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trading standards law explained

Bovine tuberculosis

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Scotland

While Scotland has been declared officially tuberculosis free (OTF), the disease remains notifiable.

The Tuberculosis (Scotland) Order 2023 updates the requirements, setting out various controls, including a requirement for pre- and post-movement testing of cattle moving to Scotland from England, Wales and Northern Ireland (with a few exceptions).

The Tuberculosis in Specified Animals (Scotland) Order 2015 aims to control tuberculosis in any 'specified animal' in order to protect the OTF status. A specified animal means a deer, goat, pig, sheep, alpaca, guanaco, llama or vicuna.

The main purpose of the legislation is to keep the incidence of bovine tuberculosis (bTB) in Scotland to its current low levels.

A map of the different bTB risk areas in Great Britain can be found on the TB Hub website.

Testing

Bovine tuberculosis (bTB) is a notifiable disease. If there is any suspicion of the disease in any bovine or specified animal, the Animal and Plant Health Agency (APHA) must be notified by telephoning 0300 060 0704, and the animal detained and isolated. Any person who has a carcase of any farmed animal or pet mammal that they believe to be affected with the disease must also notify APHA.

On 8 September 2009 Scotland was declared officially tuberculosis free (OTF). In order to maintain the OTF status, the Tuberculosis (Scotland) Order 2023 requires strict pre-movement testing of cattle coming to Scotland from other parts of Great Britain. The Order has the aim of reducing the risk of disease entering Scotland by adding extra precautions for animals coming from higher areas of infection.

Cattle moving to Scotland from the following areas must have a clear bTB test prior to the move:

- High incidence bTB area (areas where cattle must be tested more frequently than every two years)
- Low incidence bTB area (areas where cattle must be tested at intervals of more than two years), if those cattle have lived in a high incidence area at any time of their life

All eligible cattle, as described above, must have a clear pre-movement bTB test, which must have been taken no more than 30 days before the movement to Scotland. This requirement was previously 60 days, and the 60-day validity continues to apply to any cattle tested before 18 May 2023. Additional changes mean that a negative bTB test in a herd under movement restrictions due to a bTB breakdown will no longer be accepted as a qualifying pre-movement test, even if the test allows those restrictions to be lifted.

These pre-movement testing requirements will mostly affect cattle sales from England and Wales to farms in Scotland. Should any non-exempt cattle be moved without having a pre-movement test, the cattle should be isolated as soon as possible and arrangements made to pay for a bTB test to be carried out. Please inform APHA immediately. In these circumstances, the holding will be put under movement restrictions until the animals have tested clear for bTB. Exceptions to this are:

- Cattle that can be shown to have lived their entire lives in an area of low incidence of bTB
- Cattle going direct for slaughter in Scotland
- Calves less than 42 days old; however, they will need to be post-movement tested if moved from an area of high incidence of bTB
- Cattle moving to shows / exhibitions and returning direct to the same farm

In addition to the 30-day pre-movement testing, cattle moving from areas of high incidence of bTB in Great Britain must also undergo post-movement testing on the first premises they move to in Scotland. The post-movement testing must take place between 60 and 120 days of arrival at those premises (in other words, not before 60 days have passed and not after 120). The cattle must remain on the premises, with a few exceptions, until the post-movement testing for bTB has been carried out and a negative result obtained. Exceptions to this are for cattle moved:

- Direct to slaughter
- For veterinary treatment and returned directly to the same premises, or that are killed or go direct to slaughter
- Under a licence issued by a veterinary inspector

Some herds are also required to undergo routine bTB testing. APHA annually assesses holdings and will notify the keeper when herds require testing.

There is no requirement to routinely test any specified animal.

Test records

As soon as practicable after the results of the test have been read by an inspector or approved veterinary surgeon, the keeper of the animals and APHA must be given a written record of the results.

The keeper must:

- Retain the records of the results
- Enter the test in the farm veterinary medicine record

Farmers are advised to take a copy of the clear results of the test (undertaken during the previous 60 days) with them when presenting cattle moved off a farm for sale at market.

Testing intervals

Details of bTB testing intervals are available on the GOV.UK website.

Cost of testing

Herd owners are expected to cover the costs of the veterinary inspector's time in order for them to carry out pre- and post-movement tests. The Government will continue to fund the provision of all routine bTB surveillance testing.

Isolation

Article 2 of the Tuberculosis (Scotland) Order 2023 introduces a new definition of 'isolation', to provide clearer guidance for keepers who have a breakdown and are required to isolate cattle that are affected, or suspected of being affected, with bTB.

From article 2:

"'isolation' means an affected animal or suspected animal is kept on premises or part of premises where:
(a) no space, drainage or manure storage is shared with bovine animals (other than other affected or suspected bovine animals) or other animals kept on the premises,
(b) no nose-to-nose contact is possible with bovine animals (other than other affected or suspected bovine animals) kept on the premises or adjoining premises, or other animals kept on the premises or adjoining premises, and
(c) where kept inside a building, the affected animals or suspected animals are also separated by an airtight barrier from bovine animals (other than other affected or suspected bovine animals) and other animals kept inside the building"

Compensation

There are provisions for the Scottish Government to pay compensation for animals slaughtered for disease control purposes under the legislation. Compensation will be paid at the market value. Please note that compensation will be reduced for any unclean cattle slaughtered for bTB control purposes. This change will only affect a very small number of cattle keepers who have a bTB breakdown and present animals with a long-term build up of dirt at the slaughterhouse.

Compensation will also be reduced for cattle that are not properly isolated and are subsequently slaughtered for bTB purposes.

Notifiable diseases

For information on diseases that are notifiable (which means there is a legal requirement to report cases and suspected cases to APHA), please see 'Notifiable diseases'.

Further information

Further guidance on bTB, including in non-bovine animals, is available on the Scottish Government website. It has been updated to cover the new requirements. All Scottish cattle keepers should familiarise themselves with the new rules.

Specific information on pre- and post-movement testing, including requirements for cross-border movements within Great Britain, is available on the GOV.UK website.

Also of interest is the TB Hub website, which contains many practical guides.

Tuberculosis is subject to regulatory control and can affect other species of farmed livestock - for example sheep, goats, pigs, deer and camelids, such as llamas and alpacas. Please see the information about TB in non-bovine species on the TB Hub.

Finally, the GOV.UK website has information on controlling the risk of bTB from badgers.

Trading Standards

For more information on the work of Trading Standards services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

In this update

No major changes.

Last reviewed / updated: June 2026

Key legislation

- Animal Health Act 1981
- Tuberculosis in Specified Animals (Scotland) Order 2015
- Tuberculosis (Scotland) Order 2023

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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