1976 No. 25

ANIMALS

Johne's Disease Order (Northern Ireland) 1976

Made . . . . . *2nd February* 1976

Coming into operation . . . *1st March* 1976

The Department(a) of Agriculture, in exercise of the powers conferred on it by Sections 4, 5, 7, 8, 13 and 53 of the Diseases of Animals Act (Northern Ireland) 1958(b) (hereinafter referred to as "the Act") 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 Johne's Disease Order (Northern Ireland) 1976 and shall come into operation on 1st March 1976.

Interpretation

2. In this Order—

"animals" means cattle, sheep, goats and all other ruminating animals;

"approved disinfectant" means a disinfectant for the time being approved by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(c) for the purposes of general Orders;

"carcase" means the carcase of an animal and includes part of a carcase and the meat, bones, hide, skin, hair, hooves, horns, offal or other part of an animal separately or otherwise, or any portion thereof;

"contaminated" means contaminated with Mycobacterium johnii;

"Department" means the Department of Agriculture;

"disease" means Johne's disease;

"diseased" means infected with Johne's disease;

"Divisional Veterinary Office" means a Divisional Veterinary Office of the Department;

"infected place" means any premises declared by a veterinary inspector to be an infected place in accordance with Article 5;

"premises" means any land on which the owner of animals is entitled to keep the animals whether as owner, tenant, licensee or under a letting in conacre or otherwise howsoever;

"suspected" means suspected of being diseased;

"veterinary inspector" means a person appointed by the Department to be an inspector for the purposes of the Act being a member of the Royal College of Veterinary Surgeons, or a veterinary practitioner qualified as approved by the Department.

(a) Formerly Ministry: *see* 1973 c. 36 Sch. 5 para. 8(1)
(b) 1958 c. 13 (N.I.)
(c) S.R. & O. (N.I.) 1972 No. 16 (p. 55)

Notice of disease and isolation of animals and carcases

3.—(1) Every person having or having had in his possession or under his charge a diseased or suspected animal or carcase shall with all practicable speed give notice to a Divisional Veterinary Office that such animal or carcase is or was so diseased or suspected.

(2) A veterinary surgeon who on examination of any animal or carcase finds or suspects disease shall forthwith give notice of the disease or suspicion of disease to the Divisional Veterinary Office in the area concerned.

(3) A person having in his possession or under his charge a diseased or suspected animal or carcase shall as far as practicable keep such animal or carcase isolated from all other animals and carcases and shall not move any litter or dung from the place where the diseased or suspected animal or carcase is or has been unless such movement is authorised by a veterinary inspector.

Isolation and prohibition of movement

4.—(1) Where a veterinary inspector on examination of an animal suspects that it is diseased he may serve a Notice in the Form A prescribed in Schedule 1—

(*a*) requiring the owner or person in charge of the animal to isolate it forthwith on the premises specified in the notice; and

(*b*) prohibiting or regulating the movement of the said animal or any other animal, litter or dung or any vehicle, machinery or equipment which has or may have been in contact with the said animal from the premises specified in the notice.

(2) Where a notice has been served under the preceding paragraph—

(*a*) the animal to which the notice refers shall be detained on the premises specified in the notice, and the said animal and any other animal, litter or dung which has or may have been in contact with the said animal shall not be moved except under and in accordance with a licence granted by a veterinary inspector; and

(*b*) no vehicle, machinery or equipment which has or may have been in contact with any animal, litter or dung described in the preceding subparagraph, shall be moved from the premises specified in the notice until such vehicle, machinery or equipment has been thoroughly washed, cleansed and disinfected with an approved disinfectant.

(3) The restrictions imposed by a notice served under paragraph (1) shall remain in operation until withdrawn by a further notice in the Form B prescribed in Schedule 1.

(4) Any carcase found to be diseased shall be isolated from all animals and carcases until disposed of in accordance with the direction of a veterinary inspector.

Declaration of infected place

5.—(1) Where disease has been confirmed on any premises a veterinary inspector shall serve a notice in the Form C prescribed in Schedule 1 on the owner, occupier or person in charge of such premises declaring such premises to be an infected place for the purposes of the Act, and such notice shall specify the limits of the infected place, provided that the limits of an infected place may at any time be altered by notice served by an inspector on the owner, occupier or person in charge of the premises.

(2) Immediately upon the service of a notice in Form C the premises shall become an infected place within the limits specified by the notice and shall be subject to the Rules prescribed in Schedule 2.

(3) A veterinary inspector may by notice served on the owner, occupier or person in charge of an infected place direct that—

(*a*) any of the Rules prescribed in Schedule 2 shall cease to apply to the infected place or shall be modified to the extent or in the manner specified in the notice; or

(*b*) such additional Rules as may be specified in the notice shall apply to the infected place.

(4) A notice served in accordance with paragraph (1) shall remain in force until withdrawn by a further notice in the Form D prescribed in Schedule 1.

Restriction on grazing

6. A veterinary inspector may serve on the owner, occupier or person in charge of any land which has been used for the grazing of a diseased animal a notice prohibiting or regulating for a specified period the use of such land for the grazing of an animal which is not diseased.

Additional powers to prevent the spread of disease

7. Where a veterinary inspector has reason to believe that the movement of any animal, litter, dung or other thing to or from any place may entail the risk of spreading disease, or that any animal, litter, dung or other thing has been exposed to the risk of infection of disease or contamination, he may issue a notice—

(*a*) to prohibit or regulate the movement of such animal, litter, dung or other thing to or from that place; and

(*b*) require any detention or disinfection he may deem necessary.

Cleansing and disinfection

8. The owner or occupier of any place on which a diseased animal or carcase is or was located shall cause cleansing and disinfection to be carried out as follows:—

(*a*) all parts of the building or other area in which such animal or carcase is or was kept shall be thoroughly soaked with an approved disinfectant;

(*b*) all litter and dung shall then be moved to a site where they shall be immediately destroyed;

(*c*) all parts of any building, pen or yard where the diseased animal or carcase is or was kept shall be washed and scrubbed to remove any particles of dung or other debris and shall then be thoroughly disinfected with an approved disinfectant;

(*d*) all vehicles, utensils, pens, hurdles, machinery, equipment or other things that may have been in contact with or used about the diseased animal or carcase shall be thoroughly cleansed and disinfected with an approved disinfectant.

Vaccination

9. No person shall vaccinate any animal with Johne's disease vaccine.

Offences

10. Without prejudice to Section 45 of the Act, any person who fails to comply with the provisions of this Order or the Rules set forth in Schedule 2 shall be guilty of an offence against the Act.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 2nd February 1976.

(L.S.) *J. C. Chalmers*
Assistant Secretary