1966. No. 240 [C]

DISEASES OF ANIMALS

Cysticercus Bovis (Compensation)

ORDER, DATED 3RD OCTOBER 1966, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 3B OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958(a).

The Ministry of Agriculture, having consulted the bodies which appear to it to be substantially representative of the interests concerned, with the approval of the Ministry of Finance and in exercise of the powers conferred on it by Section 3B of the Diseases of Animals Act (Northern Ireland) 1958 (as added by Section 2 of the Diseases of Animals (Amendment) Act (Northern Ireland) 1966(b)) and of every other power enabling it in that behalf by Order hereby makes the following Scheme:—

Citation and Commencement

1. The Scheme may be cited as the Cysticercus Bovis (Compensation) Scheme (Northern Ireland) 1966, and shall come into operation on the 17th October 1966.

Definitions

2. In this Scheme unless the context otherwise requires:—

"Animal" means a bovine animal presented for slaughter at a licensed slaughter-house in Northern Ireland.

"Authorised Officer" means a person appointed by a Local Health Authority or by the Ministry of Agriculture to inspect meat intended for human consumption.

"Carcase" means the carcase of an animal slaughtered in a licensed slaughter-house in Northern Ireland and in the condition in which it is first presented to an authorised officer for inspection.

"Dressed Carcase" means a carcase minus all offal other than kidney.

"Condemned" means permanently rejected by an authorised officer as being unfit for human consumption by reason of generalised infestation with cysts of cysticercus bovis.

"Ministry" means the Ministry of Agriculture.

"Standard loss" has the meanings ascribed to it in paragraph (1) of Article 4.

"Treated" means subjected to such refrigeration or other treatment as the authorised officer may, from time to time, require for the purpose of rendering fit for human consumption a carcase containing localised infestation with cysts of cysticercus bovis.

Compensation

3.—(1) Compensation in accordance with this Scheme shall be payable in respect of carcases produced from animals slaughtered on or after 17th October 1966, when the carcase has been condemned or been treated because of infestation with cysts of cysticercus bovis.

(a) 1958. c. 13. (b) 1966. c. 23 (N.I.).

(2) In order to obtain compensation the owner of a carcase which has been treated or condemned shall submit to the Ministry a claim for payment in the form set out in the Schedule.

(3) Following such verification of the claim as the Ministry may consider necessary compensation calculated in accordance with the next succeeding article shall be paid to the claimant provided that no compensation shall be paid to a claimant who:—

(*a*) submits a claim which is false in any material respect; or

(*b*) is in arrears with the payment of levies at the date on which the carcase which is the subject of the claim was first inspected provided that a claimant shall not be deemed to be in arrears if he has made all payments due under an arrangement with the authority in charge of the slaughter-house.

(4) No compensation shall be paid if the Ministry has any reason to doubt the accuracy of a matter contained in a claim.

Method of Calculating Compensation

4.—(1) (*a*) The standard loss for treated carcases shall be the weight of the dressed carcase in pounds multiplied by six pence halfpenny or such amount as the Ministry may from time to time determine after consultation with and considering any evidence which may be presented by the interested parties, as being the loss per pound weight sustained by the average owner of a treated carcase.

(*b*) The standard loss on a condemned carcase shall be the weight of the dressed carcase in pounds multiplied by the average wholesale price per pound ruling in Belfast during the week in which the carcase was condemned less the estimated salvage value of the carcase as determined by the Ministry.

(2) In calculating compensation payable the Ministry shall reduce the standard loss by applying a reduction factor arrived at in accordance with the next succeeding paragraph.

(3) (*a*) The reduction factor shall be determined at the commencement of this Scheme and shall be reviewed from time to time and revised as may be deemed necessary in the light of the most recently available statistics.

(*b*) The Ministry shall calculate the reduction factor by dividing the percentage of treated carcases in Northern Ireland into the difference between the percentage of treated carcases in Northern Ireland and the corresponding percentage in Great Britain. Should the percentage of treated carcases in Northern Ireland be equal to or less than the corresponding percentage in Great Britain then no compensation will be payable under this Scheme.

(4) The compensation payable shall be two-thirds the standard loss multiplied by the reduction factor appropriate to the date on which the carcase was condemned or directed to be treated.

Levy

5.—(1) In respect of each animal slaughtered on or after 17th October 1966, the person liable for payment for, or bearing the cost of, such slaughtering shall pay a levy of one shilling, or such other sum per carcase as the Ministry may from time to time determine as being necessary to ensure that the total amount of the levy received by the Ministry shall (as near as may be) equal one-half of the total sum paid in compensation under the Scheme.

(2) Owners of carcases who use their own slaughter-houses shall keep a record of all animals slaughtered and shall within fifteen days after the end of each month remit to the Ministry the amount of levies due for that month. In cases where the owners of carcases do not use their own slaughter-houses the person or body responsible for collecting or charging tolls or other comparable charges in respect of animals slaughtered at slaughter-houses shall keep a record of all animals slaughtered and shall demand from the owners thereof the levy at the appropriate current rate and shall within fifteen days after the end of each month remit to the Ministry the levies received during that month.

(3) The Ministry shall have power to inspect records of slaughterings for the purpose of being satisfied as to the amounts paid in respect of levies.

General

6. The Ministry shall have the power to inspect the records of owners or operators of refrigeration or cold storage premises where carcases are or have been treated.

7. This Scheme shall not apply to any animal slaughtered in a knackery or in any place other than a slaughter-house licensed under the Slaughter-Houses Act (Northern Ireland) 1953(a).

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 3rd day of October 1966, in the presence of

(L.S.) *J. A. Young,*
Assistant Secretary.

The Ministry of Finance hereby approve the foregoing Scheme.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 3rd day of October 1966, in the presence of

(L.S.) *R. H. Kidd,*
Assistant Secretary.

(a) 1953. c. 21.