



CATTLE COUNCIL OF AUSTRALIA

7 September 2020

Steve Meerwald
Chair
Cattle Industry Funding Scheme Management Committee
Department of Primary Industries and Regional Development

Via email: IFS@dpird.wa.gov.au

Dear Mr Meerwald

Re: Management of Johne's disease in cattle in Western Australia

Cattle Council of Australia (CCA) is the peak industry organisation representing Australia's grass-fed cattle producers. Established in 1979, CCA brings together all state-based farming organisations representing cattle producers in their jurisdiction, associate member organisations with close connections to the cattle industry, and individual cattle producers. CCA welcomes the opportunity to provide comment on the 'Management of Johne's disease (C-strain) in cattle in Western Australia consultation'. We provide this submission without prejudice to any additional submission from our members or individual producers.

CCA acknowledges management of endemic diseases, where regulation is involved, as being a matter for jurisdictional governments, taking account of advice from industry. We also note the Committee's preference for receiving submissions from WA-based individuals, groups and businesses. This said, CCA—as the only recognised body representing the grass-fed cattle sector at the national level—sees the importance of presenting a national view on matters affecting cross-border trade and disease management. We also acknowledge WA's sovereignty on this issue and will respect its final decision.

Background (taken from the Consultation Paper's Executive Summary)

Following the national decision in 2016 to deregulate Johne's disease (JD) in cattle, the Western Australia (WA) Cattle Industry Funding Scheme Management Committee (IMC), on advice from the WA cattle industry, requested the Department of Primary Industries and Regional Development (DPIRD) continue to regulate JD (C-strain) in cattle to minimise the risk of introducing JD (C-strain) in imported cattle while targeted surveillance for JD (C-strain) was undertaken.

The aim of the targeted surveillance was to provide evidence on the status of JD (C-strain) in the WA cattle herd to inform decisions on the future management of the disease in cattle in WA.

The targeted surveillance results have now been combined with other JD (C-strain) surveillance data to establish a 98% level of confidence that JD (C-strain) was not present in the WA cattle population at a prevalence of 0.2% of herds and 2% of cattle within infected herds.

The Cattle IMC is seeking input from the WA cattle industry on the future approach to managing JD (C-strain) in WA cattle.



Short history

CCA was instrumental in the early-1990s development of the national JD Control Scheme, in the ongoing management of the Scheme, and in bringing forward by 12 months a final Animal Health Australia (AHA) convened review of the Scheme that culminated in its 2016 deregulation across Australia, except in WA. In WA, the cattle industry (by majority) supported the continuation of the Program being managed via regulation; WA's DPIRD responded accordingly.

The 2015 review was in response to mounting dissatisfaction with the effectiveness of the voluntary Cattle Market Assurance Program (CattleMAP) within the regulated control scheme for driving inter-JD-zone movements of cattle. More importantly, the review followed significant upheaval in the *bos indicus* fraternity after the discovery of JD in breeding animals on stud properties in northern Queensland in 2012 and 2013, which led to significant financial and reputational damage to many beef-cattle seedstock business.

Throughout the deregulation process it became clear that producers with an interest in JD management in their herd(s) needed an effective mechanism for assessing the JD-related risk associated with trading cattle. In response, CCA chaired a committee established to create such a tool; the Johne's Beef Assurance Score (J-BAS) resulted. This was accompanied by explanatory notes and a frequently-asked-questions document and was linked to existing voluntary quality assurance programs like the Cattle Health Declaration and On-Farm Biosecurity Plan. J-BAS was officially launched in July 2016, with a five-year transition arrangement applied to avoid a 'hard' change to the new arrangements.

Cattle Council's current position

CCA holds two important overarching policies that have a bearing on its position regarding the trading conditions adopted by WA, now and into the future:

1. It recognises the importance of national consistency in legislation and disease-management programs where desirable and achievable.
2. It notes the internationally accepted norm that, where infection of livestock is concerned, "JD is JD", regardless of strain.

National consistency

CCA continues striving for national consistency across a wide range of jurisdictional legislation and regulations. There are many cattle producers who hold land and herds across multiple jurisdictions and/or who trade cattle regularly across borders. As such, a lack of national consistency can have a seriously negative financial impact on their business(es) and levels of compliance. That said, there may at times be justification for variations.

CCA's current policy specific to WA's JD-related border restrictions is that it:

Seek to have WA ... remove its J-BAS-based border control unless and until there is sufficient scientific evidence to support it.

The question before industry is whether WA's 'rules', which differ from other jurisdictions' rules in managing JD, are underpinned by sufficient scientific evidence.

Results from the IMC-funded targeted surveillance, coupled with other surveillance data, are being seen in WA as sufficiently convincing to support the state's claim of negligible presence of JD C[attle]-strain.



While this is true, the results point only to C-strain and not to JD more generally. This brings into focus CCA's second overarching policy.

'JD is JD'

Under the previous control program that relied on regulations, quarantining, slaughter-out and paddock spelling, JD was divided into C-strain (initially thought to affect cattle almost entirely) and S-strain (seen to affect sheep, goats and, occasionally, alpacas and deer). (B[ison]-strain came into the picture, but not until 2012 in Queensland.) This mode of thinking suited the compensation scheme operating at the time for the cattle sector: only cattle with C-strain were eligible for compensation under the AHA/CCA-managed Financial and Non-Financial (FNF) Assistance Scheme. S-strain was known to be in cattle, but consideration of its impact was put aside pending further research.

With deregulation has come increasing acceptance that S-strain in cattle is more common than initially thought:

- the targeted strain typing conducted under the seven-year FNF Scheme revealed around 15 per cent of JD-positive cattle in south-eastern Australia were carrying S-strain;
- Verdugo et al¹ showed from their 2014 survey of New Zealand livestock that about 80 per cent of JD-infected beef herds were infected with S-strain, and that "strains from beef cattle and sheep were similar, providing strong evidence for cross-species transmission from sheep to cattle while grazing the same pasture"; and
- the World Organisation for Animal Health (OIE) remains silent on strain typing as being important to infection and disease spread².

The following was accepted by the vast majority of those involved in the JD review workshops:

As export regulations do not differentiate between strains and only address the presence or absence of Johne's disease (measured by a positive result to a nominated test) in a property, herd or animal, there is no benefit in maintaining an artificial distinction between them when it comes to disease management.³

Thus, the outcome from the review workshops⁴ was for the new management regime to accept that:

Infection with [JD] – Distinctions between the infecting strain ('B', 'S' or 'C') are not relevant to the determination of the presence of JD.

With the above in mind, and taking into account the prevalence of JD in WA sheep, the level of co-grazing of sheep and cattle in southern WA, and the finding of S-strain in two faecal samples taken from cattle in southern WA as part of the surveillance program, it appears WA is on unstable scientific ground if it chooses to increase—or even maintain—its JD-related border controls against cattle imported from eastern states/territories.

¹ Verdugo C, Pleydell E, Price-Carter M, Prattlely D, Collins D, de Lisle GW, Vogue H, Wilson P, Heuer C. (2014), *Molecular epidemiology of Mycobacterium avium subsp paratuberculosis isolated from sheep, cattle and deer on New Zealand pastoral farms*. Preventive Veterinary Medicine 117, 436-46

² <https://www.oie.int/en/animal-health-in-the-world/animal-diseases/Paratuberculosis/>

³ Workshop discussion paper

⁴ Animal Health Australia (2016), *BJD – Where to from here? A fresh approach to the management of Johne's disease in cattle: management plan for cattle production conditions*, p. 11



Unless WA is confident its controls are underpinned by strong scientific evidence, it risks a challenge under Constitutional Law, particularly in relation to Section 92, which serves to “invalidate laws that [are] ‘discriminatory’ and ‘protectionist’ in the sense that they [seek] to protect local providers of business activity in a state against competition from those located in other states.”⁵

WA would be on firmer ground, however, if it were to insist on cattle entering the state to do so only under a statutory declaration relating to their disease status, as provided for by such documents as the national Cattle Health Declaration and various on-farm biosecurity plans that contain a provision for recording a herd’s JD status and related management practices.

Trade access

Trade access for live cattle is often cited as the reason behind the WA JD-related border controls being maintained or strengthened. This is a misnomer.

The Department of Agriculture, Water and the Environment (DAWE) is required to assure importing countries of the disease-free status (for nominated diseases like JD) of the cattle being shipped. For this, DAWE relies on assurances given by the respective state/territory authority, with such assurances being specific to the properties/herds from which the cattle originate. The JD status of the state/territory has no relevance other than to give the authority some additional confidence in its assessment. Victoria, for example, where JD is more prevalent than in other jurisdictions, manages to supply cattle for the live trade because the Victorian department certifies individual herds, as required in importing countries’ protocols. Also, in the event of a positive finding of JD in imported cattle after they arrive in an overseas destination, it is the supplier and/or property that is penalised, not the whole state or territory.

In nearly all cases it should be the producers’ responsibility to ensure their own cattle, and the cattle they are buying in or selling, meet the highest standards required for them to conduct their operation now and into the future. Continuing to rely on the government to run the JD-management program, which may involve draconian quarantining and destocking in the event of confirmed infections, is placing an unnecessary burden on the department when JD control/management really is a commercial matter.

In essence, JD is a ‘trade’ disease: its real impact is on the extent to which it affects intrastate, interstate, and international trade. However, time has proved in other jurisdictions it is entirely manageable at producer level provided producers are well informed about the disease and how best it is suppressed in, or repelled from, a herd.

Jurisdictions continue to have a role to play in ensuring, through regulation and sanctions where necessary, that legally binding vendor declarations (like the Cattle Health Declaration) are completed accurately and that product (i.e. livestock) sold is ‘fit for purpose’.

“J-BAS” used for border controls

As a final note, it is disappointing the WA Government and industry chose to use the J-BAS—which is a voluntary, industry-developed and -driven tool for JD management—as the tool around which its border controls were built. It would have been better for the controls to be built around levels of testing and

⁵ <https://auspublaw.org/2020/06/border-closures-covid-19-and-s-92-of-the-constitution/>



related results than to use “J-BAS 8” as the cut-off. To hear there is consideration of having a “J-BAS 8 plus” arrangement as one of the options into the future is quite concerning.

A good deal of dissatisfaction with J-BAS, which is proving to be a very useful tool in the beef cattle sector, has stemmed from disrespect driven by the WA border controls that used it as a profiling tool. This was never the intention when J-BAS was developed.

CCA requests the language used to describe any future border controls be decoupled from direct reference to J-BAS.

Vaccinates

WA is considering options involving vaccination as a mandatory requirement for cattle entering from other jurisdictions. This is a matter for the WA Government; however, it is worth noting the following:

- Silirum[®] by Zoetis is the only commercial vaccine currently available to aid in the control of bovine JD (i.e., JD in cattle).
- Vaccinated cattle *must* be excluded from export markets that are sensitive to bovine Johne's disease or bovine tuberculosis⁶ unless there is an agreement on the eligibility for export of vaccinated animals with the importing country [ref. product label].
- The killed vaccine contains a suspension of the microorganism *Mycobacterium avium subsp. paratuberculosis*, strain 316F, inactivated by heat and adjuvanted with mineral oil in a multiple emulsion [ref. product label]. The mineral-oil adjuvant renders it dangerous to humans in the event of needlestick.
- While vaccine should be used in herds where a diagnosis of bovine JD has been confirmed, consideration may also be given to vaccination of herds at risk of infection or for animals introduced into an infected herd [ref. product label].
- Silirum[®] on its own will not eradicate JD, only reduce shedding of the bacteria and reduce mortalities.
- All vaccinates *must* be identified permanently, through the application of a ‘JD’ status on the NLIS database *and* the administering of a three-hole earmark, preferably in the outer third of the right ear [SAFEMEAT Partners]. A limited number of approved earmarking pliers are available for purchase from AHA by Zoetis-approved vets.

Summary and Recommendations

CCA acknowledges WA’s jurisdictional right to apply whatever JD management program it deems most suitable to the livestock sector within its own borders. Notwithstanding this, CCA, having been centrally involved in the initial regulation of the JD control program and the subsequent deregulation procedures of 2015-16, presents the following **recommendations** that reflect its responsibilities to the cattle industry nationally⁷:

1. supports WA aligning its JD-management program with those of other jurisdictions by empowering its producers to manage their own herd health; this to be facilitated through the deregulation of the JD control program in cattle, and simultaneous introduction of “enhanced management options” (i.e., Option C in the IMC Consultation Paper);

⁶ Through data provided to the Australian Pesticides and Veterinary Medicines Authority, Zoetis indicated that cattle administered with Silirum[®] are likely to test positive when screened for bovine tuberculosis (caudal fold test) or Johne’s disease (blood antibody test) which might have serious implications on the Australian exports of live cattle.

⁷ Noting CCA is fundamentally a federated body and, as such, may not always achieve unanimity when setting policy.



2. supports mandatory adoption of the Cattle Health Declaration as a component of the enhanced management options;
3. supports mandatory adoption of permanent identification of Silirum® vaccinates as a component of the enhanced management options;
4. recommends the WA Government and industry adopt the internationally accepted norm that, while useful in some circumstances, JD strain typing is no longer relevant to designing JD management programs within or across livestock species;
5. requests the language used to describe any future border controls be decoupled from direct reference to J-BAS; and
6. offers its support to WA's industry bodies in pre-emptively designing and delivering a thorough and necessary communications strategy to ensure the recommended changes, if adopted, are well understood and applied.

If there are any queries about this submission, please do not hesitate to contact our office on 1300 653 038 or email cca@cattlecouncil.com.au.

Yours sincerely

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