1995 No. 370

ANIMALS

Bovine Leucosis Scheme Order (Northern Ireland) 1995

Made . . . . . 20th September 1995
Coming into operation . . 30th October 1995

The Department of Agriculture, in exercise of the powers conferred on it by Articles 8(1) and (2) of the Diseases of Animals (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, having consulted with the bodies which appeared to it to be substantially representative of the interests concerned and with the approval of the Department of Finance and Personnel(**b**), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Bovine Leucosis Scheme Order (Northern Ireland) 1995 and shall come into operation on 30th October 1995.

Bovine Leucosis Scheme

2. For the purpose of keeping bovine animals, so far as practicable, free from enzootic bovine leucosis and, so far as practicable, reducing the incidence of the disease, the Department hereby makes the Scheme set out in the Schedule.

Sealed with the Official Seal of the Department of Agriculture on 20th September 1995.

(L.S.) *P. T. Toal*
Assistant Secretary

The Department of Finance and Personnel hereby approves.

Sealed with the Official Seal of the Department of Finance and Personnel on 20th September 1995.

(L.S.) *D. Thomson*
Assistant Secretary

(**a**) S.I. 1981/1115 (N.I. 22) to which there are amendments not relevant to this Order
(**b**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3

Bovine Leucosis Scheme (Northern Ireland) 1995

Citation and interpretation

1.—(1) This Scheme may be cited as the Bovine Leucosis Scheme (Northern Ireland) 1995.

(2) In this Scheme—

"approved laboratory" means the laboratory of the Department situated at Stoney Road, Belfast, BT4 3SD;

"animal" means a bovine animal;

"authorised officer" means an inspector or other officer of the Department authorised by it to exercise powers under this Scheme and the Bovine Leucosis Order;

"Bovine Leucosis Order" means the Bovine Leucosis Order (Northern Ireland) 1995(**a**);

"carcase" means the carcase of an animal;

"the Directive" means Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine(**b**);

"disease" means bovine leucosis;

"diseased" means affected with disease;

"enzootic bovine leucosis" means that form of the disease which is caused by bovine leucosis virus;

"enzootic bovine leucosis free" in relation to any herd means an enzootic bovine leucosis free health status allocated to that herd in accordance with paragraph 3;

"herd" means one or more animals in the same ownership;

"holding" has the same meaning as in the Directive;

"official sample" means a sample taken from an animal by an authorised officer for the purposes of an official sampling;

"official sampling" means the taking by an authorised officer of samples of blood from animals with a view to the samples being submitted to the approved laboratory for the carrying out of tests for enzootic bovine leucosis;

"suspected" means suspected of being diseased; and

"the 1981 Order" means the Diseases of Animals (Northern Ireland) Order 1981.

Bovine leucosis free region

2.—(1) Subject to sub-paragraph (2), Northern Ireland is hereby declared to be an enzootic bovine leucosis free region within the meaning of Section B of Chapter I of Annex G to the Directive.

(2) Where the enzootic bovine leucosis free status of more than 0.2% of herds in Northern Ireland has been suspended under paragraph 4 the status of Northern Ireland as an enzootic bovine leucosis free region shall be suspended until:—

(**a**) S.R. 1995 No. 369
(**b**) O.J. No. 121, 29.7.64, p. 1977, as most recently amended by Council Directive 94/42/EC (O.J. No. L201, 4.8.94, p. 26)

(*a*) the measures required by paragraph 4(1) or (2), as the case may be, have been taken in relation to all such herds and any herd linked epidemiologically with them; and

(*b*) official samples from each animal over 24 months of age in 20% of other herds have been tested in accordance with paragraph 7(3) within the time limits stipulated by Section A(1)(ii) of Chapter I of Annex G to the Directive,

and all the official samples tested in accordance with this sub-paragraph have reacted negatively.

Allocation of bovine health status

3. The Department shall for the purposes of Section A(1) of Chapter I of Annex G to the Directive allocate to each herd the health status of an enzootic bovine leucosis free herd where it satisfies the conditions laid down in that Section.

Suspension of bovine leucosis free status

4.—(1) Where an official sample from only one animal in an enzootic bovine leucosis free herd has reacted positively to any test to which it was subjected in pursuance of paragraph 7(3), the enzootic bovine leucosis free status of that herd (in this sub-paragraph referred to as "the infected herd") shall be suspended until:—

(*a*) the animal from which the positive sample was taken and, in the case of a cow, any calf it has produced (other than an exempted calf) have left the herd for slaughter in accordance with paragraph 10B of Schedule 2 to the 1981 Order;

(*b*) any exempted calves have been identified and remain on the holding until two official samples taken from each of them have been tested in accordance with paragraph 7(3) at intervals of at least 4 months;

(*c*) official samples from all the remaining animals in the herd have been tested in accordance with paragraph 7(3) not less than 3 months after the animals mentioned in head (*a*) have left the herd; and

(*d*) the Department has carried out an epidemiological enquiry in pursuance of paragraph 7(4), not less than 3 months after the animals mentioned in head (*a*) have left the infected herd and official samples, taken from all the animals in any herd linked epidemiologically with the infected herd have been tested in accordance with paragraph 7(3),

and all official samples tested in accordance with this sub-paragraph have reacted negatively.

(2) Where an official sample from more than one animal in a bovine leucosis free herd has reacted positively to any test to which it was subjected in pursuance of paragraph 7(3), the enzootic bovine leucosis free status of that herd (in this sub-paragraph referred to as "the infected herd") shall be suspended until:—

(*a*) all animals from which the positive samples were taken and, in the case of cows, any calves they have produced (other than any exempted calves) have left the herd for slaughter in accordance with paragraph 10B of Schedule 2 to the 1981 Order;

(*b*) any other animals of less than 6 months of age in the herd (including any exempted calf) have been identified and remain on the holding until two official samples taken from each of them have been tested in accordance with paragraph 7(3) at intervals of at least 4 months;

(*c*) the herd remains under official supervision by the Department until the requirements of Section A(1)(ii) and (iii) of Chapter I of Annex G to the Directive are again fulfilled in relation to it; and