In the first days of the outbreak, we introduced promptly the movement restriction orders. I suppose that the high expectation at that point was that we would be able to track, trace and find all the outbreaks. That did not happen, and veterinary staff were concerned because—according to their model of our type of disease—the number of cases that had been confirmed was below the expected level, relative to the type and voracity of the infection.

It became clear that, even for the most experienced farmer, the strain of the disease is extraordinarily difficult to spot in sheep—but not in

cattle or pigs. To my knowledge, there has been no instance when a farmer or vet has not been able quickly to spot a foot-and-mouth outbreak in cattle or pigs. Where sheep have had been infected, it has not been apparent and the disease has been transmitted.

That combination of circumstances has led us to a view that relates to the self-evident movement of the cases. My response to Margaret Ewing's question indicated that, even in farms that had had no confirmed outbreaks, the outbreaks had taken place since last week.

That is just the kind of case that our current cull is intended to eliminate, as a precautionary measure. That is the central reason for our targeting of sheep. We believe that we could pick up and deal with outbreaks by the more normal methods. It is not just a random thing—remember that the movement orders are still in place, and that the question of the incubation period is still a factor. We believe that we have the controls and the measures to deal with the disease in cattle and pigs. However, with sheep, we must bear in mind that we are not picking the disease up in the normal way. That is why the measures apply only to sheep.

**Richard Lochhead:** What about wild animals?

**Ross Finnie:** We are dealing only with cloven-hoofed animals—I will definitely have to refer to my veterinary expert to answer on wilder animals.

**Leslie Gardner:** The question of wild animals has been carefully considered. A risk assessment unit is considering a range of risks that are associated with the spread of the disease. Our view is that wild animals—deer are the obvious ones, as they are widespread in Dumfries and Galloway—could carry the disease.

Although they can do so in theory, it is clear that deer do not become carriers of the disease. The risk assessment that has been carried out has concluded that they pose an insignificant risk in terms of disease spread. We have to bear in mind that the mechanism of spread of the disease, particularly in sheep, has involved quite close contact rather than a tremendous aerosol spread. There has been more aerosol spread with cattle and even more with pigs but it appears, in our analysis of disease risk, that deer are not a significant factor.

**Rhoda Grant (Highlands and Islands) (Lab):** To return to sheep, flocks were slaughtered around the Moray firth, because of a link with the Longtown mart. There is concern that sheep there, although they are not showing symptoms of foot-and-mouth disease, may have been affected and therefore could infect sheep on the surrounding farms. Those farms have sheep for wintering, which have come from the hill farms in the

Highlands. The hill farms are, of course, quite different from lowland farms, in that they are not fenced—the animals move about. There is concern that there may be more infection in those areas. That infection could be taken back to the hill farms. Have any tests been carried out, or can the minister give me any other information on that?

Under the stock improvement scheme, bulls will go out to those hill farms at some point. What steps will be taken to ensure that they are not at risk and that they do not also carry the virus?

I was interested to note that there is a risk assessment unit. I am interested to know what risk assessments have been carried on for the spread of the disease via migrating birds, hillwalkers and so on. It is important that we know what risk people walking in the countryside can pose and what steps can be taken to reduce that risk.

**Ross Finnie:** I will give Leslie Gardner a moment to deal with that—I am not familiar with the case in Moray. I will come back to Rhoda Grant on that. I will also ask Leslie to deal with the link or, rather, not the link; I nearly said that there was a link between migrating birds and hillwalkers, which is not quite what I meant to say.

We have not come to any decision as to how we will manage the stock improvement scheme. That scheme and the movement of animals will be consistent with the risk assessment. If we unwind the restrictions by the time that we reach a decision on the management of the scheme, the result will be self-evident, but if movement restrictions are still in place, they will have to apply to animals that are caught up in the scheme. We have not come to such a decision, but it is on our list. We are reaching the point at which we must consider applying those movement restrictions to the animals that are involved. That will be consistent, however, with our application of the regulations as they apply to animal movements.

I now ask Leslie Gardner to comment on the Moray case.

**Leslie Gardner:** We have found that, in the first wave of infection in this epidemic, numerous sheep have not shown signs of the disease. It has, however, been expressed two or three weeks later, as the disease has amplified itself within the contact animals and spilled over into cattle.

If the Moray sheep had been infected, one would expect to have seen that. There is a risk that those sheep have been carrying the disease and that they might go down with the disease if they become subject to a lot of stress. We do not believe that that has happened—we believe that we would have seen that if it had happened. The action that has been taken in this flock is pre-emptive, in case they have become long-term

carriers of the disease. We do not believe that there has been any spread.

15:00

However, on testing, I think that serological testing will be a vital part of our demonstration of freedom from disease when we get over the clinical aspects of the disease. Such testing will be applied throughout the country on a statistical basis, taking account of both the advice of our epidemiologists, and of what the EU Standing Veterinary Committee will require from us to demonstrate freedom.

Birds have been recorded as spreading foot-and-mouth disease. For example, we believe that the case on the Isle of Wight in 1981 was caused by migrating birds or possibly by wind-borne spread. However, it does not appear to be a significant factor in this outbreak; such transmission seems to require quite close contact between animals. Long-distance spread by birds does not seem to be a feature. We cannot give an absolute guarantee that birds cannot spread the disease, but in terms of risk and proportionality, they do not seem to be a significant factor in the spread of the disease in this outbreak.

**Rhoda Grant:** I want to ask about hillwalkers, whom I mentioned, and the risk assessments that you have been carrying out.

**Leslie Gardner:** A number of risk assessments have been carried out. I cannot give you a list off the top of my head, but I know that, for example, we have carried out a risk assessment of the potential risk of the spread of the disease from the sheep carcasses that are destroyed on farms. That is the type of thing that we are looking at.

On hillwalkers, I think that the Executive has issued sensible and proportional advice. The disease is spread by close contact with animals. Humans are not affected by the disease. If people have close contact with animals—if they handle animals or have close contact with the faeces of affected animals—and then mix with other animals, that poses a risk. Walking down a road or along a path does not pose a risk. If people were approaching animals and feeding them—which they should not do—that poses a theoretical risk, but walking across hills and seeing a sheep in the distance does not realistically pose a risk.

**The Deputy Convener:** That clarification is extremely useful. I wonder whether the minister might feel it appropriate to convey to the National Trust for Scotland—which is referred to in paragraph 15 of the statement that we received—the sense of urgency that is felt, particularly in my constituency of Inverness East, Nairn and Lochaber, that the risk-assessment procedure should be carried out, and perhaps should have

been carried out, by the National Trust. There is massive concern about what is seen as an element of delay, given that the guidelines were published on 7 March. Many businesses are staring financial ruin in the face. A word from the minister to encourage expedition by the National Trust would be most appreciated.

**Ross Finnie:** I can certainly respond to that. Paragraph 15 says that we have been working with land management bodies under the chairmanship of the National Trust. Indeed, we have been working with all the stakeholders. We should have some sympathy because, before we knew the precise strain of the disease, the first action that we had to take—a mere three weeks ago—was to implement an absolute no-movement restriction. That was our view until we knew more. We now know much more about the nature of the infection and the particular strain that is involved. Therefore the advice that Leslie Gardner has just given is the advice that the Executive has published.

We have to deal with all the stakeholders and not just with the National Trust. There are local authority representatives who are extremely nervous about any prospect of the disease spreading into their area. We have been meeting those stakeholders and I am rather hopeful that, before the end of this week, we might have a further statement that will add to the clarity of what Leslie Gardner said and add to the clarity that was, I hope, in my own statement.

**The Deputy Convener:** We share that hope, minister.

**Ben Wallace (North-East Scotland) (Con):** Thank you for letting me attend the committee, convener. I shall be brief—I am aware of the time.

I want to go back to the issue of monitoring the time between diagnosis or designation and culling. The minister talked about the target being 24 hours. What is considered an acceptable time between diagnosis and disposal? Is there a working target? How long a gap would be unacceptable?

I also want to ask the veterinary officials whether rotting corpses pose a threat. How great is the threat of further infections from rotting corpses?

The minister made comments about support for the measures. The support for the measures is—I put it to him—directly linked to the speed with which the measures are taken. In Cumbria, many farmers are expressing concern because of the gap between policy and action. To maintain support, speed is vital.

Last, I asked a question last week about the military. The armed forces are being used in Devon in more of an advisory role. Has the

minister been briefed about the capability of the armed forces and about what the deployment of such units, if the situation were to get worse, could do in such circumstances? Will he engage the armed forces in planning for such a contingency?

**Ross Finnie:** Let me deal with the last question first. Obviously, all areas of the United Kingdom, including Scotland, have, as a contingency plan, been in touch with the army.

On logistics planning—which refers, essentially, to Dumfries and Galloway—the bottlenecks are more to do with disposal of animals. The bottlenecks are more connected with facilities—abattoirs and rendering plants—and the lack of places where animals can be taken off-site than they are to do with other matters. It is understood that if we ran into other problems—bottlenecks when we were moving materials and so on onto and off farms—we would not hesitate to take up the offers that have been made by the Ministry of Defence. At the moment, our analysis is that that is not where our bottlenecks are likely to arise. Obviously, we keep that under constant review, just as we do for the whole of the logistics exercise.

In terms of speed, we are aiming for the timetable that I outlined in answer to an earlier question. It is not a question of what is an unacceptable risk; rather, we need to work hand in glove with all the authorities to put in place the logistics to carry measures out according to that timetable. It takes merely the breakdown of a lorry that is bringing the wood that will start the burning for the whole process to get into difficulties. We will have in place the necessary logistics each time we embark on a slaughter, but I cannot guarantee that nothing will go wrong. If something does go wrong, that will be most regrettable and we will seek to do everything that we can to remedy that. If that means calling on additional resources, we will do so.

**Ben Wallace:** I asked the veterinary officials a question about rotting carcasses.

**Leslie Gardner:** The speed of operation will clearly be dependent on the size of the unit in that operation. The important point—in veterinary control terms—is that the animals are killed promptly. Once that takes place, the chances of spreading the virus become very small. On top of that, as soon as the animals are shot or destroyed, disinfectant is applied to the carcasses, which minimises the risk.

I agree fully that it looks awful to leave the animals lying about and that, in management terms, it is unacceptable. In disease control terms, however, it does not add significantly to the risk. Leaving animals lying around might add to the perception of the risk, but it does not add to the

actual risk.

Staff are endeavouring to undertake evaluation, slaughter and disposal seamlessly and without delay; they have, largely, succeeded. There have been one or two problem cases but, essentially, the target is being met. Members need not concern themselves that the delay per se increases the disease risk.

**The Deputy Convener:** I hope that we have time for one last question.

**Ross Finnie:** I am in serious difficulties, as I must get to Cabinet. There are matters on which I must report to Cabinet colleagues and I also need to liaise with colleagues down south.

**The Deputy Convener:** In that case, minister we will respect the fact that your time is pressed.

**Ross Finnie:** I am sorry, but I have a reputation for being prepared to take questions for as long as members are willing to ask them. Today, however, I regret that I must make my way.

**The Deputy Convener:** I am sure that we all understand the minister's position. I will conclude by inviting him to give us written statements on the two agenda items that we are unable to consider today. I assume that briefing notes would have been made available to members, in respect of "Rural Scotland: A New Approach" and on the impact of changing employment patterns in rural Scotland. It would be useful to have written statements to help the committee consider those matters further.

**Ross Finnie:** I had intended to present today our response to the committee's report on the impact of changing employment patterns in rural Scotland. I hope that the committee understands that we are deploying all our staff, even if livestock is not their particular responsibility, to dealing with the present crisis. My response to the committee this afternoon would therefore have been of a preliminary nature. I understand that we are close to concluding our formal response and, if I might crave the committee's indulgence, it might be better to get that done. I will get that response to the committee probably within a week to allow the committee to consider that matter. I will also issue a statement in relation to "Rural Scotland: A New Approach".

**The Deputy Convener:** I imagine that that is acceptable to the committee. I thank the minister and his colleagues for giving evidence today.

**Ross Finnie:** Thank you.

15:12

*Meeting adjourned.*

15:22

*On resuming—*

## Subordinate Legislation

**The Deputy Convener:** The committee has to consider a negative instrument, the Highlands and Islands Agricultural Processing and Marketing Grants etc (Scotland) Regulations 2001 (SSI 2001/40). The regulations establish the Highlands and Islands agricultural processing and marketing grants scheme.

Members will recall that there was a problem with the agricultural business development scheme, the error being in the wording of the regulations, which appeared to exclude several thousand farmers and crofters in the Highlands and Islands—those who had previously applied under the agricultural business improvement scheme—from accessing the ABDS. I understand that the error that was identified, which was the subject of some discussion in the committee, has been dealt with by regulation 14 of the regulations that we are considering today. It is correct to draw that specifically to the attention of members.

The instrument was laid on 16 February. The Rural Development Committee is the lead committee, and we are required to report on the instrument by 26 March. Are members content with the instrument?

**Members indicated agreement.**

## Less Favoured Areas

**The Deputy Convener:** The committee has to consider a negative instrument, the Less Favoured Area Support Scheme (Scotland) Regulations 2001 (SSI 2001/50). We previously decided to take written evidence. The evidence that we have received, which is from the Scottish Landowners Federation, the National Farmers Union of Scotland and the Scottish Crofters Union, has been circulated. I hope that members have had the opportunity to study it, along with a further note to members that the SCU submitted by e-mail this morning. Requests to give evidence have been received from Mr Tom Gray and Mr John Stewart. Mr Stewart submitted a petition, PE197, last year, and Mr Gray has written by e-mail to members and has submitted a covering note.

In Mr Stewart's letter, he says:

"I understand that the Rural Affairs Committee is to meet on March 27<sup>th</sup> to discuss the implications of the recent change in payment base for the LFA subsidy. I consider my petition, No 197, is highly relevant to the matter as it is only by the proper disclosure of the recipients of subsidy that the Committee will be able to determine the facts about winners and losers in the new scheme. Would you please draw this to the attention of the committee and also advise them that I can make myself available to answer any questions they may have."

Mr Gray stated in his e-mail:

"You may recall my petition PE97 regarding support to agriculture and be aware of my deep concerns regarding a variety of rural issues. On reading the *Official Report* of the meeting of 27<sup>th</sup> February, I wrote to committee members seeking to give evidence at an appropriate time during the agriculture inquiry. Hopefully the meeting on 27<sup>th</sup> March discussing the LFA issues will be considered to be such an appropriate time."

I invite the opinions of members on whether we give those individuals the right to give us evidence during the LFA inquiry.

**Rhoda Grant:** I think that we should invite them, but not when we are considering the instrument, because we have to deal separately with the instrument and the inquiry. If we delay the instrument, it will delay payment to people. In the inquiry, we need to take evidence from people. I suggest the Scottish Crofters Union.

**The Deputy Convener:** We would probably accept that the SCU would be our leading witness. I imagine that the NFUS and the SLF would also be acceptable. Rhoda Grant is proposing that the two individuals who have submitted petitions, who have expressed a long-standing interest in the topic and perhaps have experience of the topic, be allowed to give evidence. Does anyone have a contrary view?

**Mr Rumbles:** It is not a contrary view, but I



remind members that LFA is not just about the Highlands and Islands. It may be important that the SCU gives us evidence, but it should not be considered as the No 1 organisation for that. LFA is far more widespread than the Highlands and Islands—80 per cent to 85 per cent of Scotland is covered by LFA.

**Alex Fergusson:** Anyone who was fortunate enough to attend my recent members' debate will realise that there is huge controversy across the parties about the shift from a headage-based payment to an area-based payment. It is right that the committee should have a short inquiry into it. Having said that, any move that delays the passing of the instrument would delay any payments to farmers. Given the safety net that is in place this year and the appalling situation that the farming world has been placed in, the reasons for which we all know, I am loth to do anything at the moment that results in such a delay. The right place to hear those people is during our mini inquiry. I support Rhoda Grant. We should move to that situation forthwith.

**The Deputy Convener:** I take on board the remarks made by Mike Rumbles and Alex Fergusson. Are we agreed that the witnesses should include the SLF, the NFUS and the SCU—without putting them in any particular order, in the nature of the popular charts—and that we take evidence from the two individuals who have been tenacious in expressing an interest born of their experience in the field?

I should state that, originally, the minister had been invited to appear on 27 March for the inquiry. He has submitted an apology. He has other engagements that prevent him from attending next week. I presume that, in the circumstances, members will accept that. Do we wish officials to attend in the minister's place to answer members' questions?

**Members indicated agreement.**

**The Deputy Convener:** That is agreed. Perhaps the clerks can convey that invitation. We hope that the officials will attend, because it will be necessary to obtain responses from them on particular questions.

## Food Standards Conference (Invitation)

**The Deputy Convener:** We move to item 8, which is an invitation to the food standards conference. The committee will consider whether a member of the committee should attend the conference. That means whether a member wishes to attend; it is not obligatory that this committee send a representative. The conference is on Wednesday 4 April, and I believe that it is being hosted in Edinburgh by the Royal Society of Edinburgh. That day is the last day before the recess. Are there any volunteers?

**Alex Fergusson:** The deputy convener?

**Mr Rumbles:** The deputy convener?

**The Deputy Convener:** I do not know if we have a deputy convener at the moment. I believe that Tom Edwards of the Scottish Parliament information centre has expressed an interest in attending. We can have a report from him on his attendance at the conference.

**Alex Fergusson:** I understood that the deputy convener had been unanimously put forward by the committee.

**Mr Stone:** By popular acclamation.

**The Deputy Convener:** As Jamie Stone has correctly pointed out, there is a vital fishing debate that day, which requires my attendance.

I thank members for their forbearance with their temporary convener. I thank the official reporters, and declare the public part of this meeting closed.

15:32

*Meeting continued in private until 16:02.*



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