

**Cumbria Foot & Mouth Disease Inquiry**  
**Questions for DEFRA**

**Imports of Animals and Animal Products**

1. It is appreciated that the origin of the initial Foot and Mouth Disease (FMD) outbreak is under investigation but it has been accepted that it must have come from outside the UK.
  - a) **Since the end of the FMD outbreak, what legal, organisational or procedural changes have been made to reduce the risk of a further importation of contaminated material?**
  - b) **What legal, organisational or procedural changes are planned?**
  - c) **Has any monitoring and evaluation of new provisions been undertaken and if so how effective have the measures been shown to be?**

**State Veterinary Services**

2. There has been a widely expressed view that the State Veterinary Services were understaffed prior to the outbreak of FMD.
  - a) **Has the issue of increasing the manpower of the State Veterinary Service been addressed at the National level? If so what proposals have been approved?**
  - b) **Specifically in relation to Cumbria, what the manpower resources allocated to the County (or to the North West Region) prior to the FMD outbreak? What were the manpower resources at the height of the outbreak? What are the manpower resources at the present moment?**

**Communication**

3. In its response to the Devon Inquiry, DEFRA indicated that it was already paying attention to the issue of improving its communications with stakeholders, including Local Authorities, and between its central and regional offices.
  - a) **What specific measures have been undertaken to address the communication issues and problems thrown up by the FMD outbreak?**
  - b) **What additional measures are planned?**

**Disease Control Measures**

4. The DEFRA 'Comments to Local Inquiries' indicates that by 20th March commercial supplies of vaccine had been built up as a precautionary measure.
  - a) **What were the levels of supply (number of doses for cattle, sheep and pigs) available at that time?**
  - b) **Were the sources of supply commercial companies in the UK or in other countries? Was there any provision for the production of vaccine from**

**government laboratories? Is there presently any provision for vaccine production from government laboratories?**

- c) **What are the number of doses (for cattle, sheep, pigs) being held on a contingency basis at the present moment?**
5. The precautionary culling of animals on adjacent premises to those with diagnosed FMD and (after the end of March) on contiguous premises within 3km of infected premises was an important part of the control programme.
- a) **On what basis were ‘adjacent premises’ determined in cases of infected holdings with field areas that were physically separated on more than one site?**
- b) **How were ‘contiguous premises’ determined in cases of infected holdings with field areas that were physically separated on more than one site?**
6. DEFRA Comments to Local Inquiries say that ‘the contiguous premises policy when introduced in late March was based on veterinary and epidemiological advice given to DEFRA by its experts, that in all circumstances of this FMD outbreak animals on premises contiguous to IPs were exposed to the disease’.
- a) **Could the written advice to DEFRA by its experts and/or the scientific basis on which it is based be supplied to the Cumbria Inquiry?**
- b) **On what scientific basis were distinctions made between sheep, cattle, pigs and goats in the application of the culling policy?**
7. Biosecurity has been identified by DEFRA as a crucial issue in FMD prevention and control.
- a) **What training in biosecurity was available to DEFRA staff prior to, during, and after the end of the FMD outbreak? What numbers of staff were trained at each stage?**
- b) **What biosecurity training was available to farmers before the FMD outbreak or has been made available since the outbreak has ended? How many farmers were trained before the outbreak? How many have been trained since the outbreak ended?**
8. In the arrangements for disease control DEFRA highlights that ‘local discretion’ is exercised *wherever necessary* e.g. in decisions on slaughter on contiguous premises.
- a) **What guidance was given by DEFRA to local Disease Control Centres on the interpretation of the term ‘wherever necessary’?**
- b) **In how cases in Cumbria did local discretion result in contiguous premises not being culled, i.e. how many premises within a 3km distance of a diagnosed outbreak were not culled?**
9. The FMD science group, which supported the Chief Scientific Adviser, played a key role in the development of the policies for outbreak control.
- a) **What provisions were made for the deliberations of the group to be recorded and circulated?**

- b) Has any post outbreak report on the work of the group, and on its conclusions been prepared as a basis for the development of future control policies?**
10. It is understood the epidemiologists made extensive enquires with the proprietors of each holding which became a confirmed case of Foot and Mouth Disease to determine the route of spread of the disease.
- a) Has any statistical break down of disease spread established by these enquiries been undertaken? Could the analysis, preferably for Cumbria, be supplied to the Cumbria Inquiry?**
- b) Is it correct that there is no known incidence of the disease having been spread by members of the public using footpaths and bridleways?**
11. DEFRA indicates that whilst it is theoretically possible that walkers in the countryside could transmit FMD there is no evidence that this has actually happened and the risk, if any, is small in comparison with other transmission risks.
- a) How is this conclusion reconciled with the advice and policy of the CSA scientific team, which concluded that all animals within a 3km distance of an FMD case should be culled, even where there was no contact between the infected and non-infected premises?**

#### **Local Impact of Disease Control**

12. In Cumbria, because of the pattern of diversified rural development, the FMD outbreak had a major impact not only on agriculture but also on other rural industries and communities.
- a) Were the wider interests of the community and the economic impact on other industries taken into account when formulating the policy decision to eradicate the disease?**
- b) Were community interests and economic impact on over industries taken into account, during the epidemic when decisions were made and advice was given on issues arising, from the imposition of various movement restrictions.**

#### **Legislative Measures**

13. As the outbreak progressed and blood testing was carried out 3km zones around infected premises in due course DEFRA took action to reduce the size of infected areas.
- a) What was the envisaged benefit in reducing the infected area applicable to Cumbria by Statutory Instrument: Foot and Mouth Disease Declaratory (Number 283) Order 2001 made on 8<sup>th</sup> October 2001?**
- b) Did DEFRA take into account the legal implications of the change in status of large part of Cumbria by reducing it from infected area to controlled area?**
- c) Did DEFRA undertake any consultation or give prior notification to the local authority carrying out management and enforcement under the**

**regulations contained within part III of the Foot and Mouth Disease Order 1983, as amended.**

- d) **The Statutory Instrument made restriction notices on a large number of footpaths within the area concerned unlawful and therefore unenforceable. At what stage did DEFRA become aware of this?**
14. In similar manner, under a Statutory Instrument made on the 8<sup>th</sup> February 2002 the controlled area status the Country was revoked. This left all remaining footpath closures unlawful and therefore unenforceable.
- a) **What was the benefit in reducing the infected area applicable to Cumbria by Statutory Instrument: Foot and Mouth Disease Declaratory (Number 283) Order 2001 made on 8<sup>th</sup> October 2001?**
- b) **Did DEFRA take into account the legal implications of the change in status of large part of Cumbria by reducing it from infected area to controlled area?**
- c) **Did DEFRA undertake any consultation or give prior notification to the local authority carrying out management and enforcement under the regulations contained within part III of the Foot and Mouth Disease Order 1983, as amended.**
- d) **At what stage did DEFRA realise that its action made restriction notices on a large number of footpaths within the area concerned unlawful and therefore unenforceable?**
15. DEFRA guidance contained within the latest Veterinary Risk Assessment states that rights of way passing through the yards of farms remaining on restriction form A or similar should remain restricted. The document also states that the form A restriction on the farmer would also restrict the public using such rights of way.
- a) **Bearing in mind the only requirement in the regulations obtaining to a form A restriction contained within the powers under part 4 and parts 3 of the Foot and Mouth Disease Order 1983 are no longer available, how does DEFRA envisage that restrictions might be continued?**
- b) **There is an obligation to place a notice of restriction at the main entrance of an infected holding but not elsewhere. However, footpaths often commence from a road distant from the farm entrance and may cross the fields of a farm not under restriction, How, does DEFRA envisage the restrictions of access should be enforced?**

### **Contingency Planning**

16. The DEFRA contingency plan refers to meeting with “stakeholders “ for consultation.
- a) **Could the Inquiry have a list of persons and organisations proposed to be included within the term ‘stakeholders’.**
- c) **Does DEFRA consider that ‘stakeholders’ should include sections of the community other than farmers and landowners, such as service industries,**

**tourism organisations and others involved in countryside access and environmental management.**

17. On occasions during the outbreak changes to the statutory regulations and emergency instructions and other guidance were made late on a Friday or over a weekend without prior consultation and notification to organisations affected. This was particularly difficult for those involved in management or enforcement, such as Trading standards department and Highway Authorities.

**a) Will DEFRA's contingency planning to ensure that there is a better consultation process and a better and more timely system for notifying other organisations who will be affected by such changes and that, excepting emergencies, changes will be subject to consultation?**

18. The DEFRA mapping information can indicate which parcels of land were subject to restriction, based on the IACS information. However, at times, this has proved to be inaccurate or out of date.

**a) What proposals does DEFRA have to provide more accurate GIS mapping of the extent of each holding that may be subject to restriction?**

**Environmental Issues**

19. The DEFRA contingency plan sets out the order of priority for carcass disposal, based on Department of Health guidelines, as: rendering; commercial incineration; licensed commercial landfill; pyre burning; mass burial at DEFRA-owned sites and on-farm burial.

**a) Could the Inquiry be supplied with a copy of the Department of Health guidelines?**

**b) Is the order of priority based on a formal risk assessment and if so could the risk assessment be made available to the Inquiry?**

**c) The first three priority options imply transport of live animals or dead animals; has any post FMD outbreak been undertaken on the risks associated with this transport?**

20. Concern has been expressed about the impact of the large-scale pyre incineration of animals that was conducted in Cumbria during the FMD outbreak.

**a) Is DEFRA aware of any studies which have examined the environmental effects or animal/human health effects of this type of large-scale incineration? If so could it direct the Inquiry to the studies?**

21. Pyre burning was combined with disposal of animals by mass burial.

**a) Can DEFRA offer any advice on the Environmental Impact Assessment requirements for mass burial sites and provide guidance on any long-term risks that there might be to ground water quality or safety?**

**b) What biosecurity issues should be taken into account in the handling and disposal of effluent from mass burial sites?**

### **Economic considerations**

22. In trying to understand the economic impact of the outbreak in Cumbria the Inquiry team would welcome any information that DEFRA could provide on the employment that they created in the County during their actions to control FMD. Also on the financial input to the local economy that related to overnight or longer-term accommodation for staff.

**a) Could DEFRA supply relevant statistics or estimates to assist in the economic impact analysis?**