

**SCOTTISH GOVERNMENT
INSTITUTE OF AUCTIONEERS AND APPRAISERS IN SCOTLAND
ANIMAL PLANT AND HEALTH AGENCY
ANIMAL HEALTH AND WELFARE STRATEGY GROUP OF THE SCOTTISH LOCAL
AUTHORITIES**

This Guidance was prepared by a working group comprised of representatives from the four organisations above. At 14 February 2014 it is adopted by three and in the process of formal adoption by Scottish Local Authorities. It is intended as a “living” document that will be updated and amended as required during its lifetime.

**GUIDANCE ON BEST PRACTICE FOR LIVESTOCK MARKETS LOCATED IN
SCOTLAND 2014**

Introduction

1. This best practice guidance for livestock markets in Scotland follows a general review of biosecurity and animal welfare-related issues at markets carried out by a Working Group made up of representatives of the Scottish Government (SG), the Institute of Auctioneers and Appraisers in Scotland (IAAS), the Animal Plant and Health Agency (APHA) and the Convention of Scottish Local Authorities (COSLA). This guidance aims to minimise the risk of disease spread and maximise animal welfare associated with key operating practices at markets. Other animal gatherings of a similar nature should operate to the same procedures ensuring a consistent approach across Scotland. As part of the guidance current legislative requirements are highlighted. The guidance contributes to the continued viability of livestock markets within Scotland, reducing the risk of animal disease occurring at or spreading from markets to other premises and ensuring a high level of animal welfare.
2. This guidance is the first stage in a stepped approach prior to a review of legislation governing markets, shows, dealer's premises etc. as part of a wider revision of existing Animal Health legislation. This guidance presents an opportunity to test the effectiveness of the recommendations on best practice.
3. Any differences in operating practices, allowing for seasonality and local circumstances, should be reflected in local veterinary risk assessed agreements made between APHA, the relevant Local Authority (LA) and the market operator prior to sale days (see Appendix 1).
4. The market operator is responsible for the management and operation of the premises. This guidance details the foundation for risk-assessment of individual markets and provides a framework for APHA & Local Authorities (LAs) to discuss with operators development of management plans which will be specific to each premises. It may also be used by APHA and LAs to target enforcement at areas of greatest risk.

PART 1 - DISEASE CONTROL

Risk

5. There is an acknowledged risk of disease spreading when animals from different premises are gathered together for any purpose. A gathering of vehicles and people at the same time presents a further risk of spreading disease. Key high risk activities include:

- Different classes of stock (slaughter and non slaughter/13 day compliant and non-compliant) being present at the same time in the market.

- Mixing of slaughter and store/breeding animals at market and in transport.
- Inadequate biosecurity both in markets and lairages particularly cleaning and disinfection between batches of animals.
- Operation of grass lairages.
- Retaining stock in market lairages. No all in-all out policy for animals on the same day.
- Inadequate record keeping including internal livestock movements. (Traceability of inward and outward movements is maintained as the market operator sends these directly to BCMS and ScotEID.)
- History of previous poor compliance with legislation.

Relevant legislation

6. The following legislation relates to this best practice guidance:

The Markets, Sales and Lairs Order of 1925 (as amended in 1926 and 1927)(MSLO)
The Welfare of Animals at Markets Order 1990 (as amended in 1993)(WAMO)
The Transport of Animals (Cleansing and Disinfection) (Scotland) Regulations 2005
The Disease Control (Interim Measures) (Scotland) Order 2002 (as amended)(DCIM)
The Welfare of Animals (Transport) (Scotland) Regulations 2006 (as amended)
Animal Health and Welfare (Scotland) Act 2006 Part 2

Definitions in above legislation

7. The following definitions are found in the above legislation and provide clarity for the purposes of this guidance.

There is at present no single definitive definition of a **Market**, but for the purposes of this best practice a **Market** is defined as: “...a market place or sale-yard or any other premises or place to which animals are brought from other places and exposed for sale and includes any lairage adjoining a market and used in connection with it and any place adjoining a market and used as a parking area by visitors to the market for parking vehicles.” Article 3 of the Welfare of Animals at Markets Order 1990.

Lair: “ ...a building, erection, pen, yard or other enclosure used for the reception or temporary detention of animals before or after their exposure for sale, but does not include a grass enclosure.” Article 6 of the Market, Sales and Lairs Order 1925 (as amended).

Non legislative definitions

8. The following definitions agreed by the Working Group provide additional clarity for the purposes of this guidance.

Sale: A gathering for the purpose of transfer of ownership of a discreet, identifiable and traceable group of animals over a specified period of time. A sale may last part of a day, a whole day or occasionally several days, the end of which should be marked by the total removal of all animals followed by thorough cleansing and then disinfection of the market (as defined by legislation - point 6) prior to the arrival onto those premises of another group of animals.

Sale comprising a show element: Whole event should be subject to the same requirements placed on the normal operation of markets when animals are being sold.

Show comprising a sale element: Animals purchased at a show where they were moved under a 'show exemption' can move from the show direct to an abattoir, otherwise they may only return to the premises of origin and be held there for 13 days before moving to a new destination.

Collection centre / Dealer's premises: Considered to be any premises or lairs operating as a centre for the purposes of gathering animals or where there is a history of rapidly changing stock. Such premises should be subject to the same requirements placed on the normal operation of markets.

Grass lairage: A grass enclosure used for the reception or temporary detention of animals before or after their exposure for sale.

Enforcement Bodies

9. The APHA and Local Authorities oversee the operation of markets. Working together and with market operators these bodies fulfil different roles. APHA & LA staff monitor and inspect operator's compliance with regulations (including an annual inspection and discussion to agree local practices where applicable). In the absence of a local veterinary risk assessed agreement all current legislative requirements must be complied with.

Key operating principles defined in existing legislation

10. *"No market, fair, or sale of animals shall be held in or upon any market-place, fair-ground, highway, saleyard or other premises on any day until after the expiration of twenty four days from the date on which the premises or any parts thereof were previously so used unless the premises or any parts thereof sufficient to accommodate the number of animals usually exposed at such market, fair or sale, are so paved with cement, concrete, asphalt, or other hard material impervious to water, as to permit of the same being effectively cleansed by washing, and are at all times maintained in that condition."* Article 1 of the Market, Sales and Lairs Order 1925 (as amended.)

11. *"No lair adjoining premises on which or on any part of which a market, fair or sale of animals is held at intervals of twenty-four days or less shall be used for the reception or temporary detention of animals before or after their exposure for sale on such adjoining premises, unless (a) The lair is so paved with cement, concrete, asphalt, or other hard material impervious to water, as to permit of the same being effectively cleansed by washing and is at all time maintained in that condition."* Article 2 of the Market, Sales and Lairs Order 1925 (as amended).

12. *"A record of all personnel working in the market must be prepared and retained by any person holding a market for a period not less than 6 months, and such personnel who have regular contact with livestock outwith the market must be identified as such in that record."* Article 6 & Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).

13. *"A contingency plan for dealing with suspected notifiable diseases must be drawn up by the person holding a market, and approved by an authorised veterinary inspector."* Article 6 & Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).

14. *"A Biosecurity Officer responsible for ensuring compliance with the requirements of this schedule must be appointed by any person holding a market."* Article 6 & Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).

Guidance:

15. The Biosecurity Officer should work with local APHA Office and LA staff on locally based written procedures about disease risk, identification and control within the market. Each market should have a *written* cleansing and disinfection policy outlining their arrangements for minimising the biosecurity risks. This can be audited by the Local Authority or APHA.

16. The Biosecurity Officer, in order to ensure compliance with Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended), should be someone that spends the majority of their time in the livestock area of the market during the actual sales. Regular liaison meetings should be held between the Biosecurity Officer and enforcement bodies. These meetings should facilitate further discussion/refinement of local biosecurity arrangements.

17. At the end of the sale period, the Biosecurity Officer should first ensure removal of all animals from pens used for that sale, and then that the premises are thoroughly cleansed and then disinfected prior to the movement on of the next sale group. Unpaved pens (and grass lairage) which cannot be treated in this way should not normally be used for 24 days as legally required. Records of use of grass lairage or unpaved pens should be kept to ensure EITHER compliance with the MSLO 24 day requirement OR with an APHA approved, assessed local agreement. Where there is complicated use of grass lairage, operators should consider recording on a daily basis.

Stock from one sale period should represent a specific animal population for identification and tracing purposes and be kept entirely separate (with no mixing or physical contact) from stock intended for the following sale period.

Notwithstanding the above, it may be permitted to “carry-over” stock from one sale day on paved premises to the next day provided it can be assessed in advance that the remaining animals can be considered a separate epidemiological unit to the incoming ones. Animals remaining must be able to be removed to a separate cleansed and disinfected part of the market and the areas from whence they came must be cleansed and disinfected prior to entry of the following day’s sale stock. Equally there must be no possibility of direct contact and indirect contact must be minimised with proportionate measures agreed with the authorities.

Animal Gatherings

Definition

18.an “animal gathering” means an occasion at which animals or birds (or both) are brought together for any purpose. But, for the purposes of subsection (3), an occasion is not an animal gathering if— (a) all the animals or birds involved are owned by the same person; or (b) the occasion— (i) takes place on land in respect of which more than one person has a right of use; and (ii) involves animals or birds all of which are owned by persons who have a right of use of the land. Section 8A Animal Health Act 1981 as amended by the Animal Health and Welfare (Scotland) Act 2006.

Guidance:

19. All premises collecting slaughter sheep, cattle and pigs from other sources should follow the general operating guidance for markets. There is at present no legal basis for any kind of “collection centre” in Scotland. Any change to this position would be a policy issue for consideration by the Scottish Government.

20. The Markets Working Group (MWG) acknowledges the existence of agricultural premises used as central points for gathering groups of livestock destined for slaughter. These premises are not markets but may represent a higher risk for disease spread. Those known to APHA and LAs will be risk-assessed and visited accordingly.

Market Management

Guidance:

21. Market operators should have a management plan in place demonstrating how they effectively manage the risks from their activities. They should ensure a regular working break i.e. a period of time when the market premises are completely empty of all stock. This time period should become an established routine so that hauliers and other market visitors become aware and stay away. During this period market operators should thoroughly cleanse and then disinfect premises. This is in addition to the cleansing and disinfection between sales as legally required.

22. All stock (sold, unsold, unfit or under dispute) presented for a specific sale should be moved off the market premises as soon as possible and preferably on the same day as presented for sale (assuming fit to transport).

23. Animals presented at a market which are intended for slaughter immediately following the sale need not have been subject to the 13 day standstill prior to moving to the market. Such animals therefore present a higher risk of disease spread if they come into direct or indirect contact with store/breeding stock at the market premises. Direct contact, e.g. nose to nose, should not be possible and opportunities for indirect disease transmission such as handling by market staff or visitors should be minimised as far as possible.

24. Where store and slaughter sales occur on the same day operators should pen different categories separately to help ensure that the health status of store/breeding animals is not compromised whilst on market premises. (It is accepted that store and slaughter animals may have already been transported together.) Operators should also record all movements out of the sale ring and to relevant lairages.

25. Market owned stock should be kept completely separate from market premises or lairages. Such stock cannot be used to “top-up” sales at the market unless meeting the 13 day rule. Animals cannot be held-over after sale and re-presented next week.

26. Grass lairage coming under the market CPH and used for store or breeding stock moving IN should be rested for intervals not less than 24 complete days between sale groups unless a veterinary risk assessment (VRA) has been carried out and approved by the local APHA/LA at the MSLO/DCIM annual inspection. When derogation from the 24 day interval has been granted the risk assessment should form part of a management agreement between the market operator and APHA/LA. This is not necessary where grass lairage is used on a continuous basis for slaughter stock. Grass lairage used for slaughter stock moving OUT should be rested 24 days before use by store/breeding stock. There will be no automatic assumption that less than 24 day intervals will be accepted except for use by prime stock. The minimum “clear” interval to be accepted following VRA is 13 days. Under one-off specifically agreed circumstances this *may* be reduced *but* only after an individual VRA has been carried out following prior notification by the market operator. The initial assessment may be by the local APHA Veterinary Officer (VO) but should be approved by a Scottish Lead VO or a Veterinary Lead for Scotland.

27. Market operators should ensure that they have the relevant infrastructure in place to provide an adequate vehicle cleansing and disinfection service for their customers. This

service should be considered an integral part of wider disease control measures. If C & D facilities are not available on the market premises, customers should be signposted to the nearest ones. Where no facility is provided e.g. in the case of small or seasonal sale venues operators should notify transporters in advance that it is the responsibility of the haulier to ensure vehicles removing stock are cleansed and disinfected in accordance with legislation.

Hygienic Practices

Legislation

28. *“Any market-place, fairground, highway, sale-yard, or other premises in or upon which markets, fairs or sales of animals are habitually held and any lair adjoining such premises which is used for the reception or temporary detention of animals before or after their exposure for sale, shall, as soon as practicable after being used for any such purposes on any day before being again so used, be cleansed and disinfected as follows:-*

(i) The premises or lair or the parts thereof used for the purposes of the market, fair or sale shall be thoroughly scraped as far as practicable, and swept, then effectively cleansed by washing; and after such cleansing the said premises or lair or parts thereof shall be thoroughly washed with an approved disinfectant: - Provided that in the case of any such premises or lair which are incapable of being cleansed and disinfected in the aforesaid manner, such cleansing and disinfection shall be carried out as far as may be practical.

(ii) All Pens, hurdles, and other fittings used in or in connection with the market, fair, sale, or lair shall as soon as practicable after being used for such purpose, and before being again so used, be thoroughly cleansed by scraping and washing. After such cleansing the pens, hurdles and other fittings so used shall be thoroughly washed with an approved disinfectant.

(iii) The scrapings and sweepings of the premises, lairs, pens, hurdles and other fittings, and all dung, sawdust, litter and other matter removed there from.....” Article 3 of the Market, Sales and Lair Order 1925 (as amended).

29. *“Any person holding a market shall ensure all fixtures, fittings and inner areas that are maintained in good repair and are capable of being cleansed and disinfected.” Article 6 & Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).*

30. *“Access may be permitted to alleys, pens, sale rings and loading banks of the stock area within the market premises, but any person holding a market shall ensure that those persons having access (including personnel working in the market) must wear clean clothing suitable for the purpose and robust footwear which is capable of being properly cleansed and disinfected when having such access.” Article 6 and Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).*

31. *“Facilities must be provided by any person holding a market which are suitable for washing and disinfecting robust footwear, and that person shall ensure that any footwear is disinfected thoroughly on movement of persons from the stock areas to the public areas.” Article 6 & Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).*

32. *“Facilities must be provided by any person holding a market to allow for the removal of dead animals, bedding and excreta from vehicles as soon as possible.” Article 6 & Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).*

33. *“Any person holding a market shall ensure that the stock area of the market premises is cleansed and disinfected between market days.” Article 6 & Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).*

Guidance:

34. All market employees and casual staff employed at the market who come into direct contact with animals at the market, and who potentially may also come into contact with livestock at home or elsewhere, e.g. at neighbours', should wear clean clothing and robust footwear which has been properly cleansed and then disinfected prior to any such contact i.e. both when coming to and going from the market.

The provision of disinfection points in the market would be incorporated into the local veterinary risk assessment agreement.

Contingency Plans

Legislation

35. *“A contingency plan for dealing with suspected notifiable disease must be drawn up by any person holding a market, and approved by an authorised veterinary inspector.” Article 6 & Schedule 3 of the Disease Control (Interim Measures) (Scotland) Order 2002 (as amended).*

Guidance

36. In addition to the requirement above the market operators should have in place a contingency plan for other eventualities for example failure of electrical supply, frozen water supply, ferries unable to sail etc.

Livestock Movements & Traceability

Key legislative based operating principles

37. *The market operator must keep official records fully up-to-date, and notify the Scottish Animal Movements Unit (SAMU)/ ScotEID and the British Cattle Movement Service (BCMS) of all movements from and to premises in accordance with current SGRPID rules.*

38. *The market operator is responsible for recording the consigning location from the passport/movement document.*

39. *The market operator is responsible for ensuring that the receiving location is recorded on the movement 'off' documentation and provided to SAMU/ScotEID/BCMS. The actual destination details must be obtained from buyers and used for recording. “7000” CPH numbers are not acceptable. For sheep especially in the case of those bought by dealers or “landless keepers” the address of the purchaser may be completely different to the receiving holding. For cattle moving to England it is the responsibility of the receiving location to report the 'on' move in line with the Defra movement requirements.*

40. *The market operator is responsible for reporting/recording actual dates of stock moving as per the SGRPID guidance.*

41. *Slaughter stock that are purchased and moved to another holding, or returned to the holding of origin and not direct to slaughter, are subject to the 13 day rule. The only movement of these animals that can take place within the 13 day period is a movement direct to a slaughterhouse.*

Guidance:

42. The market operator should maintain local records of cleansing and disinfection routines/procedures, grass lairage use and internal market movements.

43. The market operator should maintain a management plan for lairage usage and details of stock locations. There should also be written instructions detailing arrangements for dealing with livestock with traceability issues e.g. no ear tags or passports etc.)

44. All animals within the recognised boundary of the market, including car parks, should be treated as sale stock requiring the appropriate recording of movements by the market staff.

Road Hauliers & Farmers

Legislation:

45. *“... the user of the means of transport shall, as soon as reasonably practicable and not more than 24 hours after the journey is completed, ensure that it is cleansed and disinfected in accordance with Schedule 2, or where appropriate, destroyed.” Article 2(2) of the Transport of Animals (Cleansing and Disinfection) (Scotland) Regulations 2005.*

46. *“No person shall use, or cause or permit the use of, any means of transport to transport any animal to which this regulation applies, unless it has been cleansed and disinfected in accordance with Schedule 2 since it was last used to transport any animal or anything which may give rise to the transmission of a disease affecting animals.” Article 2(3) of the Transport of Animals (Cleansing and Disinfection) (Scotland) Regulations 2005.*

Guidance:

47. Road haulage operators must ensure that they have appropriate documentation i.e. movement documents must accompany movement of relevant animals.

48. Road hauliers and farmers should follow instructions from the market operator on the separate loading and handling facilities for store/breeding and slaughter animals.

49. Operators should not allow anyone to access market facilities without prior agreement. Where management arrangements cannot be made to exclude access, physical means should be employed. Details of any animals delivered “out of hours” should be formally recorded. In remote areas especially islands, markets that are not routinely manned may provide emergency shelter for stock unable to travel due to e.g. ferry delays. Where this is a possibility, it should be subject to a veterinary risk assessment at the annual inspection.

50. Further guidance can be found on the Scottish Government website
<http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/animal-welfare/Diseases/Transport>

PART 2 - WELFARE

Relevant legislation

51. It is most appropriate to consider the pieces of legislation in their entirety. They are:

The Welfare of Animals at Markets Order 1990 (as amended in 1993)
The Welfare of Horses at Markets (and other Places of Sale) Order 1990
The Welfare of Animals (Transport) (Scotland) Regulations 2006 (as amended)
Animal Health and Welfare (Scotland) Act 2006 – Part 2

In addition to the legislation it is appropriate to also consider the code provisions of the “Code of Practice – Welfare of Animals in Livestock Markets”.

Guidance

52. Market operators should ensure that all relevant market personnel have received appropriate training in and are fully aware of the requirements of the above legislation.

53. Market operators must ensure water is available to all animals in the market appropriate to needs to ensure compliance with legislative requirements.

54. Market operators must ensure provision of adequate supplies of appropriate feedstuffs to animals in the market to comply with feeding requirements of current legislation.

55. Pens should be stocked at a level that is consistent with the animals being able to rest at will. Stocking rate should take into account the distance travelled into market and the time taken to travel as well as the time that the animals remain there and last feed time where known. These and other factors affect the desire to lie down and rest. In all cases animals must be able to turn around and appropriate dry bedding be provided per the current legislation and with reference to the Code of Practice.

Unfit animals

56. Market operators should ensure all relevant personnel are adequately trained and competent in identifying any unfit animals and know the action that should then be taken to minimise the suffering of any such animals.

57. A designated welfare officer (or officers) should be clearly identified and should be available to deal with any welfare concern that may arise even while a sale is in progress.

58. Suitable isolation facilities must be clearly identified and maintained so as to be ready for use at all times.

59. Contingency plans should be produced (including arrangements made with a local veterinary practice to attend where the need arises) and these should be made known to relevant market personnel.

Risk Assessments (RAs)

60. The Veterinary Risk Assessment (RA) is used to identify activities that could potentially increase the likelihood of an animal disease being introduced into, spread within and disseminated from a market. It assesses the effectiveness of market operating procedures aimed at eliminating or reducing the hazardous activity. If there is considered to be an unacceptable risk the status quo applies i.e. all current legislative requirements must

be complied with. Two generic RAs are incorporated as Appendices 1 and 2 and a third one to be used as a working document at the annual MSLO/DCIM inspection is Appendix 3.

61. The operator should produce written risk assessments relevant to the individual market detailing operating procedures that are in place to mitigate the accepted risks. This will include a record of appropriate staff training. The operator's RAs should be submitted to the APHA and LA prior to the annual inspection. This will enable all parties to target discussion points and should therefore reduce the visit time. Assuming the proposals are accepted by APHA and the LA, the document will be signed as such. If unacceptable in part or whole, discussion will take place on what is required to be acceptable. Failure to agree a risk assessment will require compliance with all legislative requirements.

APPENDIX

Note that the appendix relates to land animals i.e. cattle, sheep, pigs and goats. Gatherings of birds including poultry and waterfowl etc may be considered on an ad hoc basis dependent on the position in the country at the time.

When reading these documents it may be helpful to consider the definitions of risk level taken from a Scottish Government epidemiology unit risk assessment quoting OIE and Defra sources.

Negligible	So rare that it does not merit consideration
Very low	Very rare but cannot be excluded
Low	Rare but could occur
Medium	Occurs regularly
High	Occurs very often
Very High	Events occur almost certainly

Appendix 1 Generic risk matrix to be used in conjunction with legislation and the "markets best practice" guidance 2014.

This appendix may be considered as an *aide memoire* or as Notes for Guidance for use during inspections of market premises by regulators.



Appendix 1 Generic
risk matrix to be used

AMENDMENT RECORD

February 2014	Version 2	Phil Tomlinson	
November 2014	Version 3	Luis Molero	AHVLA replaced to APHA