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*The Parliamentary Update is a record of recent and upcoming events in the Scottish Parliament, Westminster and the European Parliament, including committee work, debates and questions, both written and oral, to the Scottish and UK governments. For further information about any aspect of this document please contact Sarah Anderson on 0131 472 4108 or e-mail sarah.anderson@nfus.org.uk*

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### **SCOTTISH PARLIAMENT**

Please note, the Scottish Parliament is now in recess until Monday 6 September 2010.

### **IN THE CHAMBER**

#### **Crofting Reform (Scotland) Bill**

On 1 July the Crofting Reform (Scotland) Bill was adopted. For a full transcript of the debate, please click [here](#). For a copy of the adopted text, please click [here](#).

1 July Question time Rural Affairs and the Environment

#### **Defra Meetings**



**Stuart McMillan (West of Scotland) (SNP):** To ask the Scottish Government what issues were discussed at its most recent meeting with ministers from the Department for Environment, Food and Rural Affairs.



**The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead):** I met a range of ministers from DEFRA on 23 June, when we discussed a wide range of issues including how the Scottish and United Kingdom Governments will work together in future on both domestic and European business. I used the opportunity to outline the distinct nature and policy needs of Scotland's farming, food and marine sectors.

**Stuart McMillan:** I congratulate the cabinet secretary on securing further discussions on the devolution of animal health and welfare budgets following his recent talks with DEFRA. That is a major step forward for Scotland, which I hope that everyone recognises. Will the cabinet secretary explain the details of how those discussions will progress and the timescales for the budgets that are being devolved?

**Richard Lochhead:** The member raises a very important issue about the future of Scotland's livestock sector in particular. We have always had a concern that although we have policy responsibility for animal health matters in Scotland, we have not had the budget. We need that important part of the jigsaw to be put in place. While there is a delay in devolving the budget, which most people in Scotland want to see—particularly our farmers and all parties in this chamber—the longer we leave it, the more likelihood there is of the budget in London reducing, which means that our share over time will become less. The sooner that our share is devolved to Scotland, the better, and I very much welcome the commitment from the new United Kingdom coalition Government in London to work with us to have the budget devolved—at long last—by 1 April next year.

### **Penalties on Farm Payments**



**Iain Smith (North East Fife) (LD):** To ask the Scottish Executive what the outcome was of the discussions between its officials and those of the European Commission on 9 June 2010 regarding proportionality in the penalty system for farmers found to be in breach of European Union support scheme rules.

**Richard Lochhead:** My officials made progress at the meeting with European Commission officials on 9 June 2010 and are now working on clarifying future implications for the industry with United Kingdom colleagues. Details will be announced in due course, but the member will understand that this has to be worked out carefully.

**Iain Smith:** During a debate on 23 June that was initiated by my colleague, Liam McArthur, the Minister for Environment stated that the meeting had taken place, that it had been useful, and that officials were working out the details with UK colleagues. If the cabinet secretary cannot give some indication of when tangible action will be taken on the issue, perhaps he can indicate when farmers in north-east Fife and other parts of Scotland can expect a more proportionate penalty system to be put in place, so that the punishment is apportioned adequately to reflect the violation in question.

**Richard Lochhead:** All parties and the Scottish Government share the desire for a much more proportionate penalty regime. We took the opportunity of the Royal Highland show last week to discuss the need for a proportionate penalty regime with Commissioner Ciołoş, the European commissioner for agriculture, and the chair of the European Parliament's Committee on Agriculture and Rural Development, Paolo de Castro. I, along with Iain Smith and others, do not think that it is fair for a cattle farmer to be penalised, for example, 3 per cent of his single farm payment for a couple of identification errors when he might have several score or several hundred cattle and it might be quite easy to make a mistake.

I felt that the commissioner gave us a sympathetic hearing, and the devil will be in the detail of whatever successor penalty regime is put in place. We have to discuss that carefully with the European Commission. On a timescale, I would not hold my breath. It will not be all that soon, because the

renegotiation of the common agricultural policy post-2013 is coming up very soon. We will have to wait and see whether we have to wait until the new common agricultural policy, but we will put as much pressure on Europe as possible to implement the changes sooner rather than later.

### **Department for Environment, Food and Rural Affairs (Meeting)**



**Jim Tolson (Dunfermline West) (LD):** To ask the Scottish Executive what issues were discussed, and conclusions reached, at the meeting with the ministerial team of the Department for Environment, Food and Rural Affairs on 23 June 2010. I apologise if there is a little *déjà vu* to that question.

**Richard Lochhead:** Apology accepted; the issue is important. I refer the member to the response I provided to question 2.

**Jim Tolson:** I thought that the cabinet secretary might say something like that. Does the cabinet secretary agree that the meeting represents a positive step in the implementation of the mutual respect agenda, and will he commit himself, on the record today, to doing all that he can to further that agenda for the benefit of Scotland and the United Kingdom?

**Richard Lochhead:** I am looking forward to my new relationship with my DEFRA counterparts in the new coalition UK Government. I found the previous relationship to be challenging at times. Often, DEFRA ministers would say to me, "The answer is no; what's the question?" I hope that we can have much more of a respect agenda with the new ministers in London.

Of course, the respect agenda goes two ways. We have to be shown respect by the UK Government, and we will show respect to it. Our rural and coastal communities face many important issues in the next few years, not least the renegotiation of the common agricultural policy and the common fisheries policy, as well as a number of UK issues, such as the devolution of the animal health budget for our livestock sector, which was referred to in a previous question. I give the chamber and the member an assurance that I will be co-operative with my UK counterparts and work hard with them to deliver a bright future for Scotland's rural, farming, food and fishing communities.



**John Scott (Ayr) (Con):** With regard to the minister's discussions with DEFRA around the animal health budgets, what assurances was he given, and what timescales were mentioned, with regard to that budget and responsibility being transferred to Scotland?

**Richard Lochhead:** The member will be aware that the UK Government has made a commitment to work closely with us to achieve the devolution of the animal health budget by 1 April next year, and I am determined that we will stick to that timetable. Of course, we are disappointed that the budget was not devolved for 1 April this year, which was the original plan that had been agreed with the previous UK Administration. Hopefully, as part of the respect agenda that we have just been discussing, we will make substantial progress this year and will be able to stick to that important timetable, before the animal health budget at the UK level becomes so small that it will hardly be worth devolving.

### **Hill Tracks in the Scottish Uplands**

On 9 June a debate took place on Hill Tracks in the Scottish Uplands. To read the text of the debate, please click [here](#). If you would like to see a copy of NFU Scotland's briefing to MSPs, please call Sarah Anderson on 0131 472 4108.

### **Penalties on Farm Payments**

On 23 June a debate took place on Penalties on Farm Payments. To read the text of the debate, please click [here](#). If you would like to see a copy of NFUS Scotland's briefing to MSPs, please call Sarah Anderson on 0131 472 4108

## RURAL AFFAIRS AND THE ENVIRONMENT COMMITTEE

Following the Committee's Inquiry into Scotland's Hills and Islands, to which NFUS Head of Rural Policy Jonnie Hall gave evidence, the Committee wrote letters to Cabinet Secretary Richard Lochhead and EU Agriculture Commissioner Dacian Ciolos. For a copy of the letters, please click [here](#)

### WRITTEN QUESTIONS

Thursday 1 July

#### Rural Development Contracts - Rural Priorities



**Tavish Scott (Shetland) (LD):** To ask the Scottish Executive, further to the answers to questions S3W-33959 and S3W-33960 by Richard Lochhead on 18 June 2010, when it instructed the provision of the IT reports to provide a regional breakdown of scheme payments and contracts; when the information on the regional breakdown will be made available to it, and when the information will be made available to the public.

**Richard Lochhead:** The request for a suite of IT reports, including the regional breakdown of Rural Development Contracts - Rural Priorities scheme payments and contracts, was issued on 26 November 2009. IT staff have been developing and testing the first batches of these reports, with a number already in production. The regional breakdown information will be available in two stages. Initial reports on contract awards are scheduled to be in production from 16 August, and publicly available on the SRDP website by 31 August. Reports on claims paid are scheduled to be published on the SRDP website at the end of each financial quarter for the previous financial quarter, commencing on 30 September.



**Liam McArthur (Orkney) (LD):** To ask the Scottish Executive whether any payments under the current funding round of the Rural Development Contracts – Rural Priorities scheme have been delayed and, if so, (a) how many, (b) for what reason, (c) what the total value is of such payments, (d) what action is being taken to allow the payments to be made and (e) when those awaiting payments can expect to receive them.

**Liam McArthur:** To ask the Scottish Executive whether any payments under the current funding round of the Rural Priorities scheme have been delayed and, if so, (a) how many, (b) for what reason, (c) what the total value is of such payments, (d) what action is being taken to allow the payments to be made and (e) when those awaiting payments can expect to receive them.

**Richard Lochhead:** (a) There are delays in processing 613 annual recurrent claims, and 209 capital claims under Rural Priorities.

(b) On the annual recurrent side, the delay is due to officials continuing to clear computer generated errors, which emerged during the processing of these claims. These include cases where claimants have changed their approved schedule of work, or have amended their original contract, and/or have differences between the areas claimed and those found at inspection. On the capital side, the main reason for the delay is that a number of claims lack all of the required supporting documentation. Such claims are not valid to be paid and officials have to contact claimants to obtain the missing data. This can cause delays if claimants do not respond quickly, or do not have the required information to hand.

(c) There is some £4.6 million of outstanding annual recurrent claims, and some £4.5 million of capital claims.

(d) New systems are being introduced to speed up the processing of annual recurrent payments. There are no current delays with processing valid 2010 RP capital claims.

(e) We aim to pay all annual recurrent claims by 31 August 2010 and earlier where possible, within the strict confines of EU legislation. Payment of the outstanding capital claims is entirely dependent upon receipt of the required information.

*The current position on Rural Priorities payments is set out in the following table.*

Rural Priorities (RP) Payments	No. of Claims Received	No. paid	Value of Claims Paid £m	No. of claims Received but Not Paid	Estimated Value of Unpaid Claims £m
RP Annual Recurrent 2009	1,150	537	£3.70	613	£4.61
RP Capital (to date)	2,452	1,991	£35.30	*209(2009 claims)	£4.50 (2009 claims)

*Note: \*There is a published target to pay capital claims within three months of receiving a valid claim. The remaining unpaid capital claims are still within that deadline.*

Tuesday 29 June

### **Skills Development Scheme - Payment Delays**

**Liam McArthur:** To ask the Scottish Executive whether any payments under the current funding round of the Skills Development Scheme have been delayed and, if so, (a) how many, (b) for what reason, (c) what the total value is of such payments, (d) what action is being taken to allow the payments to be made and (e) when those awaiting payments can expect to receive them.

**Richard Lochhead:** No such payments have been delayed.

**Liam McArthur:** To ask the Scottish Executive whether any payments under the current funding round of the Less Favoured Area Support Scheme have been delayed and, if so, (a) how many, (b) for what reason, (c) what the total value is of such payments, (d) what action is being taken to allow the payments to be made and (e) when those awaiting payments can expect to receive them.

**Richard Lochhead:** There are no delayed payments under the 2009 round of the Less Favoured Area Support Scheme payments.

**Liam McArthur:** To ask the Scottish Executive whether any payments under the current funding round of the Food Processing, Marketing and Co-operation Grant Scheme have been delayed and, if so, (a) how many, (b) for what reason, (c) what the total value is of such payments, (d) what action is being taken to allow the payments to be made and (e) when those awaiting payments can expect to receive them.

**Richard Lochhead:** There have been no delays to payments in the current round of Food Processing, Marketing and Co-operation grant applications.

**Liam McArthur:** To ask the Scottish Executive whether any payments under the current funding round of the Crofting Counties Agricultural Grant Scheme have been delayed and, if so, (a) how many, (b) for what reason, (c) what the total value is of such payments, (d) what action is being taken to allow the payments to be made and (e) when those awaiting payments can expect to receive them.

**Richard Lochhead:** There are no delayed payments under the Crofting Counties Agricultural Grants Scheme.

Wednesday 23 June

### **Bird of Prey Control**



**Elaine Murray (Dumfries) (Lab):** To ask the Scottish Executive, further to the answer to question S3W-33993 by Roseanna Cunningham on 9 June 2010, how the responses to its consultation on the contents of guidance on applications for licences to control birds of prey were taken into account and how many of each organisation's suggested amendments to the guidance were accepted.



**Roseanna Cunningham:** The content of the guidance has been discussed in meetings and through written correspondence over a period of more than eight months. The drafting of the guidance seeks to combine and integrate comments from different stakeholders.

**Elaine Murray:** To ask the Scottish Executive, further to the answer to question S3W-33993 by Roseanna Cunningham on 9 June 2010, how each of the organisations listed was consulted and how often discussions were held with each.

**Roseanna Cunningham:** Meetings with representatives of the stakeholders listed in S3W-33993 were held on 26 October 2009 and 29 April 2010. Additionally, drafts of the guidance document *Licensing The Control Of Predatory Birds To Protect Livestock (Game Birds) – Guidance for Applicants* were circulated to these organisations for their comments on 17 February 2010, 8 April 2010, and 25 May 2010.

Friday 18 June

### **Severe Weather Grant**



**John Park (Mid Scotland and Fife) (Lab):** To ask the Scottish Executive on what dates (a) special advice from advisory expert groups and (b) the Severe Weather Grant were made available to farmers during the severe weather over the 2009-10 winter period.

**Richard Lochhead:** The Severe Weather Grant (SWG) opened to applications on 25 February 2010 and closed on 30 April 2010 for eligible costs committed between 28 December 2009 and 31 March 2010. The SWG information and claim pack, available from 25 February 2010 included a technical advice note drawn up by the advisory expert group.

### **New Entrants**



**Sarah Boyack (Edinburgh Central) (Lab):** To ask the Scottish Executive how many applications there have been for support measures under the new entrants to farming and young farmers scheme in each year since 2007.

**Sarah Boyack:** To ask the Scottish Executive how much has been spent on the new entrants to farming and young farmers scheme in each year since 2007.

**Richard Lochhead:** Support measures for new entrants to farming under 40 years of age is available under the Rural Priorities element of the Scotland Rural Development Programme, established in 2008.

The "Setting up young farmers – interest rate relief" option under Rural Priorities provides specific support for young farmers in providing interest rate relief on loans to develop a farming business. The option has recently been revised to include provision for a one-off establishment grant. For certain other options, young farmers may also claim an additional 10% grant. It is not possible to provide a detailed breakdown of this additional funding using current reporting systems.

Full details of the options available are on the Rural Priorities website:

[www.scotland.gov.uk/Topics/Farmingrural/SRDP/RuralPriorities](http://www.scotland.gov.uk/Topics/Farmingrural/SRDP/RuralPriorities).

The following table sets out the levels of uptake of the interest rate relief option.

Year	Applications	Approved	Approved Value
2008	8	8	£164,580
2009	16	11	£234,576
2010	8	7	£168,873
Total	32	26	£568,029

## **Animal Welfare**

**John Park:** To ask the Scottish Executive how many livestock farms are inspected each year by Animal Health as per the Welfare of Farmed Animals (Scotland) Regulations 2000.

**Richard Lochhead:** The number of livestock farms inspected annually varies and, at each visit, more than one inspection type can take place. Follow-up inspections of farms are sometimes required which explains why the following figures show more welfare visits than farms visited.

in 2006, 372 farms were inspected resulting in 534 welfare visits;

in 2007, 496 farms were inspected resulting in 684 welfare visits;

in 2008, 583 farms were inspected resulting in 791 welfare visits, and

in 2009, 549 farms were inspected resulting in 699 welfare visits.

**John Park:** To ask the Scottish Executive how many incidents of non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000 come to the attention of Animal Health each year.

**Richard Lochhead:** The incidents of non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000 that come to the attention of Animal Health varies annually:

in 2006, 739 inspections revealed 227 incidents of overall non-compliance;

in 2007, 1282 inspections revealed 317 incidents of overall non-compliance;

in 2008, 1842 inspections revealed 484 incidents of overall non-compliance, and

in 2009, 1801 inspections revealed 400 incidents of overall non-compliance.

**John Park:** To ask the Scottish Executive how many incidents of non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000 were investigated by Animal Health between 2006 and 2009.

**Richard Lochhead:** Between 2006 and 2009, 1428 incidents of overall non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000 were investigated by Animal Health.

**John Park:** To ask the Scottish Executive with what frequency incidents of non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000 occurred between 2006 and 2009.

**Richard Lochhead:** Between 2006 and 2009, approximately one in four inspections of livestock farms revealed incidents of overall non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000.

**John Park:** To ask the Scottish Executive what the nature was of incidents of non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000 between 2006 and 2009.

**Richard Lochhead:** Between January 2006 and December 2009, incidents of non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000 were recorded by assessment type. The following table shows the level of non-compliance for each assessment type as a percentage of the total number of overall non-compliant welfare inspections, 1,428 in all, carried out during this period. It should be noted that each inspection can reveal multiple types of non-compliance so these figures do not total to 100%.

Type of Non-Compliance	Non-Compliance
Assessment of Records	27%
Assessment of Housing	10%
Assessment of Environment	35%
Assessment of Equipment	40%
Assessment of Freedom of Movement	24%
Assessment of Staffing	29%

Assessment of Feed and Water	5%
Assessment of Inspection	2%
Assessment of Mutilations	29%
Assessment of Disease Treatment	2%
Assessment of Breeding Procedures	12%
Assessment of Space	0.1%

**John Park:** To ask the Scottish Executive whether a record is kept of (a) farmers who lose animals through non-compliance with the Welfare of Farmed Animals (Scotland) Regulations 2000 and (b) the reasons for such non-compliance.

Friday 18 June

### **Rural Development Contracts – Rural Priorities**

**Tavish Scott:** To ask the Scottish Executive what the value to date is of (a) all contracts issued under the Rural Development Contracts - Rural Priorities scheme; (b) payments made in (i) Shetland, (ii) Orkney, (iii) Argyll, (iv) Ayrshire, (v) Borders, (vi) Clyde Valley, (vii) Dumfries and Galloway, (viii) Forth, (ix) Grampian, (x) Highland, (xi) Outer Hebrides and (xii) Tayside.

**Richard Lochhead:** The value of all approved Rural Priorities cases to date is £327 million. The value of payments made under Rural Priorities is £37 million, to 10 June 2010. IT reports which will provide a detailed breakdown of payments made per region are under development. As a result, this information is currently unavailable.

**Tavish Scott:** To ask the Scottish Executive what is the total number of contracts under the Rural Development Contracts - Rural Priorities scheme issued to date, and how many have been paid in (a) part and (b) full in (i) Shetland, (ii) Orkney, (iii) Argyll, (iv) Ayrshire, (v) Borders, (vi) Clyde Valley, (vii) Dumfries and Galloway, (viii) Forth, (ix) Grampian, (x) Highland, (xi) Outer Hebrides and (xii) Tayside.

**Richard Lochhead:** The total number of Rural Priorities cases approved to date is 4,422. The number of claims paid, to 10 June 2010, is 2,391. IT reports which will provide a detailed breakdown of payments made per region are under development. As a result, this information is currently unavailable.

### **Rural Affairs**

**Sarah Boyack:** To ask the Scottish Executive what the Total Income From Farming (TIFF) in Scotland was between 2005 and the latest year for which figures are available.

**Richard Lochhead:** In Scotland, Total Income From Farming (TIFF), at current prices without inflation, was:  
£442 million in 2005  
£567 million in 2006  
£663 million in 2007  
£608 million in 2008  
£589 million in 2009.

**Sarah Boyack:** To ask the Scottish Executive what it is doing to address the £20 million fall in Total Income From Farming in Scotland between 2008 and 2009.

**Sarah Boyack:** To ask the Scottish Executive what it is doing to address the decrease in average Farm Business Income from £40,900 in 2007-08 to £38,700 in 2008-09.

**Richard Lochhead:** In respect of 2009, the Government paid out £687 million in support for farming, funded from both the EU and Scottish Government budgets. The Government has streamlined application procedures under the Scotland Rural Development Programme, and also brought forward into 2009 and 2010 around £25 million of support for farm business development, from the later years of the programme. Around £330 million supporting 4,500 projects has now been committed under the Rural Priorities scheme, for farms and other rural businesses and organisations. 325 farms have taken advantage of a government-subsidised strategic review of their business under the Whole Farm Review

Scheme. For hill farms, the government has introduced successive changes for 2009, 2010 and 2011 which will increase payment rates to active farmers in the most vulnerable areas by 38%. For the longer term, the government has appointed a committee of inquiry chaired by Brian Pack OBE to make recommendations on the future shape of farm support in Scotland. The government has also introduced a range of complementary measures under our food and drink policy, seeking to enhance consumer demand for, and the premium status of, Scottish produce.

**Tavish Scott:** To ask the Scottish Executive when all applicants to the seventh round of the Rural Priorities scheme will be advised of the success or otherwise of their application.

**Richard Lochhead:** Results of the seventh round of the Rural Priorities scheme were announced by Richard Lochhead on 8 June 2010. Both approved and non-approved applications were published on the Rural Priorities element of the Scottish Government website that afternoon. As is standard practice, this is followed by a letter sent to the applicants by their Case Officer. Additional successful applicants will be notified and published on the website after they submit the necessary supporting documentation confirming that they meet the eligibility criteria.

**Tavish Scott:** To ask the Scottish Executive when a full list of the successful applicants to the seventh round of the Rural Priorities scheme will be made public.

**Richard Lochhead:** The result to date of the seventh round of the Rural Priorities assessment process is available on the Scottish Government website. This was released onto the website on 8 June 2010 complementing my announcement of the results on the same day. Further successful applicants will be added to the website after they submit the necessary supporting documentation confirming that they meet the eligibility criteria.

Wednesday 16 June

### **Rural Development Contracts – Rural Priorities**

**Tavish Scott:** To ask the Scottish Executive what action has to be taken, or information supplied, by successful applicants for contracts under the Rural Development Contracts - Rural Priorities scheme before they receive (a) part or (b) full payment of the value of their contract.

**Richard Lochhead:** For rural priorities (RP) capital claims, applicants must submit a capital claim form, ensuring the claim details are accurate, valid and in accordance with their contract. Invoices in support of the claim must be properly receipted as per instructions on the website. For annual recurrent claims, applicants need to complete two forms: a Single Application Form declaring all their land and any options on them, and the RP1 form, which records RP-specific claim details, following the published instructions carefully. Payment processes and procedures under RP have been established to comply with the detailed financial control requirements of EU regulations. Full guidance on the process for annual recurrent and capital claims under RP is available on the RP website at: <http://www.scotland.gov.uk/Topics/Farmingrural/SRDP/RuralPriorities/Howitworks/ClaimsPayments>.

Thursday 10 June

### **Dickeya Solani**



**Rob Gibson (Highlands and Islands) (SNP):** To ask the Scottish Executive what steps have been taken to limit any damage to the soil on the farm near Coupar Angus where potato seed infected with *Dickeya solani* imported from the Netherlands via a farm in England has been found.

**Richard Lochhead:** Dickeya infection is most likely to persist in the soil if potato material remains. For this reason the planted potatoes were ordered to be lifted immediately, before they could rot or produce new tubers. No potatoes are to be planted in the field until 2012, and any re-growth which emerges must be destroyed, to ensure that all potato material has been removed. This will minimise any risk of infection to future crops in that field. All machinery used in the field must also be cleaned and disinfected to avoid spreading infection to other crops.

Monday 7 June

### **Skills**

**John Scott:** To ask the Scottish Executive what action is being taken to address skill shortages in the agricultural industry, particularly in the north-east.



**Keith Brown:** Encouraged by the Scottish Government, the employer bodies are working with Sector Skills Council, Lantra, to construct for the industry a level 2 Modern Apprenticeship (MA) framework which could be in place by September 2010. This is being developed as a vehicle to help address the difficulties experienced in finding skilled agricultural employees. To this end the Scottish Agricultural Wages Board introduced an apprenticeship rate of pay into its Wages Order on 1 October 2009. This provision enabled employers to pay £3.50 per hour to workers for the first twelve months of a Level 2 Modern Apprenticeship in Agriculture. In terms of addressing wider skills shortages Lantra has also supported a range of measures and activities to promote land based, agriculture and aquaculture career options.

### **PARLIAMENTARY MOTIONS**

#### **LEAF – Open Farm Sunday**



**S3M-6489 Jim Hume: Take a LEAF out of the Farmers' Book**—That the Parliament supports Linking Environment and Farming's (LEAF) Open Farm Sunday, a fantastic event taking place on Sunday 13 June 2010 with the aim of inviting the public onto farms across Scotland and the rest of Britain to learn more about food, farming and the countryside; encourages farmers to sign up to become hosts and invite people onto their farms in June; encourages school groups and members of the public to engage with the event and go to a farm on 13 June to enjoy a unique and fun learning experience and get in touch with the land that feeds them, and highlights that further information is available at

[www.farmsunday.org](http://www.farmsunday.org)

*Supported by: Jamie Hepburn, Christine Grahame*

#### **Penalties on Farm Payments**

**S3M-6261 Liam McArthur: NFU Scotland Calls for Land Eligibility Penalty Amnesty**—That the Parliament notes that the tightening of the land eligibility rules governing claims for Single Farm Payment (SFP) or Less Favoured Area Support Scheme (LFASS) has resulted in farmers and crofters suffering retrospective penalties on their 2009 SFP claims when land previously used to claim support payments is deemed ineligible under the new interpretation of the rules; considers that many farmers and crofters have been left uncertain of how to properly fill out their 2010 application forms for SFP and LFASS in time for the 17 May 2010 deadline because of a lack of clarity in the interpretation of the rules; believes that there is a manifest injustice when anyone is penalised where the rules have, in effect, been changed without proper notice and explanation; also believes that it is very unsatisfactory for farmers and crofters to be left without clarification on how the rules are now being applied with the application deadline fast approaching, and urges the Scottish Government to issue without delay clear guidance on the new interpretation of the rules and to respond positively to the call from NFU Scotland for the introduction of an immediate amnesty on penalties associated with eligibility of land for support scheme purposes and for moves to reduce the impact on farmers and crofters of the tighter interpretation of the rules.

*Supported by: Mike Pringle, Hugh O'Donnell, Peter Peacock, John Scott*

## HOUSE OF COMMONS

### EARLY DAY MOTIONS

An early day motion (EDM) is a motion, expressed as a single sentence, tabled by MPs for debate "on an early day" (namely an unspecified date in the future), although very few are debated on the floor of the Chamber of the House. EDMs remain open for signature for the duration of the parliamentary session.

#### Beak Trimming of Laying Hens



**Bottomley, Peter:** That this House notes that a ban on the beak trimming of laying hens is due to come into force on 1 January 2011; believes that if the ban is postponed a new commencement date must be set by the statutory instrument that postpones the ban; further notes that scientific research shows that the correct way to prevent feather pecking and cannibalism is not to beak-trim the hens but to keep them in good conditions and to select birds that are less prone to feather pecking; further notes that there is ample practical experience to draw on as Austrian farmers and certain UK farmers have successfully phased out beak trimming; and calls on the Government, if it postpones the ban on beak trimming, to set a new commencement date for the ban and to encourage the industry to develop and implement an action plan for bringing beak-trimming to an end.

#### Animal Welfare



**Meale, Alan:** That this House recognises the importance of farm animal welfare and opposes any postponement of the planned EU-wide ban on conventional battery cages for laying hens due to come into force in January 2012 and the UK ban on beak trimming of laying hens due to come into force in January 2011; supports those local authorities which no longer use eggs gathered from such caged hens, or which have committed themselves to ending their use or purchase in the near future; and calls on the Government to help establish new higher standards of animal welfare for farm animals by the setting of coterminous criteria linked to food procurement policies in the public sector.

#### Sustainable Livestock Farming and Food Production



**Ffello, Robert:** That this House notes that global livestock and animal feed production is currently the most significant worldwide cause of biodiversity loss, with the large-scale conversion of forests and other valuable habitats to produce animal feeds a cause of particular concern; further notes that the sector contributes 18 per cent. of global greenhouse gas emissions and also has impacts on small farms and communities in developing countries who are often forced off their land; congratulates the pioneering farmers in the UK who produce livestock and dairy products using sustainably-produced home-grown feed crops and wildlife-rich pasture, which reduces these damaging impacts and has employment, landscape and biodiversity benefits for the UK, but recognises that many British farmers find current policies and market structures a barrier; and so welcomes the Sustainable Livestock Bill which calls on the Government to produce a strategy that assesses the impacts the livestock sector has on the environment, sets out the policy changes needed to reduce them, ensures problems are not simply moved overseas, and supports a sustainable and thriving UK farming industry.

## HOUSE OF LORDS

### Farm Animal Disease



**Baroness Byford:** To ask Her Majesty's Government what steps they are taking to meet the costs of any future outbreak of farm animal disease.



**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Henley):** My Lords, we gave an undertaking in the coalition agreement to investigate ways to share with livestock keepers the responsibility for preparing for and dealing with outbreaks of disease. We will take stock of the recommendations of the independently chaired responsibility and cost sharing advisory group before bringing forward our proposals.

**Baroness Byford:** I thank the Minister for his response. Will the group take into account those farmers who already have good biosecurity measures in place? Will the Government put in much stronger measures to ensure that the illegal importation of bush meat and other meats is ended?

**Lord Henley:** My Lords, the group is independent and will consider all matters. As a result of that, as my noble friend will be aware, it will certainly consider the point that she has made.



**Lord Rooker:** Given that the Government are willing to share this issue, would a clean solution not be an insurance-based system that could be made compulsory for animal keepers? The problem at present is that no company would carry the risk, which, by definition, would be too great. The solution would therefore be to have the same system for animals as exists for terrorism: there would not be a commercial market were it not for the pooling system of the contributions, backed up at the end of the day by the Government. This would not be an open-ended commitment, but it would be a very practical solution. I admit to failing, when I was in the Minister's position, to get that kind of system up and running.

**Lord Henley:** My Lords, I am surprised to hear the noble Lord admit to ever failing in anything, but he makes an interesting suggestion and we will certainly look at it. He will understand, however, that I would rather not comment before the independent advisory group produces its report, which is due to come out in December. When it comes out the noble Lord will want to see it, as will I and, indeed, the Government.



**Lord Livsey of Talgarth:** My Lords, does the Minister remember that the 2001-02 foot and mouth outbreak cost the nation in the order of £6 billion? I speak from memory. What will he do in his planning to ensure that the farming community does not have to go to such lengths to pay that sort of sum?

**Lord Henley:** My Lords, like my noble friend, I remember that outbreak well; I live up in Cumberland, where it started. We will take on board all that we learnt from the 2001 outbreak. If I may correct my noble friend, the cost to the United Kingdom was in the order of £8 billion, while the costs to the Government-to the taxpayer-were something like £3 billion. We will do everything that we can to ensure that such an outbreak does not happen again, but that if it does, we will react to it in exactly the right manner.



**Lord Clark of Windermere:** My Lords, as the Minister is well aware, many of these animal diseases are episodic and, thankfully, those such as foot and mouth occur perhaps only every 30 or 40 years. One of the problems is that lessons are lost with regard to the administrative experience and the backup necessary to deal with them. Will the Minister ensure that his department has in place a lesson-learning system so that, if ever we face foot and mouth again, we are prepared for it? This applies to the non-veterinary side.

**Lord Henley:** My Lords, the noble Lord and I are both old enough to remember the 2001 outbreak. I can just about remember the 1967 outbreak-I was in short trousers-and other Members of this House

who are older than me might also remember it. The noble Lord will also remember that there was a good report from, I think, the Duke of Northumberland into that outbreak from which lessons could have been learnt, and lessons could have been learnt from the 2001 outbreak. I appreciate that these outbreaks happen only rarely; I would have hoped that they would have been even rarer, but we will certainly want to continue to learn lessons on each occasion.



**Lord Plumb:** My Lords, I doubt whether the Minister will remember that some 40 years ago I had the privilege of announcing that we had totally eradicated bovine tuberculosis. He will know that 40,000 animals are lost to it every year at the moment, at a cost of £100 million. How are we going to deal with that in the future?

**Lord Henley:** My Lords, I would not want to make any comment about how we will deal with bovine TB, but my noble friend is right to stress how much it costs us each year. The figure that I have is in the order of £80 million and rising. We will, again, look at all evidence. We want all decisions to be made on an evidence-based model. We will make appropriate responses in due course.



**Baroness Quin:** My Lords, in his reply to the noble Baroness, the Minister seemed to herald a possible change in government policy. Before the election the current Minister of State ruled out cost-sharing, but the Minister wisely prefers to wait until the outcome of the report-which the previous Government set in place-and its recommendations. Is the Minister therefore saying that a change in policy on this matter, which would be welcome, is possible?

**Lord Henley:** My Lords, as I said, we will wait until we see what the report says. If the noble Baroness is suggesting that we changed our minds I should remind her that, having set up this review, the previous Government then proceeded, almost straightaway, to publish their draft Bill. That seems a very odd way of going about it. It is distinctly odd to institute a review and then suggest that there should be a Bill. We will look at the results of that review when they come out in December and then we will make the appropriate decisions.



**Lord Soulsby of Swaffham Prior:** My Lords, I ask the Minister for his assurance that, despite any reduction in funding that may apply to agriculture and animal and plant health, the surveillance systems in this country are safeguarded, particularly with regard to exotic diseases. As has been mentioned by my noble friend Lord Plumb, their introduction can be devastating. It is very important that our surveillance systems are kept in place to safeguard against any incursion from overseas.

**Lord Henley:** My noble friend is right to remind the House of the financial constraints facing the Government as a result of what the previous Government managed to achieve in their 13 years in office. Nevertheless, I can assure my noble friend that we will make sure that the appropriate surveillance continues to be in place to deal with all animal diseases.



**Lord Corbett of Castle Vale:** Do the Government Intend to go ahead with the two pilot projects to cull badgers?

**Lord Henley:** My Lords, as we have made clear, we will look at the evidence from the pilot projects that have been conducted by another Administration-that is, the one in Wales. We will make a decision based on the science that comes before us, but we will not make a decision until it is appropriate to do so.



**Lord Swinfen:** Is my noble friend satisfied that we have enough sniffer dogs at ports of entry to detect all meats coming in? The last time I came through Heathrow I could not see one.

**Lord Henley:** My Lords, I am not sure how many sniffer dogs we have at Heathrow or other ports of entry. I will make inquiries for my noble friend and write to him in due course.

### **Labelling**

**Baroness Byford:** To ask Her Majesty's Government whether, following the agreement by the European Parliament to proposals requiring all meat, poultry, dairy products, fresh fruit and vegetables to carry labels identifying country of origin, they intend to bring forward a United Kingdom food labelling scheme.



proposal.

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe):** Most food labelling, including on origin, is harmonised at European Union level. There are origin labelling requirements for fresh and frozen beef and most fruit and vegetables. Food labelling rules are currently under discussion in Europe and the Government are considering their view on origin and other key issues in the

### **Genetically Modified Crops**



**The Countess of Mar:** To ask Her Majesty's Government why, in the light of the effect of insertional mutagenesis which takes place during genetic transformation of between 1 per cent and 4 per cent of the genes of the host genome on its function, the Food Standards Agency, the European Food Standards Agency and other regulators base their safety assessment on substantial equivalence.

**Earl Howe:** The Advisory Committee on Novel Foods and Processes (ACNFP) considered the issue of insertional mutagenesis in 2007. The committee agreed that genetically modified (GM) plants may contain DNA changes at loci other than the insertion site but pointed out that similar changes occur in plants that have not been subject to techniques of genetic modification.

The ACNFP also noted that these changes are taken into account in the safety assessment of GM plants, as carried out by the European Food Safety Authority. These assessments are not based solely on substantial equivalence of the GM plant with its non-GM counterpart and they include the assessment of intended and unintended effects, whether resulting from the inserted transgene or from other unintended genetic changes.

**The Countess of Mar:** To ask Her Majesty's Government what assessment they have made of any link between the rise in infectious diseases of trees and the application of glyphosate used for under-story weed control.

**Lord Henley:** The Government have not commissioned any such research; however, the Forestry Commission does not consider that there is any reason to associate the rise in the number or severity of tree diseases with the use of chemical weed control agents.

22 June 2010

### **EU: Agriculture and Fisheries Council**

**Lord Henley:** My right honourable friend the Secretary of State for Environment, Food and Rural Affairs has today made the following Statement.

My right honourable and honourable friends the Minister of State for Agriculture and Food (Jim Paice) and the Parliamentary Under-Secretary for Natural Environment and Fisheries (Richard Benyon) will

represent the United Kingdom at the Agriculture and Fisheries Council in Luxembourg on 29 June. Richard Lochhead MSP will also attend.

There are a number of items on the agenda relating to agriculture and fisheries which are of significant interest to the United Kingdom. Discussion will take place on the following: simplification of agriculture legislation; quarterly report on the dairy market; Commission communication on the consultation on fishing opportunities for 2011; and reform of the common fisheries policy. In addition, council will vote on six decisions relating to GM maize food/feed, and may adopt conclusions on the international competitiveness of the European agri-food model. There are currently two items under any other business-information from the Commission on the implementation of the European Fisheries Fund (EFF); and information from the Netherlands on the conference on agriculture, food security and climate change.

Finally Ministers will discuss the reform of the common market organisation (CMO) for fishery and aquaculture products over lunch.

Tuesday 22 June

### **Genetically Modified Crops**

**The Countess of Mar:** To ask Her Majesty's Government what effect Roundup Ready genes within crops have upon the uptake of nutrients, disease resistance, physiological efficiency and drought stress.

**Lord Henley:** Roundup Ready crops have not been grown commercially in the UK, but we are aware of relevant scientific papers in this area.

Applications to market Roundup Ready crop seeds are subject to the EU legislation on the release of genetically modified (GM) organisms. Under this legislation, assessments to date of proposed Roundup Ready crops have suggested that harmful environmental effects would not arise as a result of their performance on the attributes referred to. Of these attributes, resistance to disease is also assessed as part of the legislative National List process for approving new types of crop seed, whether GM or conventional.

**The Countess of Mar:** To ask Her Majesty's Government when they last considered safety data on glyphosate; and whether, in the light of increased concentrations of glyphosate used in agriculture, they propose to re-evaluate the safety data.

**Lord Henley:** The last assessment of the full data package for the active substance glyphosate was carried out as part of the first review under Council Directive 91/414/EEC of active substances used in the European Union. The decision to include glyphosate on Annex I of the Directive (list of approved active substances in the EU) was taken in July 2002.

Relevant new scientific literature on the potential effects of glyphosate will be considered as part of the second review under Council Directive 91/414/EEC of active substances used in the European Union. We expect a Commission proposal on this review later this year.

Concentrations of glyphosate in formulated products and dose rates for application have remained broadly similar for many years in the UK.

**The Countess of Mar:** To ask Her Majesty's Government what long-term studies they have commissioned into the nutritional status of cattle, poultry, pigs and sheep fed on genetically modified soya, peas or maize, taking into account their micronutrient status.

**Lord Henley:** We have not commissioned such research. Under EU legislation, a genetically modified crop will not be approved for feed use unless a robust assessment indicates that it will not be nutritionally disadvantageous for animals.

**The Countess of Mar:** To ask Her Majesty's Government what long-term studies they have commissioned into the effects on the reproductive organs and functions of cattle, poultry, pigs and sheep of being fed genetically modified soya, peas or maize.

**Lord Henley:** We have not commissioned such research. Under EU legislation, a genetically modified crop will not be approved for feed use unless a robust assessment indicates that it will not have an adverse effect on animal health.

**The Countess of Mar:** To ask Her Majesty's Government what research they have commissioned into the development of glyphosate-tolerant biological remediation of soil organisms adversely affected by glyphosate.

**Lord Henley:** The Government have not commissioned such research. Studies submitted for the assessment of glyphosate, which were carried out as part of the first review under Council Directive 91/414/EEC of active substances used in the European Union, found no adverse effects on soil micro-organisms, even when glyphosate was applied at rates substantially higher than those authorised for field use.

**The Countess of Mar:** To ask Her Majesty's Government what comparisons have been made between the availability of micronutrients, in particular iron, manganese and zinc, in animal feed from soya beans that have and have not been genetically modified; and whether the availability diminishes with each RoundupReady crop grown in the same soil.

**Earl Howe:** The nutritional content of genetically modified (GM) products is examined as part of the pre-market assessment of GM feed, according to guidelines issued by the European Food Safety Authority and the Organisation for Economic Co-operation and Development (OECD). Iron, manganese and zinc are not considered by OECD to be key nutritional components of soya for the purposes of animal nutrition and therefore no comparison has been made of their availability from non-GM and GM soya, including Roundup Ready soya.

### **Glyphosate**

**The Countess of Mar:** To ask Her Majesty's Government what is the effect on newly planted crops on which phosphorus fertilisers are applied of the soil in which they are grown containing immobilised glyphosate used on previous crops.

**Lord Henley:** The Government are not aware of any evidence that the long-term use of glyphosate in the UK, under UK conditions and where products containing glyphosate are used in accordance with the conditions of authorisation, has an effect on the uptake of phosphorus by crops planted in soils where glyphosate has been previously used.

Relevant new scientific literature on the potential effects of glyphosate will be considered as part of the second review under Council Directive 91/414/EEC of active substances used in the European Union. We expect a Commission proposal on this review later in the year.

**The Countess of Mar:** To ask Her Majesty's Government what research has been conducted into the toxicity of glyphosate on earthworms and soil micro-organisms and their ability to increase the availability of nutrients to plants.

**Lord Henley:** Applicants seeking approval of plant protection products containing glyphosate are required to submit relevant information on the behaviour of glyphosate in the environment, including the risk to earthworms and soil micro-organisms. The assessment of glyphosate, which was carried out as part of the first review under Council Directive 91/414/EEC of active substances used in the European Union, concluded that it was of low acute toxicity to earthworms and posed a low risk. Studies on soil micro-organisms noted no effects, even when glyphosate was applied at rates substantially higher than those authorised for field use, while studies on leaf litter concluded that glyphosate had no or only slight effects on litter decomposition at concentrations that occur in the environment after treatment. The soil's ability to provide nutrients should not be affected by glyphosate, since its structure and function are not affected by the substance.

Relevant new scientific literature on the potential effects of glyphosate will be considered as part of the second review under Council Directive 91/414/EEC of active substances used in the European Union. We expect a Commission proposal on this review later in the year.

16 June 2010

### **Genetically Modified Crops**

**The Countess of Mar:** To ask Her Majesty's Government what research has been conducted into the rate of degradation of glyphosate in the soil; and what were the findings of any such research.[HL402]

**Lord Henley:** Defra has not conducted research on this issue. Applicants for approval of plant protection products are required to submit relevant information on the behaviour of glyphosate in the environment.

There is a wide range of information, including published research, that demonstrates that glyphosate can degrade relatively slowly in soil. The reason for this is that glyphosate molecules can bind strongly to soil particles and are essentially inactive in this state. The glyphosate molecules then degrade as they are liberated from the soil particles.

### **Glyphosate**

**The Countess of Mar:** To ask Her Majesty's Government what research has been conducted into whether the application of glyphosate to plants modified for resistance to the product can stimulate the growth of plant pathogens; and, if so, which pathogens were found to be stimulated.[HL403]

**Lord Henley:** Defra has not conducted research on this issue but we are aware of a paper published in 2009 that reviews the potential effect of glyphosate on plant pathogens, in connection with the use of genetically modified glyphosate-resistant crops: Glyphosate effects on disease of plants, Johal, G.S., Huber, D.M., European Journal of Agronomy 31, 144-152.

There are currently no genetically modified glyphosate-resistant crops grown commercially in the UK and this paper does not affect the regulatory position for existing approved glyphosate products.

16 Jun 2010

### **Sheep Tagging**



**The Duke of Montrose:** To ask Her Majesty's Government whether the supervision of the issuing of sequential numbers for electronic identification tags for sheep is centrally based for the whole of the United Kingdom or carried out by each devolved Administration; and, if there is one site, where it is.

**Lord Henley:** Electronic identification numbers (EID) for tags for sheep keepers in Great Britain are issued from the Ear Tag Allocation System operated by the Rural Payments Agency in Workington. In Northern Ireland they are issued from DARD's Animal and Public Health Information System in Belfast. Each EID number includes the keeper's unique flock mark (number) followed by a unique sequential animal number.

**The Duke of Montrose:** To ask Her Majesty's Government whether data on the movements of electronically identified sheep to markets and slaughterhouses will be transmitted to the recording service electronically or manually.

**Lord Henley:** Electronic identification (EID) of sheep is an EU requirement, but the administration and implementation of it is an issue for devolved Administrations. In England, local authorities will continue to record batch movement data onto the central movement database on a manual basis.

Tuesday 15 June 2010

## **Labelling**

**Baroness Byford:** To ask Her Majesty's Government whether they plan to introduce a Bill requiring the country of origin to be displayed on all food and food products.

**Earl Howe:** There are currently no plans but discussions are taking place in the European Union on the introduction of new food labelling rules, which include those on country of origin labelling. The Government are keen to introduce honesty in food labelling so that consumers can be confident about where their food comes from.

## **Skin-on Smoked Sheep**

**Lord Hylton:** To ask Her Majesty's Government when they expect to obtain consent from the European Commission for the production in slaughterhouses of smoked skin-on sheep carcasses; and whether they propose to expedite the application.

**Earl Howe:** The Food Standards Agency (FSA) wrote to the European Commission in May 2010 to ask it to consider proposing an amendment to the European Union food hygiene rules to allow production of skin-on sheep meat. Before making any proposal, the Commission will need to satisfy itself that such a change would be consistent with the objectives of the food hygiene legislation and may require further information or ask the European Food Safety Authority to provide a risk assessment. Any proposal would then need to be approved by a committee of the member states before it could be adopted into law. The entire process of securing the necessary change may take one to two years. The FSA will do whatever it can to assist progress on this matter.

14 June 2010

## **Sheep Tagging**

**The Duke of Montrose:** To ask Her Majesty's Government whether livestock markets and slaughterhouses will be required to check that there are no errors or omissions in the data they submit compared to the actual number of animals scanned.

**Lord Henley:** Electronic identification of sheep is an EU requirement, but its administration and implementation is an issue for the devolved Administrations.

It would not be feasible, given the volume and speed with which animals are handled at markets and slaughterhouses, to require them to put in place exception management procedures to identify animals whose identification has not been recorded.

We are however aware that there are concerns about the ability of electronic reading equipment to capture individual information on every animal sent to central point recording centres (CPRCs), particularly where this could impact on keepers' single farm payments. In England, we will not penalise a keeper for incomplete data in respect of animals sent to a CPRC.

## **Imports of Chicken**

**Lord Laird:** To ask Her Majesty's Government how many chickens have been imported from (a) European Union, and (b) non-European Union, countries in the past three years; which five countries exported the largest amounts in the last year; and what welfare standards are required in European Union and non-European Union countries before import is permissible.

**Lord Henley:** The tables below provide details of the imports into the UK of live chickens from EU countries and non-EU countries for the period 2007 to 2009 and the five countries from which the UK imported live chickens in 2009 as recorded in the Official Overseas Trade Statistics for EU countries and the European Commission's Trade Control and Expert System (TRACES) database for non-EU countries.

World Trade Organisation rules do not allow us to ban imports on the grounds of the welfare standards applying in third countries. Within the EU there is a well established principle in Community law of

the free movement of goods. Council Directive 2007/43/EC sets down minimum welfare standards for meat chicken production within member states.

UK imports of live chickens from EU countries, 2007-09

	Country of dispatch	2007	2008	2009	Number of chickens
EU	France	1,754,366	254,716	1,804,534	
	Germany	508,272	396,836	51,819	
	Irish Republic	2,539,179	3,172,903	3,273,357	
	Netherlands	456,297	378,056	2,140,833	
	Sweden	711			
EU Total		5,258,115	4,202,511	7,270,543	

UK imports of live chickens from non- EU countries, 2007-09

	Country of dispatch	2007	2008	2009	Number of chickens
Non EU	Brazil	3,000			
	Canada	22,880	58,800		
	U.S.A.	502,187	351,278	359,820	
Non EU Total		528,067	410,078	359,820	

Source: European Commission's Trade Control and Expert System (TRACES) database.

Top 5 countries from which the UK imported live chickens in 2009

Irish Republic	3,273,357
Netherlands	2,140,833
France	1,804,534
U.S.A.	359,820
Germany	51,819

Source: HM Revenue and Customs and European Commission's TRACES database.

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