STATUTORY RULES OF NORTHERN IRELAND

2005 No. 535

AGRICULTURE

The Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005

Made - - - -	*30th November 2005*
Coming into operation	*1st December 2005*

The Department of Agriculture and Rural Development(**1**), makes the following Order in exercise of the powers conferred on it by Articles 5(1)(b), 19(e) and (g), 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**2**):

PART I

INTRODUCTION

Citation and commencement

1. This Order may be cited as the Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005 and comes into operation on 1st December 2005.

Interpretation

2.—(1) In this Order—

"approved eartag" in relation to an animal means an eartag approved by the Department and bearing the details specified in Article 4 or such other information as the Department may authorise in writing;

"assembly centre" means an assembly centre as defined in regulation 2(1) of the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2005(**3**) and approved by the Department in accordance with regulation 12(2) of those Regulations;

"collection centre" means any premises used by a dealer for the intermediate reception of animals intended to be moved elsewhere (but does not include a market);

(**1**) The Department of Agriculture for Northern Ireland was renamed the Department of Agriculture and Rural Development by Article 3(4) of the Departments Order 1999 (S.I.1999/283 (N.I. 1))
(**2**) S.I.1981/1115 (N.I. 22); The relevant amendments are S.I.1984/702 (N.I. 2) Article 17 (2) and S.I.1994/1891 (N.I. 6) Article 23 (1) and (2)
(**3**) S.R. 2005 No. 78

"Council Regulation" means Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC(**4**);

"Divisional Veterinary Office" means the Divisional Veterinary Office of the Department for the area in which a holding is located;

"flock number" means the number allocated to a flock of sheep under Article 3(4);

"herd number" means the number allocated to a herd of goats under Article 3(4);

"holding number" means a number allocated by the Department under Article 3(4) to any holding on which any animals are kept;

"incineration plant" means an incineration plant to which regulation 14 of the Animal By-Products Regulations (Northern Ireland) 2003(**5**) applies;

"individual animal identification number" means the unique numeric sequence on an approved eartag on an animal by which the animal may be identified;

"market" means a market place, sale yard or any other premises or place to which animals are brought from any other place to be exposed for sale and includes any place, lairage or parking area adjoining a market and used in connection with it;

"market dispatch document" means a document authorised by the Department for completion by a market operator in respect of the movement of animals from a market;

"member State" means any member State of the European Union other than the United Kingdom;

"movement document" means the pre-printed document supplied by the Department to a keeper for use in the notification of the movement of an animal for the purposes of Article 18;

"previous Orders" means—

(a) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997(**6**);

(b) the Identification and Movement of Sheep and Goats (Amendment) Order (Northern Ireland) 1998(**7**); and

(c) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004(**8**);

"reconciliation period" means the period between 1st December and 5th December in a calendar year;

"processing plant" means a processing plant to which regulation 14 of the Animal By-Products Regulations (Northern Ireland) 2003 applies;

"slaughterhouse" means any premises licensed under the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997(**9**) and used for the slaughtering of animals the flesh of which is intended for human consumption; and

"vehicle" means any form of road transport conveyance used for the movement of animals and includes a trailer.

(2) Other expressions defined in the Council Regulation have the same meaning in this Order.

(**4**) O.J. No. L 5, 09.01.2004, p. 8
(**5**) S.R. 2003 No. 495
(**6**) S.R. 1997 No. 173 as amended by S.R.1998 No. 393 and revoked by S.R. 2004 No. 491
(**7**) S.R. 1998 No. 393 revoked by S.R.2004 No. 491
(**8**) S.R. 2004 No. 491
(**9**) S.R. 1997 No. 493 as amended by S.R. 1998 No. 237, S.R. 2000 No. 78, S.R. 2000 No. 191, S.R. No. 2000 No. 287 and S.R. 2002 No. 217

Notification of a holding

3.—(1) A person who keeps an animal on a holding shall comply with Article 7(2) of the Council Regulation and this Article.

(2) Subject to paragraph (6), a person who keeps an animal on a holding shall give notice to the Department containing particulars of—

(a) the address of the holding;

(b) the name and address of the owner, and, if different the occupier of the holding;

(c) the name and address of the keeper of the animal;

(d) any numbers or codes used to identify animals on the holding;

(e) any cattle or pigs on the holding; and

(f) in relation to—

(i) cattle on the holding, any unique identification code allocated under regulation 3(1)(b) of the Cattle Identification (No.2) Regulations (Northern Ireland) 1998(**10**); and

(ii) pigs on the holding, a holding number allocated under paragraph 3(3) of the Schedule to the Aujeszky's Disease Scheme Order (Northern Ireland) 1994(**11**).

(3) In the case of a holding used for keeping animals on the date this Order comes into operation the notice required by paragraph (2) shall be given within 7 days of that date and in any other case shall be given within 7 days of the holding first being used to keep animals.

(4) On receiving notification under paragraph (2), the Department may allocate to the keeper, a holding number and, in the case of sheep, a flock number or, in the case of goats, a herd number.

(5) Where in relation to a holding to which paragraph (1) applies—

(a) there is a change in the identity of the person keeping animals on the holding or in any other details notified under this Article;

(b) all the animals on the holding are slaughtered, sold or otherwise disposed of,

the keeper shall notify the Department accordingly within 30 days of such change or disposal of animals.

(6) A notification made to the Department under Article 3 (1) of the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004 shall, notwithstanding the revocation of that Order, be regarded as a notification for the purpose of paragraph (2).

PART II

EARTAGS

Approval of eartags

4. An approved eartag is an eartag bearing—

(a) the indicator "UK 9";

(b) the flock number or herd number of the flock or herd the animal is leaving; and

(c) a unique number allocated to the animal by the keeper from the sequence allocated to him by the Department, which is unique in that flock or herd and contains no more than 6 digits.

(**10**) S.R. 1998 No. 279 as amended by S.R. 1999 No. 324 and S.R. 2004 No. 420
(**11**) S.R. 1994 No. 199

Design of eartags

5.—(1) All eartags, including replacement eartags, shall be of a design approved by the Department.

(2) All eartags shall be manufactured, sold or supplied in accordance with an authorisation issued by the Department.

(3) The manufacturer shall print on the eartags all the information required by this Order and the Council Regulation.

(4) A person shall not manufacture, sell or supply an eartag for the purpose of identifying an animal, other than a sheep or goat, that is not readily distinguishable by its difference in size and colour from an approved eartag for the identification of animals under the provisions of this Order.

(5) A person shall not manufacture, sell or supply an eartag with a herd or flock number allocated by the Department to any other person for the purposes of identifying animals on any other holding.

(6) The Department may only approve an eartag under paragraph (1) if it is satisfied that the eartag is—

(a) made of non-degradeable material;

(b) tamper-proof;

(c) easy to read throughout the animal's lifetime;

(d) designed to remain attached to the animal without being harmful to it;

(e) incapable of re-use; and

(f) permanently marked with the information required by this Order.

Additional information

6.—(1) In accordance with Section A.2 of the Annex to the Council Regulation, a manufacturer of eartags may add additional information to the identification number at the request of the keeper ordering the tags, provided that this information is printed on the inner side of the tag.

(2) In accordance with Section A.2 of the Annex to the Council Regulation, a manufacturer of electronic transponders may add additional information to the identification number on the casing of the transponder at the request of the keeper, provided that the identification number remains legible at all times.

(3) Notwithstanding paragraphs (1) and (2), a person shall not add further information to any means of identification unless authorised by the Department to do so.

Identification number

7.—(1) In the case of an animal born on or after 9th July 2005, all references in this Order to the "identification number" of an animal are references to the number on the eartag applied to the animal in accordance with—

(a) Article 4(2)(a) of the Council Regulation and Article 9(2), in the case of animals born in Northern Ireland; or

(b) Article 4(4) of the Council Regulation and Article 12(3), in the case of animals imported into Northern Ireland from a third country.

(2) In the case of an animal born on or before 8th July 2005, all references in this Order to the "identification number" of an animal are references to—

(a) the individual animal identification number applied to an animal in accordance with the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004; or

(b) if the animal is not so identified, the number on the eartag applied in accordance with Article 8.

PART III

IDENTIFICATION OF ANIMALS

Identification of animals born on or before 8th July 2005

8.—(1) In the case of an animal born on or before 8th July 2005 that is not individually identified, the keeper shall attach to the animal's left ear, a green approved eartag before it is moved off the holding.

(2) This Article does not apply to any animal that is individually identified with an eartag or tattoo applied under previous Orders or, (in the case of an animal from England, Scotland or Wales) an eartag applied under any previous provisions which give effect to the Council Regulation in England, Scotland or Wales.

Identification of animals born in Northern Ireland on or after 9th July 2005

9.—(1) The keeper shall identify an animal born on or after 9th July 2005 in accordance with Article 4(1) and (2) of the Council Regulation and this Article.

(2) For the purposes of Article 4(1) of the Council Regulation, the keeper of an animal to which this Article applies shall attach to the animal's left ear, a green approved eartag (hereinafter referred to as the "natal tag")—

(a) 9 months from the date of birth; or

(b) before the animal leaves the holding on which it was born;

whichever is the earlier.

(3) For the purposes of Article 4(2)(b) of the Council Regulation, the second means of identification is—

(a) an eartag conforming to Section A.4 of the Annex to the Council Regulation;

(b) an electronic transponder conforming to Sections A.2, A.4 and A.6 of the Annex to the Council Regulation; or

(c) in the case of goats only, a mark on the pastern.

(4) A person shall not add numbers or letters to an eartag other than in accordance with this Order.

(5) A person shall not attach an eartag to any animal unless that eartag is—

(a) approved by the Department; and

(b) inscribed with the indicator "UK 9", the appropriate herd or flock number and an individual animal identification number allocated to the animal.

Derogation from the requirement to apply a second means of identification

10.—(1) Subject to paragraph 2, in accordance with Article 4(2)(c) of the Council Regulation, the system to replace the second means of identification in accordance with Section A.5 of the Annex to that Regulation is set out in Schedule 1.

(2) The provisions of Schedule 1 shall apply in addition to the requirements of—

(a) Part III of this Order and Article 4 of the Council Regulation (identification of animals born on or after 9th July 2005);