Bovine TB: tackling infection in pigs, sheep, goats, captive deer and South American camelids

A summary of responses to the consultation exercise and the Government’s way forward

16 December 2016
1. Introduction

1.1 This document provides a summary of responses to Defra’s public consultation on proposed new measures to tackle Bovine TB in certain non-bovine species, which ran from 30 August 2016 to 8 November 2016. Defra received 155 written or online responses to the consultation: 135 were via the Citizen Space portal and 20 were e-mailed. Responses were received from individuals, including breeders, farmers and vets, and organisations. The organisations are listed in Annex A.

1.2 Copies of responses (with the exception of those for which the respondent has requested that his/her response is not released) can be obtained from:

Non-bovines Team
Defra, Bovine TB Programme
Area 5D Nobel House
17 Smith Square
London SW1P 3JR

2. The Measures

2.1 The consultation exercise, one of a series, is aimed at introducing proportionate TB control measures designed to increase the probability that the goal of national official TB freedom will be achieved by the target date of 2038.

2.2 The proposed measures covered the following matters:

- Reporting suspicion of disease
- Duty of veterinary inquiry
- Government testing of non-bovines
- Consent for private TB testing, treatment for TB and TB vaccination
- Precautions against disease spread, including isolation and prohibition of movement of animals
- Non-bovine animals in markets and shows
- Compensation

2.3 As noted in the consultation document, our judgement was that none of the proposals would impose significant new burdens on any business sector since they were, in effect, largely a reconstitution of existing but disparate legal provisions, the bringing together of which would simplify the legislation and aid understanding for affected
businesses. That view was reinforced by the Regulatory Triage Assessment published alongside the consultation document.

3. **Summary of responses**

**Reporting suspicion of disease**

**The proposal**

3.1 We should apply the duty to report suspicion of TB in live bovine animals to all non-bovine species.

**The responses**

3.2 The breakdown of responses was as follows (where agreement/disagreement was not completely clear in the written responses, they are included in ‘other’):

- Agree – 90%
- Disagree – 8%
- Other – 2%

3.3 Although a big majority of respondents supported the proposal, some qualified their support by saying that guidance material would be needed to help vets and others identify the factors that should give rise to suspicion.

3.4 In supporting the proposal, the British Veterinary Association (BVA) said it would be:

> “… a sensible accompaniment to the introduction of statutory powers for the testing and removal of TB reactors alongside statutory compensation.”

**The way forward**

3.5 The Government will bring forward legislation to give effect to this proposal as soon as possible in 2017. A further announcement on timing will be made in due course. We will develop guidance material to help vets and others identify the factors that should give rise to suspicion.
Duty of veterinary enquiry

The proposal

3.6 We should apply to all non-bovine species the duty on veterinary inspectors to carry out a veterinary inquiry where he or she has reason to believe that there is on any premises a live non-bovine animal or carcase affected by, or suspected of being affected by, TB.

The responses

3.7 The breakdown of responses was as follows (where agreement/disagreement was not completely clear in the written responses, they are included in ‘other’):

Agree – 87%  Disagree – 9%  Other – 4%

3.8 Respondents from the Camelid sector supported the proposal as long as the Government adhered to the approach to testing, as set out in the camelid TB testing scenarios developed by Defra and the British Alpaca and Llama Societies.

3.9 The Country Land and Business Association (CLA) also supported the proposal but had a concern about the impact of restrictions following suspicion of TB in the non-bovine species. It stated:

“We support the proposal but feel that considering the impact of having an animal or carcass identified as affected by TB the Government should include a mechanism for clearing an animal or carcass if it is found to be non-affected. Providing such a mechanism would likely reduce the fear of animals or carcasses being identified as potentially affected and so improve animal health outcomes.”

3.10 The National Farmers Union (NFU) also supported the proposal but stated that it is important for Defra to clarify what might constitute a reason to believe that an animal is infected with bovine TB, and trigger points for the relevant stages of veterinary inquiry. Its view was that

“… these points must be based on evidence and science and must also relate to the risk posed by bovine TB to each species.”
3.11 The NFU also stated that the presence of other species on farm must also be risk assessed, in terms of disease transmission and contact.

3.12 Some deer sector respondents had concerns about the comparative skin test used to test deer. The British Deer Farms and Parks Association (BDFPA) said:

“Reference to relevant tests should recognise that the skin test is not by itself capable of controlling disease in infected herds although we believe it may have a role in initially identifying infected animals and also by acting as a ‘primer’ to stimulate anamnestic responses in subsequent serological tests … we believe that the application of a serological test to animals that have been primed by administration of tuberculin will reduce the numbers of deer compulsorily slaughtered and will thus save the exchequer significant sums of money.”

Way forward

3.13 The Government will bring forward legislation to give effect to this proposal as soon as possible in 2017. A further announcement on timing will be made in due course. In developing the guidance material referred to in the section on reporting suspicion of disease we take account of the views summarised above.

Government testing of non-bovines – mandated testing

The proposal

3.14 We should apply to all non-bovine species the powers that require a keeper to have any animal tested for tuberculosis with a relevant test by a specified date.

The responses

3.15 The breakdown of responses was as follows (where agreement/disagreement was not completely clear in the written responses, they are included in ‘other’):

Agree – 67% Disagree – 28% Other – 5%

3.16 This proposal prompted a large number of responses. Although most respondents supported the proposal, there were caveats. A concern for several stakeholders (across a range of species) was the effectiveness and reliability of current testing protocols.
3.17 On the general principle, the BVA stressed the importance of species and context-specific testing, as well as the need to put in place arrangements for non-farmed and zoo/captive species.

3.18 The NFU, while agreeing the proposal, emphasised the importance of establishing a testing protocol for each species, and noted:

“… it will align with bovine TB policy therefore it would make sense to be cohesive.”

3.19 It felt that the arrangements for each species must be appropriate to the risk posed and the farming system. For example, imposing testing on sheep would, in the NFU’s view, be disproportionate. Furthermore, it argued that the Government must consider the challenges of testing to the farmer, agree appropriate and realistic timeframes and have an exit strategy for each species. A number of individual respondents also made the point that testing must be proportionate to the level of risk and compensation must be adequate.

3.20 Many responses were species specific. They are summarised below.

**Deer sector responses**

3.21 A number of respondents felt that serological testing should be used for deer rather than the skin test. The Venison Advisory Service (VAS) noted:

“… because DEFRA continues to place all its reliance on the skin test large numbers of false positives will continue to be produced especially when using the severe interpretation ... VAS, with others in the deer farming sector, strongly advocates using a serological test as a matter of urgency even if this requires priming by use of a skin test.”

3.22 This view was shared by the BVA which said that the assumption that test validation in one species is applicable to another was inappropriate. It added:

“… the severe interpretation of the SICCT may mean that if this test is used alone, deer herds may never escape from restrictions.”

3.23 The BVA also noted that Defra would need to take into account that the handling and testing of deer at certain times of year would pose particular challenges with regards their safety, health and welfare.
Goat sector responses
3.24 Respondents from the goat sector also questioned the reliability of current tests and the risk of false positive results. Yorkshire Dairy Goats (YDG) asked that Government consider using other tests and urged that Government:

“… consult with technical experts in this field, to consider how new tests could be developed for goats and how it can assist in this process, especially given the infrequent occurrence of ‘positive for TB’ goats in the UK. The potential interference or not from Johne’s vaccinated animals must be considered in all types of tests.”

Camelid sector responses
3.25 Most camelid owners agreed with the proposal on condition that Government adhered to the testing scenarios set out in the testing scenario document devised by the sector in partnership with Defra.

3.26 Some respondents suggested that the Enferplex test was a sufficient replacement for the current skin test which they considered a waste of government money and not safe to carry out.

Sheep sector responses
3.27 The National Sheep Association (NSA) expressed the need for an agreed protocol for testing decisions. It said:

“We would be opposed to sheep being part of any routine testing approaches without evidence of infection, based on the fact that sheep are extremely low risk in terms of susceptibility and transmission.”

3.28 The NSA also highlighted the importance of working with industry organisations to agree relevant tests and protocols.

Pig sector responses
3.29 Both the Pig Veterinary Society (PVS) and the British Pig Association (BPA) opposed the proposal on the grounds that testing would be a disproportionate approach to the limited problem of bovine TB infection of pigs. It stated:

“We do not believe that the risk posed by bTB in pigs warrants this approach and we call on Government to consider a risk based approach to deal with herds based on the testing of slaughter pigs. Furthermore almost half of the UK pig breeding herd is kept outdoors in extensive conditions, therefore large scale skin testing of these herds would be extremely difficult and impose enormous costs.”
Way forward

3.30 As noted in the consultation document, Government already has powers to require testing of all of the species within the scope of this proposal. These powers are not used in cases where veterinary advice is that testing isn’t a proportionate response to the problem in a herd and that would not change as a result of the proposed rationalisation of the legislation. The Government will, therefore, bring forward legislation to give effect to this proposal as soon as possible in 2017. A further announcement on timing will be made in due course.

Government testing of non-bovines – deer

The proposal

3.31 Government mandated testing of captive deer should be funded by government, in line with the arrangements for other non-bovine species

The responses

3.32 The breakdown of responses was as follows (where agreement/disagreement was not completely clear in the written responses, they are included in ‘other’):

Agree – 87% Disagree – 5% Other – 8%

3.33 The BDFPA welcomed Defra’s proposal to remove what they felt had been a long-standing anomaly. The NFU also agreed stating:

“All funding for testing, no matter what the protocol sets in terms of the method, should be funded by Defra, therefore we agree with this policy.”

3.34 The BVA too was in favour of standardising funding for TB testing for all non-bovine species

Way forward

3.35 The Government will bring forward legislation to give effect to this proposal as soon as possible in 2017. A further announcement on timing will be made in due course.
Consent for private TB testing, treatment for TB and TB vaccination

The proposal

3.36 We should apply to all non-bovine species the prohibitions and consent requirements relating to testing, treatment and vaccination that currently apply to bovines.

The responses

3.37 The breakdown of responses was as follows (where agreement/disagreement was not completely clear in the written responses, they are included in ‘other’):

Agree – 66%        Disagree – 26%        Other – 8%

3.38 The Goat Veterinary Society (GVS) supported the proposal but with the caveat that seeking permission to test should not be onerous and decisions should be made quickly. It suggested that, in theory, a private veterinary surgeon who suspects bovine TB in a goat herd should be able to begin testing without delay, rather than leaving the case in limbo and having to return at a later date. Online applications should be allowed.

3.39 The British Alpaca Society suggested that a test which can differentiate between vaccinated and non-vaccinated animals would be necessary in order to enable vaccination of camelids.

The way forward

3.40 The Government will bring forward legislation to give effect to this proposal as soon as possible in 2017. A further announcement on timing will be made in due course.
Precautions against disease spread, including isolation and prohibition of movement of animals

The proposal

3.41 We should apply to all non-bovine species powers that enable an inspector to require the isolation of specific animals and prohibit the movement of some or all animals on to or off premises, except under licence.

The responses

3.42 The breakdown of responses was as follows (where agreement/disagreement was not completely clear in the written responses, they are included in ‘other’):

Agree – 82%     Disagree – 13%     Other – 5%

3.43 The National Sheep Association (NSA) was in favour of the proposal provided:

“… these powers are reasonable and truly risk based and reasonable protocols would be needed, to be worked up with industry bodies.”

3.44 The BVA also supported the proposal on the basis that it would ensure a clear and consistent procedure.

3.45 The National Animal Health & Welfare Panel (NAHWP) felt that granting an inspector the powers to isolate specific animals and prohibiting the movement of some or all animals on to or off premises would need to be determined by veterinary risk. It agreed that the same rules should apply to all non-bovines and the controls should be laid down in one piece of legislation.

3.46 The NFU’s agreement was conditional on the understanding that any restrictions should be based on the level of risk posed by each species. It made the point that more information was needed on the trigger points for isolation and movement restrictions for each species. The NFU also sought information on whether any new licences would be created if the proposal was adopted.

3.47 The BPA also noted that any powers that enable veterinary inspectors to impose precautionary measures must be applied as part of a risk based approach. It stated:
“The need to move pigs through a production chain from breeding farms to grow out units to finishing units and on to abattoirs must also be taken into account. There are serious implications for both large and small scale producers and animal welfare when these production chains are disrupted and every effort should be made to allow these chains to operate following veterinary risk assessments.”

3.48 The PVS, BDFPA and Veterinary Deer Society (VDS) all made similar points about ensuring an inspector would not use his or her powers unreasonably or without consideration of animal welfare.

The way forward

3.49 The Government will bring forward legislation to give effect to this proposal as soon as possible in 2017. A further announcement on timing will be made in due course. Where appropriate, application of the powers provided by the legislation will take account of the points made by respondents, including the need for any restrictions to be based on risk and to be appropriate for the species.

Non-bovine animals in markets and shows

The proposal

3.50 We should apply to all non-bovine species the powers for a veterinary inspector to require steps to be taken by the operators of markets, shows etc. to manage the risks posed by animals affected by, or exposed to, TB and, if necessary, remove specified animals from such premises.

The responses

3.51 The breakdown of responses was as follows (where agreement/disagreement was not completely clear in the written responses, they are included in ‘other’):

| Agree – 87% | Disagree – 7% | Other – 6% |

3.52 Most respondents agreed with the proposal, many of them acknowledging the need to manage the risks of bovine TB at markets and shows, including through good biosecurity.
3.53 The GVS, YDG and the Provision Trade Federation (PTF) felt more attention needed to be given to the hobby goat sector, where showing is more commonplace.

3.54 The NFU noted that use of powers to serve notices would need to be appropriate and consistent. It stated:

“The trigger point for this policy should be risk-based for each species; if it is not, then significant and unnecessary costs could be added to production.”

3.55 The NFU also questioned whether requirements for cleansing and disinfection would be greater than those already applying in markets and shows which were considered clear and proportionate to the risks. For sheep shows in particular, the NFU made the point that:

“… shows are a vital part of the industry, operating as a shop window for many businesses. At local shows there can be 100 producers showing their stock; scaling that up to county, regional and large national shows brings in thousands of sheep farmers. This policy proposal, therefore, could have wide implications at different parts of the chain, which may not be proportionate to risk.”

The way forward

3.56 The Government will bring forward legislation to give effect to this proposal as soon as possible in 2017. A further announcement on timing will be made in due course. Where appropriate, application of the powers provided by the legislation will take account of the points made by respondents, including the need for any restrictions to be based on risk and to be appropriate for the species.

Changes to compensation rates for compulsorily slaughtered non-bovines

The proposal

3.57 That the compensation rates set out in the Annex to the consultation document should apply for compulsorily slaughtered non bovines.
The responses

3.58 The breakdown of responses was as follows (where agreement/disagreement was not completely clear in the written responses, they are included in ‘other’):

Agree – 9%   Disagree – 73%   Other – 18%

3.59 The key message from the majority of respondents that disagreed with the proposed rates of compensation was that 50% compensation for non-bovines would be unreasonable. The presumption made in the consultation that 50% compensation had worked effectively for deer herd breakdowns was considered to be incorrect. A common message was that compulsorily slaughtered non-bovines should be compensated for in the same way as cattle.

3.60 For some species and categories the Government proposed to use figures from the John Nix Pocketbook as base values. A number of respondents suggested this was not suitable for estimating the value of non-bovines as the data, within the Pocketbook, for goats, pigs and sheep is limited, not updated frequently enough and should be used only for farm budgeting purposes.

Specific comments

Camelids

3.61 British Alpaca Society:

“The British Alpaca Society (BAS) see the proposed compensation levels as falling far short of that required for the commercial sector of our industry. By commercial sector we are referring to the 900 plus members that breed their alpacas, register progeny and sell blood stock both in the UK and throughout Europe. The report published by the Andersons Centre and submitted by the BAS during the earlier ‘call for views’, clearly states a current and well researched valuation for each type of alpaca sold by UK alpaca growers ... The Andersons Centre report acknowledged that value for the taxpayer was important so a compromise was met with the alpaca industry to reduce the compensation level down to the absolute minimum that the industry would withstand.”

3.62 The British Llama Society:

“There are a number of small companies around the UK, mainly in tourist areas, that offer day trips with llamas. Such llamas have to be well trained to work safely with members of the public and as such represent a resource that is more valuable
than many camelids since they can take a year or two to train. A TB outbreak essentially leads to a total loss of income for such enterprises until such time as the outbreak is cleared and any new animals trained, which could be well over a year. The BLS valuation report puts the value of such llamas at £3000. It is accepted that DEFRA does not offer compensation for the substantial loss of income that would be suffered by a trekking business, making reasonable compensation for the lost animals that much more important.”

Deer

3.63 The British Deer Farms and Parks Association:

‘It seems extremely odd that DEFRA should consider that compensation at 50% has proven effective when since it was instituted the only action taken by farmers to control TB - the Deer Health Scheme - established in about 1990 - has collapsed through lack of support … We are also of the opinion that 50% compensation will seriously deter farmers from co-operating with the authorities. Given that compensation for compulsorily slaughtered deer is such a small part of the costs of handling a tuberculosis outbreak in deer it seems irrational to enter into such a confrontational stance.”

Sheep

3.64 The National Sheep Association:

“50% of value is inadequate compensation to gain the support of sheep keepers to engage with a TB control programme. While we do not want to see compensation levels such that encourages bad practice it seems inherently unfair and unreasonable to have different principles behind compensation rate values. We would prefer a compensation rate of 75% of an independent and individual valuation, however we understand the Govts opposition to individual valuations so would request a tabular approach but with a greater number of categories that reflect widely different values.”

Goats

3.65 The Goat Veterinary Society:

“Although the number of cases in goats is fewer in comparison with bovine species (and a much greater population) – the impact of the most recent cases in large commercial dairy herds has been substantial. Unlike disease in cattle, TB in goats results in multisystemic spread in individuals leading in turn to rapid spread within a unit – such that the number of TB reactors is high and the numbers culled – equally high. This can have a major impact on the financial viability and long term sustainability of such a unit – reducing any agreed compensation by 50% (para 4.6)
fails to recognise this, and could in our view even be a disincentive to report suspicion of disease.

It is vital that the whole issue of compensation within the goat sector is settled quickly to the satisfaction of all its sub-sectors, also ensuring consistency within the devolved administrations – and satisfying Defra obligation to the public purse. Given the very low number of TB cases in goats, one further possibility could be to develop a concise list of valuers who could look at the values on a case by case basis. We do recognise however that if and when TB is confirmed that the next steps are taken rapidly to delay further spread of infection and potentially compromise goat welfare. Long drawn out compensation negotiations could be detrimental – a clear agreed plan of action is paramount.

We urge Defra to engage in discussions with goat sub-sector representatives to arrive at a mutually agreeable compensation scale – the likely difference to the overall UK TB spend on TB control across all species is likely to be very small indeed.”

3.66 Delamere Dairy Ltd:
“The proposed values are based on J Nix Pocketbook. These are based on a consultation with a single (unnamed) modern commercial herd and do not reflect the values collated following a much wider consultation of commercial herds by a working party of the Dairy Goat Trade Section of the Provisions Trade Federation and first submitted to Defra in tabular form in December 2014. We would urge Defra to discuss the question of valuations with the industry as a matter of urgency.”

3.67 An individual goat herd owner:
“These figures DO NOT reflect the current market value. A prime milking Goat costs £400 per head to replace at the market value of today, anything less than 75% of the current value of a commercial dairy goat would severely compromise the business. Most commercial goat herd have 600 – 3,000 milking goats, this would have catastrophic consequences to a dairy goat farmer but not firstly sourcing replacements, but also due to the housing nature, even as it is very rare to have TB in a closed herd, if one reactor was found then potentially a whole group could be disposed of. Therefore the impact on the sustainability of the commercial goat herd is far greater than of bovines. Anything less than 75% of current market value would have serious implications and limit the ability to get back into goat farming if the whole herd was disposed off, unlike cows where only the reactors need to be replaced.”
Pigs

3.68 The Pig Veterinary Society:
“The consultation document indicates that “The impact of the disease on the sustainability of these non-bovine sectors as a whole is far less than for bovines as cases of TB in non-bovines are comparatively rare”. The situation mentioned in the response to Q6 of the effect of restricted premises on abattoirs supplying the export trade to certain countries means that the potential impact can go beyond affected holdings. This trade is of increasingly significant financial importance to the pig industry. As most suspect and confirmed bTB cases in pigs are detected in the abattoir, compensation does not arise for those animals.”

3.69 The National Pig Association:
“Jon Nix’s figures were never intended to be used in this way and are not representative of the value of a pig in any category … ‘The pig price is known to be volatile so would need to be updated far more regularly than every 5 years … If a TB compensation scale is going to have any credibility it needs to include all the different pig categories that may be involved and a closer relationship between actual values and the proposed base figure. We accept that the actual categories will probably need to be a compromise between what you have suggested (and what is listed here), but this is the basis under which expert industry valuers carry out herd valuation for end of year accounts, as well as sale and transfer and once the matrix is set up it is relatively easy to apply the resulting prices to the different pig categories.”

Other industry bodies

3.70 The Livestock Auctioneers Association:
“The LAA has grave concerns over the proposed mechanism of establishing the values that are proposed in setting these compensation values … The LAA believes that this valuation mechanism is flawed, not a fair, realistic or in any way an acceptable way to establish a species valuation … Real market prices are used to establish compensation values for bovines and the LAA suggests that a similar mechanism should be used for non-bovine species … Defra must justify their reasoning as to why non-bovines should be compensated at a rate of 50% of their value.”

3.71 British Veterinary Association:
“Compensation provides reimbursement for losses suffered by the animal keeper and as such compensation should be equitable and reflect the market value of the animal slaughtered. If the compensation paid is below market value the risk of keepers concealing animals suspected of infection will be heightened and the
incentive to co-operate with authorities will be reduced, contributing to further disease spread. BVA supports the principle of a reduction in compensation where there is lack of compliance on the part of the keeper with statutory disease control or accepted best bio-security practice within the particular livestock sector (e.g. appropriate handling of animal by products, pre-movement testing, isolation of reactors etc.).”

3.72 NFU:
“We do not agree that the proposed compensation rates are appropriate. The proposal states that the impact of the disease is less for non-bovines than bovines, that the level of compensation within the deer sector has worked effectively and that the values represent good value for the taxpayers’ money whilst not compromising on disease control in these areas. The NFU disagrees with these statements which contradict our direct experience of the issues raised.”

3.73 Country Land and Business Association:
“We believe that a five year review is too long. We believe that an annual review would be fairer and would reduce the risk of owners being additionally disadvantaged ... The opportunity for salvage rates is welcome. The wording of the proposal is unclear but we would support the keeper of any destroyed animals receiving the compensation payment AND the salvage payment where it was possible.”

Way forward

3.74 The Government has considered the range of responses to the proposed compensation amounts. It acknowledges the clear collective view that the proposed 50% of base rate (for compensation purposes) is not sufficient to ensure disease is reported. Increasing the sum payable to 75% of base rates has also been rejected on the grounds that base rates for some species are difficult to establish (and would be difficult to subsequently review on a regular basis) or highly variable.

3.75 The Government’s view is that a more sensible approach would be to mirror the compensation rates that already apply in Scotland and Wales. The rates in Scotland – which are set out in Annex B - apply to all of the species covered by this consultation. The compensation rates used in Wales are identical to those in Scotland for camelids, goats and deer (although there is no rate for ‘working stags); there is no statutory TB compensation in Wales for pigs and sheep.
3.76 The Government will bring forward legislation to give effect to this proposal as soon as possible in 2017. A further announcement on timing will be made in due course.
Annex A: List of organisations that responded to our consultation exercise

Asociación Española de Alpacas
Agriculture & Horticulture Development Board
British Angora Goat Society
British Alpaca Society
British Deer Farms and Parks Association
British Llama Society
British Pig Association
British Veterinary Association
Country Land and Business Association
Chartered Trading Standards Institute
Dairy UK
Dartmoor Commoners Council
Goat Veterinary Society
Livestock Auctioneers Association
National Animal Health & Welfare Panel
National Beef Association
National Farmers Union
National Farmers Union Scotland
National Pig Association
National Sheep Association
Pig Veterinary Society
Provision Trade Federation
RSPCA
Tenant Farmers Association
Annex B: Revised base rates and compensation amounts for non-bovine animals compulsorily slaughtered for reasons of TB control

**Camelids**

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<th>Category</th>
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<td>Stud male, over 18 months old</td>
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<tr>
<td>Breeding female, over 18 months old</td>
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<td>Non-breeding, over 18 months old</td>
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**Deer**

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<td>Hind and young stock</td>
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### Goats

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### Pigs

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### Sheep

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<td>Breeding ram over 1 year old</td>
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