WELSH STATUTORY INSTRUMENTS

2002 No. 2302 (W.227)

ANIMALS, WALES

ANIMAL HEALTH

The Sheep and Goats Identification and Movement (Interim Measures) (Wales) (No. 2) Order 2002

Made - - - -	*at 11:30a.m. on 5th September 2002*
Coming into force - -	*6th September 2002*

The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them by sections 1 and 8(1) of the Animal Health Act 1981(**1**), make the following Order:

Title, application, commencement and cessation

1.—(1) This Order may be cited as the Sheep and Goats Identification and Movement (Interim Measures) (Wales) (No. 2) Order 2002 and applies to Wales.

(2) This Order comes into force on 6th September 2002 and shall cease to have effect on 1st February 2003.

Interpretation

2.—(1) In this Order—

"assembly centre" ("*canolfan gynnull*") means an assembly centre approved by the National Assembly for Wales in accordance with regulation 12(2) of the Animals and Animal Products (Import and Export) (England and Wales) Regulations 2000 (**2**);

"collecting centre" ("*canolfan gasglu*") means premises used for the intermediate reception of animals intended to be moved elsewhere and includes any place used, whether as a market or

(**1**) 1981 c. 22*See* section 86(1) for the definitions of "the Ministers". In relation to Wales, the powers of "the Ministers" so far as exercisable by the Secretary of State for Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and in so far as such powers were exercisable by the Secretary of State for Scotland, they were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141). The functions of the Minister of Agriculture, Fisheries and Food were subsequently transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/ 794).

(**2**) S.I. 2000/1673; relevant amendment is the Animals and Animal Products (Import and Export) (England and Wales) (Amendment) (Wales) Regulations 2002 (S.I. 2002/430 (W.52)).

otherwise, for the sale or trading of animals but only where the animals being sold or traded are intended for immediate slaughter thereafter;

"CPH number" ("*rhif daliad*") means the farm holding number assigned from time to time to any premises or part of any premises by the National Assembly;

"flockmark" ("*marc diadell*") means the mark allocated to a flock of sheep by the National Assembly;

"goat" ("*gafr*") means a live goat;

"herdmark" ("*marc gyr*") means the mark allocated to a herd of goats by the National Assembly;

"holding" ("*daliad*") means any establishment, construction or, in the case of an open air farm, any place in which sheep or goats are held, kept or handled;

"keeper" ("*ceidwad*") means any person having care and control of sheep or goats, even on a temporary basis but not including any person who is only a keeper because he or she is transporting the animals;

"National Assembly" ("*Cynulliad Cenedlaethol*") means the National Assembly for Wales;

"relevant date" ("*dyddiad perthnasol*") means the date on which this Order comes into force;

"sheep" ("*dafad*") means a live sheep;

"the 2000 Regulations" ("*Rheoliadau 2000*") means the Sheep and Goats Identification (Wales) Regulations 2000(**3**);

"show" ("*sioe*") means an occasion at which animals are exhibited but not solely for the purpose of sale;

"slaughterhouse" ("*lladd-dy*") has the meaning given in regulation 2(1) of the Fresh Meat (Hygiene and Inspection) Regulations 1995(**4**);

"sole occupancy group" ("*grŵp meddianaeth unigol*") has the meaning given in article 2 of the Disease Control (Interim Measures) (Wales) (No. 2) Order 2002(**5**);

"temporary grazing land" ("*tir pori dros dro*") means land to which sheep are moved for a temporary period for the purpose of being fed or pastured but which is not part of the holding where the sheep are usually kept;

"temporary mark" ("*marc dros dro*") means a temporary mark in accordance with article 6(11);

"veterinary treatment" ("*triniaeth filfeddygol*") means any treatment or procedure carried on by or under the supervision of a veterinary surgeon; and

"X Mark" means an X Mark in accordance with article 6(1) and (8).

(2) Unless the context otherwise requires, any reference in this Order to a numbered article is a reference to the article bearing that number in this Order and any reference in an article to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in that article.

Notification of holdings where sheep or goats are kept

3.—(1) Where after the relevant date, a person becomes the keeper of any sheep or goat on a holding, he or she shall, within one month after he or she begins to keep that animal, notify the National Assembly in writing—

(**3**) S.I. 2000/2335 (W.152) (now revoked).
(**4**) S.I. 1995/539 as amended by S.I. 1995/3189, and in relation to Wales by S.I. 2000/656, S.I. 2000/2257, S.I. 2001/1508, S.I. 2001/1740, S.I. 2001/1802, S.I. 2001/2627 and S.I. 2002/129.
(**5**) S.I. 2002/2304 (W.229).

(a) of the address of the holding;

(b) of the name and address of the occupier of the holding; and

(c) whether sheep or goats or both are usually kept on the holding.

(2) The keeper must notify the National Assembly in writing of any change in the particulars specified in paragraph (1) within one month of such change.

(3) On receiving notification under this regulation the National Assembly must, subject to paragraph (4), allocate in respect of the holding a flockmark in the case of sheep or a herdmark in the case of goats.

(4) Where the holding is a slaughterhouse or market, the National Assembly shall allocate a flockmark or herdmark only where it deems it appropriate to do so.

Sheep records

4.—(1) Any person keeping sheep on a holding (other than an assembly centre, market, show, slaughterhouse or collecting centre) must record, on or before 31st January in each year, the number of sheep on that holding on 1st January of that year.

(2) Within 36 hours of a sheep being moved onto or off a holding, the keeper must record—

(a) the date of movement;

(b) the total number of sheep moved;

(c) one of the following marks—

(i) the latest S Mark applied to the sheep;

(ii) where there is no S Mark, the Origin Mark or the mark made under regulation 7(5) of the 2000 Regulations;

(iii) where there is no mark as mentioned in sub-paragraphs (c)(i) or (ii), the F Mark or R Mark; or

(iv) the individual identification number together with the mark which was applied at the same time as the individual identification number;

(d) in the case of a sheep moved onto the holding, the address of the holding from which it came; in the case of a sheep being moved off the holding, the address of the holding to which it is going;

(e) in the case of sheep moved from a market, the lot number allocated at the market;

(f) in the case of sheep moved to or from a show, the individual identification number together with the mark which was applied at the same time as the individual identification number;

(g) in the case of a sheep being moved to an assembly centre, the individual identification number (if more than one, the latest individual identification number applied to it);

(h) in the case of sheep being moved to a destination outside Great Britain, one of the following —

(i) an Origin Mark which includes the letters "UK", and the individual identification number,

(ii) an F Mark which includes the letters "UK", and the individual identification number, or

(iii) an X Mark and the individual identification number; and

(i) in the case of a ram that is identified, marked or tagged with an individual identification number for the purposes of article 3(2)(b)(xviii), 3(3)(d), 3(3)(g) or 3(3)(h) of the Disease Control (Interim Measures) (Wales) (No. 2) Order 2002, that individual identification number together with the mark which was applied at the same time as that number.

(3) Paragraph (2)(c) shall not apply in the case of a sheep—

(a) moved direct to a slaughterhouse;

(b) moved direct to a market for the purpose of sale for slaughter;

(c) moved to a collecting centre before being moved to a slaughterhouse; or

(d) returned direct to a holding from a market to which it had been sent for the purpose of sale for slaughter;

provided the keeper records the temporary mark applied to the sheep.

(4) In the case of a sheep being sold without being moved onto or off a holding, the vendor must record, within 36 hours of the sale—

(a) the date of the sale;

(b) the number of sheep sold; and

(c) the name and address of the purchaser.

(5) In the case of a sheep marked in accordance with article 11 or re-marked in accordance with article 13(2)(b) or (c), the keeper must, within 36 hours of marking or re-marking the sheep (as the case may be), record the new sheep flockmark and the previous one, if known.

(6) When a keeper marks a sheep with an X Mark, he or she shall within 36 hours—

(a) where the X Mark is applied at an assembly centre, make a record of the X Mark and the individual identification number applied at the same time as the X Mark, cross-referenced with the mark which has been recorded under paragraph (2)(c) and with the individual identification number recorded under paragraph (2)(g); and

(b) where the X Mark is applied at a holding other than an assembly centre, make a record of the X Mark and the individual identification number applied at the same time as the X Mark, cross-referenced with the mark which has been recorded under paragraph 2(c).

(7) The person making a record under this article must retain the record for a period of six years.

Goat records

5.—(1) Any person keeping a goat on a holding (other than an assembly centre, market, show, slaughterhouse or collecting centre) must record, on or before 31st January in each year, the number of goats on that holding on 1st January of that year.

(2) Within 36 hours of a goat being moved onto or off a holding, the keeper must record—

(a) the date of movement;

(b) the total number of goats moved;

(c) one of the following marks—

(i) the latest S Mark applied to the goat;

(ii) where there is no S Mark, the Origin Mark or the mark made under regulation 7(5) of the 2000 Regulations;

(iii) where there is no mark as mentioned in sub-paragraphs (c)(i) or (ii), the F Mark or R Mark; or

(iv) the individual identification number together with the mark which was applied at the same time as the individual identification number;

(d) in the case of a goat moved onto the holding, the address of the holding from which it came; in the case of a goat being moved off the holding, the address of the holding to which it is going;

(e) in the case of goat moved from a market, the lot number allocated at the market;

(f) in the case of a goat moved to a show, the individual identification number of the goat together with the mark which was applied to it at the same time as the individual identification number;

(g) in the case of a goat being moved to an assembly centre, the individual identification number (if more than one, the latest individual identification number applied to it);

(h) in the case of a goat being moved to a destination outside Great Britain, one of the following marks applied to it—

(i) an Origin Mark which includes the letters "UK", and the individual identification number,

(ii) an F Mark which includes the letters "UK", and the individual identification number, or

(iii) an X Mark and the individual identification number; and

(i) in the case of a goat being moved for the purposes of article 3(2)(b)(xix) or 3(3)(e) of the Disease Control (Interim Measures) (Wales) (No. 2) Order 2002, that individual identification number together with the mark which was applied at the same time as that number.

(3) Paragraph 2(c) shall not apply in the case of a goat—

(a) moved direct to a slaughterhouse;

(b) moved direct to a market for the purpose of sale for slaughter;

(c) moved to a collecting centre before being moved to a slaughterhouse; or

(d) returned direct to a holding from a market to which it had been sent for the purpose of sale for slaughter;

provided the keeper records the temporary mark applied to the goat.

(4) In the case of a goat being sold without being moved onto or off a holding, the vendor must record, within 36 hours of the sale—

(a) the date of sale;

(b) the number of goats sold; and

(c) the name and address of the purchaser.

(5) In the case of a goat marked in accordance with article 11 or re-marked in accordance with article 13(2)(b) or (c), the keeper must, within 36 hours of marking or re-marking the goat (as the case may be), record the new herdmark and the previous one, if known.

(6) When a keeper marks a goat with an X Mark, he or she shall within 36 hours—

(a) where the X Mark is applied at an assembly centre, make a record of the X Mark and the individual identification number applied at the same time as the X Mark, cross-referenced with the mark which has been recorded under paragraph (2)(c) and with the individual identification number which has been recorded under paragraph (2)(g); and

(b) where the X Mark is applied at a holding other than an assembly centre, make a record of the X Mark and the individual identification number applied at the same time as the X Mark, cross-referenced with the mark recorded under paragraph 2(c).

(7) The person making a record under this article must retain the record for a period of six years.

Marks

6.—(1) A mark applied under this Order (save for a temporary mark) shall be applied to the animal's ear by way of an eartag or tattoo.

(2) An **eartag** shall be—