1982 No. 191

ANIMALS

Brucellosis Control and Markets (Amendment) Order (Northern Ireland) 1982

Made	*25th June 1982*
Coming into operation . . .	*26th July 1982*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 4, 5(1), 19, 24(1), 29, 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(a) 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 Brucellosis Control and Markets (Amendment) Order (Northern Ireland) 1982 and shall come into operation on 26th July 1982.

Amendment of the Brucellosis Control Order (Northern Ireland) 1972

2. The Brucellosis Control Order (Northern Ireland) 1972(b) is hereby amended as follows:—

(1) In article 2—

(*a*) the definitions of "Brucellosis (Certified) Herd", "Brucellosis (Eradication) Herd", "certified animal", "eligible animal" and "incentive payments" shall be deleted;

(*b*) after the definition of "Ministry" there shall be inserted:

""officially brucellosis free" in relation to—

(*a*) a herd means the status of a herd which complies with the conditions laid down in Annex A (II) (A)(1) or (1a) to the said Directive and the relevant provisions of this order;

(*b*) an animal means the status of an animal which comes from an officially brucellosis free herd and has subsequently only been moved in accordance with the provisions of the said directive, or has undergone an isolation and testing regime to the satisfaction of the Department of Agriculture;";

(*c*) after the definition of "reactor" there shall be inserted—

""the said Directive" means Council Directive No. 64/432/EEC(c);

"steer" means a male animal which has been castrated before the age of 4 months;";

(*d*) for the definition of "veterinary clinic" there shall be substituted—

""veterinary clinic" means a veterinary clinic which is used for the

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(a) S.I. 1981/1115 (N.I. 22)

(b) S.R. & O. (N.I.) 1972 No. 94 as amended by S.R. & O. (N.I.) 1973 No. 77, S.R. & O. (N.I.) 1973 No. 437, S.R. 1977 No. 47, S.R. 1978 No. 165 and S.R. 1979 No. 126

(c) O.J. No. 121, 29.7.64 p. 1977 as amended by Council Directives Nos. 66/600/EEC, O.J. No. 192, 27.10.66, p. 3294; 71/285/EEC, O.J. No. L179, 9.8.71, p. 1; 72/97/EEC, O.J. No. L38, 12.2.72, p. 95; 77/98/EEC, O.J. No. L26, 31.1.77, p. 81; 79/109/EEC, O.J. No. L29, 3.2.79, p. 20; 79/111/EEC, O.J. No. L29, 3.2.79, p. 26; 80/219/EEC, O.J. No. L47, 21.2.80, p. 25; 80/1098/EEC, O.J. No. L325, 1.12.80, p. 11; and 80/1102/EEC, O.J. No. L325 1.12.80, p. 17

examination and treatment of animals and meets the requirements of the Department of Agriculture in relation to the prevention of the spreading of disease.''.

(2) In article 6 for paragraphs (*a*) and (*b*) there shall be substituted—

''(*a*) to the owner of any officially brucellosis free herd; or

(*b*) to the owner of a new herd wholly constituted by the transfer of animals from an officially brucellosis free herd;''.

(3) In article 10—

(*a*) at the beginning of the article for the words ''Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd'' there shall be substituted the word ''herd'';

(*b*) in paragraphs (1) and (2)(*a*) for the words ''Brucellosis (Certified) Herd or Brucellosis (Eradication) Herd'' there shall be substituted the word ''herd'';

(*c*) paragraph (3) shall be re-numbered (4) and in sub-paragraph (*a*) for the words ''Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd'' there shall be substituted the word ''herd'' and for the words ''a Brucellosis (Certified) Herd'' there shall be substituted the words ''an officially brucellosis free herd'';

(*d*) for paragraph (3) there shall be substituted—

''(3)(*a*) The owner of an animal shall ensure that that animal does not come in contact with an animal of a different brucellosis status.

(*b*) If any contact as is mentioned in sub-paragraph (*a*) occurs between an officially brucellosis free animal and a non-officially brucellosis free animal the officially brucellosis free animal shall be deemed to be non-officially brucellosis free.

(*c*) The owner of a non-officially brucellosis free animal shall only upgrade that animal to officially brucellosis free status with the permission of the Department of Agriculture and such permission may be granted only after isolation and official tests have been carried out to the satisfaction of the Department of Agriculture.

(*d*) The Department of Agriculture may require the owner of any non-officially brucellosis free animal to upgrade that animal to officially brucellosis free status.''.

(4) In article 11—

(*a*) paragraph (1) shall be deleted;

(*b*) paragraph (2) shall be re-numbered (1) and in that paragraph—

(i) for the words ''paragraph (3)'' there shall be substituted the words ''paragraph (2)'';

(ii) the words ''after 1 June 1977'', ''in accordance with paragraph (1)'' and ''eligible'' shall be deleted, and

(iii) for the words ''Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd'' there shall be substituted the words ''herd included in the Brucellosis Register'';

(*c*) paragraph (3) shall be re-numbered (2) and in that paragraph the word ''eligible'' shall be deleted.

(5) In article 13 for the words ''Brucellosis (Certified) Herd or Brucellosis (Eradication) Herd'' there shall be substituted the word ''herd''.

(6) In article 14—

(*a*) in sub-paragraph (2)(*b*) the word ''eligible'' shall be deleted; and

(*b*) in paragraph (3) for the words ''eligible animals'' there shall be substituted the words ''animals other than steers''.

(7) For article 17 there shall be substituted—

"17.—(1) Subject to paragraph (3) a person moving an animal other than an animal being moved from a herd to a veterinary clinic or from a veterinary clinic to the herd from which it came, off or onto any premises shall move that animal only under the authority of a permit issued by an officer of the Department of Agriculture and in accordance with the conditions of such permit.

(2) No animal other than a steer shall be moved onto premises on which is maintained a herd in which brucellosis infection has been found to exist unless:

(*a*) a period of at least 6 months has expired from the date on which a notice was served under article 20(*a*)(i), and

(*b*) a subsequent official test proves negative.

(3) The provisions of paragraph (1) shall not apply to a person who has obtained an authorisation in writing from the Department of Agriculture enabling him, subject to compliance with the conditions endorsed on or otherwise attached to such authorisation, to move any animal from any premises to premises approved by the Department of Agriculture for the sale or slaughter of animals. The issue of authorisations by the Department of Agriculture shall be at its complete discretion and such authorisation may be revoked at any time by notice served on the person to whom the authorisation was issued.".

(8) In article 18 for the words "eligible animals" there shall be substituted the words "animals other than steers".

(9) In article 19—

(*a*) in paragraph (1) for the words "Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd" there shall be substituted the word "herd";

(*b*) paragraph (3) shall be deleted.

(10) In article 20—

(*a*) in sub-paragraph (1)(*f*) the word "eligible" shall be deleted;

(*b*) in sub-paragraph (1)(viii) for the words "eligible animals" there shall be substituted the words "animals other than steers";

(*c*) paragraph (2) shall be deleted and paragraph (3) shall be re-numbered (2).

(11) For article 21 there shall be substituted—

"21.—(1) No animal shall be moved into a slaughterhouse, meat plant or market unless the owner of that slaughterhouse, meat plant or market keeps a record of each animal admitted to his slaughterhouse, meat plant or market and furnishes that record to the Department of Agriculture within a reasonable time.

(2) A record required under paragraph (1) shall contain—

(*a*) the name and address of the owner of the animal, and the address of the premises from which it was moved;

(*b*) the lot number allocated to the animal if the animal is moved into a market;

(*c*) the number of the ear tag with which the animal is identified and an indication of the ear in which the animal is tagged;

(*d*) the kill number of the animal if it is moved into a slaughterhouse or meat plant and the lot number of the animal if it has been moved from a market directly to a slaughterhouse or meat plant; and

(*e*) the colour, breed, class and date of birth of the animal.

(3) An inspector may demand the production of a movement permit or other authorisation issued under this order or under the Tuberculosis Control Order