STATUTORY RULES OF NORTHERN IRELAND

2003 No. 55

ANIMALS

Blue Tongue Order (Northern Ireland) 2003

Made - - - -	*6th February 2003*
Coming into operation	*19th February 2003*

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred on it by Articles 5(1), 10(6), 12(1), 14, 19, 20, 44, 46(7A) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**2**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Blue Tongue Order (Northern Ireland) 2003 and shall come into operation on 19th February 2003.

Interpretation

2.—(1) In this Order –

"animal" means a ruminating animal;

"carcase" means the carcase of a ruminating animal;

"confirmation of disease" means a declaration by the Department that the blue tongue virus is circulating in a specific area;

"the disease" means blue tongue;

"diseased" means affected with the disease;

"Divisional Veterinary Officer" means a Divisional Veterinary Officer of the Department appointed for the time being by the Department to receive information about animals or carcases diseased or suspected of being diseased for the area in which such animals or carcases are situated;

"embryo" means the embryo of a ruminating animal;

"infected area" means an area declared by the Department under Article 10(1) to be an area infected with the disease;

(**1**) Formerly the Department of Agriculture: *see*S.I.1999/283 (N.I. 1), Art. 3(4)
(**2**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art.17 and S.I. 1994/1891 (N.I. 6) Arts. 20, 22 and 23

"keeper" means any natural or legal person having ownership of, or charged with keeping animals, whether or not for financial reward;

"ovum" means the ovum of a ruminating animal;

"premises" includes land, vehicles, vessels and aircraft;

"semen" means the semen of a ruminating animal;

"sentinel animals" means animals which do not have antibodies to the disease and which are used for surveillance for it;

"thing" includes a carcase, embryo, ovum, semen, fodder, litter, dung, straw, slurry, utensil, pen, hurdle, vehicle, equipment and clothing;

"vector" means an insect of the species *Culicoides imicola* or any other insect of the genus *Culicoides* which, in the opinion of the Chief Veterinary Officer, is capable of transmitting blue tongue;

"vessel" has the meaning given to "ship" by the Merchant Shipping Act 1995(**3**).

(2) Any approval, licence, notice or direction under this Order shall be in writing, may be subject to conditions and may be amended, suspended or revoked by notice in writing at any time.

Exemption for activities authorised under the Specified Animal Pathogens Order (Northern Ireland) 1999

3. This Order shall not apply to anything authorised by a licence granted under Article 4 of the Specified Animal Pathogens Order (Northern Ireland) 1999(**4**) in respect of the disease.

Vaccination against the disease

4. A person shall not vaccinate an animal against the disease unless authorised by the Department.

Initial requirements where disease is known or suspected to exist

5.—(1) Any person who knows or suspects that any animal or carcase in his possession, under his charge or being examined or inspected by him is diseased, shall –

(a) immediately notify the Divisional Veterinary Officer; and

(b) refrain from moving any animal or carcase on or off the premises where the animal or carcase known to be or suspected as being diseased is located, except under and in accordance with the conditions of a licence granted by the Department.

(2) Any person who analyses samples taken from any animal or carcase and who finds evidence of antibodies or antigens to the disease or to any vaccine for the disease shall immediately notify the Divisional Veterinary Officer.

Isolation of animals

6. The occupier of any premises or any keeper who knows or suspects that any animal or carcase in his possession or under his charge is diseased shall, where this is practicable, ensure that all animals on the premises are kept indoors.

(**3**) 1995 c. 21 s. 170
(**4**) S.R. 1999 No. 434

Notification by inspectors

7.—(1) If an inspector knows or suspects that the disease exists on any premises, he shall immediately serve a notice on the occupier of those premises or on the keeper of any animals on those premises requiring that –

(a) no animal, carcase, ovum, semen or embryo enters or leaves the premises;

(b) an inventory of all animals on the premises is kept, recording, for each species –

(i) the number dead;

(ii) the number alive which appear to the occupier or keeper to be infected with the disease; and

(iii) the number alive which do not appear to the occupier or keeper to be infected with the disease;

(c) this inventory is kept up to date to take account of animals which are born or die and is produced to an inspector on request;

(d) all animals on the premises are kept indoors or as directed by an inspector;

(e) the premises and animals on them are subject to such vector control measures as an inspector may direct;

(f) carcases are destroyed, buried or disposed of as an inspector may direct.

(2) A veterinary inspector or an inspector acting under the direction of a veterinary inspector may also serve such a notice on the occupier of premises whose location, geographical situation or contacts with premises where the disease is known or suspected to exist provide grounds for suspecting the existence of the disease, exposure to it or the presence of vectors there.

(3) Notices may be served under paragraphs (1) and (2) whether or not notification has been given under Article 5.

Powers of inspectors

8.—(1) Where a notice has been served under Article 7 in respect of any premises a veterinary inspector may –

(a) examine any animal, carcase or thing on those premises;

(b) require the detention, isolation, restraint or treatment of any animal on those premises;

(c) make such tests and take such samples (including blood samples) from any animal, carcase or thing on those premises as he may consider necessary for the purpose of diagnosis;

(d) mark for identification purposes any animal, carcase or thing on those premises;

(e) collect vectors from those premises and set traps on those premises for the collection of vectors;

(f) implement such other vector control measures on those premises as he deems necessary;

(g) require the destruction, burial, disposal or treatment of any thing on those premises;

(h) require the cleansing and disinfection of any part of those premises or of any person, animal or thing on those premises; and

(i) require the occupier, any veterinary surgeon who has attended any animal on those premises and any other person who has been in charge of or in contact with any such animal to inform him of any other animal or other premises with which any such animal may have come into contact.

(2) Where a notice has been served under Article 7 in respect of any premises, an inspector acting under the direction of a veterinary inspector may –