1970. No. 37 **[C]**

DISEASES OF ANIMALS

Brucellosis

ORDER, DATED 3RD DAY OF MARCH 1970, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958.

The Ministry of Agriculture in exercise of the powers conferred on it by Section 13, 18 and 53 of the Diseases of Animals Act (Northern Ireland) 1958(a) and of every other power enabling it in that behalf hereby makes the following Order:—

Title and Commencement

1. This Order may be cited as the Brucellosis (Amendment No. 4) Order (Northern Ireland) 1970 and shall come into operation on the 23rd day of March 1970.

Amendment of the 1966 Order

2. The Brucellosis Order (Northern Ireland) 1966(b) as amended by the Brucellosis (Amendment) Order (Northern Ireland) 1967(c), the Brucellosis (Amendment No. 2) Order (Northern Ireland) 1968(d) and the Brucellosis (Amendment (No. 3) Order (Northern Ireland) 1968(e) shall be further amended as follows:—

(1) In Article 2 for the definition of "eligible animal" there shall be substituted the following definition:—

"eligible animal" means an uncastrated male animal aged six months or over, or any female animal aged six months or over.

(2) For Articles 25 and 26 the following Articles shall be substituted:—

"MOVEMENT CONTROL

Movement of cattle within Northern Ireland

25.—(1) Except under the authority of a permit issued by an officer of the Ministry and in accordance with the conditions of such permit as specified in Schedule 2 an animal shall not be moved —

(*a*) on to premises on which a Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd is maintained; or

(*b*) to any premises or any part thereof being used with the approval of the Ministry for the exhibition or sale of animals from Brucellosis (Certified) Herds.

(2)(*a*) The provisions of paragraph (1) shall not apply to any castrated male animal other than a castrated male animal under six months of age being moved to premises specified in paragraph 1(a) from a herd in respect of which a notice has been served under Article 25(7).

(a) 1958. c. 13.
(b) S.R. & O. (N.I.) 1966, No. 227
(c) S.R. & O. (N.I.) 1967, No. 62
(d) S.R. & O. (N.I.) 1968, No. 237
(e) S.R. & O. (N.I.) 1968, No. 269

(*b*) Any castrated male animal under six months of age which is moved to premises specified in paragraph 1(a) shall be isolated on arrival at the premises for a period of not less than six weeks before joining the herd.

(*c*) A castrated male animal which is moved to premises specified in paragraph 1(b) shall be kept segregated from certified stock at all times while on the premises.

(*d*) Where an eligible animal is moved from premises specified in paragraph 1(a) to a sale other than a sale of animals from Brucellosis (Certified) Herds and is not sold it shall be isolated on its return to the premises and the Ministry shall be informed. If the animal is retained on the premises it shall not join the herd until it has passed an official test to be carried out not sooner than two months after its return from the sale or, if it is in-calf, until after calving if that is longer.

(3) The owner of a Brucellosis (Certified) Herd shall not —

(*a*) move any animal from his premises for service on to premises whereon is maintained a herd other than another Brucellosis (Certified) Herd; or

(*b*) allow to be moved on to his premises for service any animal which does not form part of a Brucellosis (Certified) Herd.

(4) The owner of a Brucellosis (Eradication) Herd shall not —

(*a*) move any animal from his premises for service on to premises whereon is maintained a herd other than another Brucellosis (Eradication) Herd; or

(*b*) allow to be moved on to his premises for service any animal which does not form part of a Brucellosis (Eradication) Herd.

(5) The Ministry may, if it finds on premises where a Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd is maintained an animal which has been moved otherwise than in accordance with this Article, require the owner of the said herd to:—

(*a*) isolate the animal; and

(*b*) have the animal tested by a Veterinary Surgeon at his own expense within seven days of being required to do so; and

(*c*) forward the Veterinary Surgeon's Certificate showing the result of the test to the Ministry within seven days of the completion of such test.

(6) Without prejudice to any liability under any other provision of this Article, any person who fails to comply with the requirements of a notice served on him by the Ministry under paragraph (5) or paragraph (7) shall be guilty of an offence against the Diseases of Animals Act (Northern Ireland) 1958.

(7) The Ministry may serve on the owner of a herd in which a reactor or reactors have been found as a result of an official test a notice in writing prohibiting the movement from his premises of any animal, other than a castrated male animal aged six months or over, except under, and in accordance with the condition of, an authority issued by the Ministry in writing. Such notice shall remain in force until withdrawn by the Ministry in writing.

Importation of Animals from the Republic of Ireland

26.—(1) No person shall import an eligible animal from the Republic of Ireland except through one of the points of entry specified in Schedule 4 and between such times as may from time to time be notified by means of a Notice prominently displayed at such point of entry.

(2) The Ministry may from time to time determine the period in respect of each point of entry during which certified animals only may be imported and shall notify any such determination by means of a Notice prominently displayed at the said point of entry.

(3) Save as is provided in paragraphs (5) and (6) no person shall import an eligible animal unless:—

(*a*) it is a certified animal which has been moved under the authority of a permit issued by the Department direct to the point of entry from:—

(i) a Brucellosis (Certified) Herd under the Brucellosis (Certified) Herds Scheme made under the Diseases of Animals Act 1966; or

(ii) a certified herd under the Brucellosis in Cattle (Disease-Free Area) Order 1968 made under the Diseases of Animals Act 1966; or

(iii) an approved sale; or

(*b*) it is a maiden heifer not less than six and not more than eighteen months of age and is accompanied by:—

(i) a declaration in the form set out in Schedule 6 from the importing herd owner in Northern Ireland that it is to be used by him for breeding purposes; and

(ii) a certificate from a Veterinary Surgeon on his headed note-paper and in the form set out in Schedule 7 that he has examined the animal and in his opinion it was not pregnant. Such certificate shall be deemed to be valid only if the date on which the examination was carried out was not more than fourteen days prior to the date of importation; and

(iii) a certificate issued by the Department that it has passed a test for brucellosis. Such certificate shall be deemed to be valid only if the date on which the test was done was not more than fourteen days prior to the date of importation.

Such animal shall be moved direct from the point of entry to the importing herd owner's premises and shall be retained there in isolation and not mated until it has passed an official check test not sooner than two months after the date of importation; or

(*c*) it is an uncastrated male animal aged six months or over and is accompanied by a certificate issued by the Department that it has passed a test for brucellosis. Such certificate shall be deemed to be valid only if the date on which the test was done was not more than fourteen days prior to the date of importation.

(4) For the purposes of this Article:—

(*a*) an animal having its fourth permanent molar tooth erupted shall be deemed to be over six months of age; and

(*b*) an animal having lost any of its temporary incisor teeth shall be deemed to be over eighteen months of age.

(5) The Ministry may, at its discretion and subject to such conditions as it may require, authorise the importation for immediate slaughter of eligible animals which do not fulfil the conditions in paragraph (3). Where an animal is imported under such authority the Ministry shall issue a licence authorising the direct movement of that animal from the point of entry to the premises where it is to be slaughtered.

(6) The provisions of paragraph (3) shall not apply to a person who imports an eligible animal for direct shipment from Northern Ireland. Where such an animal is imported the Ministry shall issue a movement permit authorising the movement of that animal from the point of entry to the port of shipment.

(7) It shall be the duty of the person to whom is issued a licence under paragraph (5) or a permit under paragraph (6) to comply, or cause to be complied, with all the conditions of the said licence or permit."

(3) In Article 27 after the words "in accordance with Article 25(5)" there shall be inserted the words "or paragraph 3(1) of Schedule 2."

(4) For Schedule 2 thereof Schedule 1 to this Order shall be substituted.

(5) After Schedule 5 thereof Schedules 2 and 3 to this Order shall be added.

Revocations

3. The Brucellosis (Amendment) Order (Northern Ireland) 1967 is hereby revoked.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 3rd day of March 1970 in the presence of:

(L.S.) *H. S. Oliver,*
Assistant Secretary.