Tuberculosis (Attested Herds) Scheme

SCHEME DATED 10TH SEPTEMBER, 1954, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 10(2) OF THE AGRICULTURE ACT (NORTHERN IRELAND), 1949 (a).

1954. No. 142

The Ministry of Agriculture by virtue and in exercise of the powers conferred on it by sub-section 2 of Section 10 of the Agriculture Act (Northern Ireland) 1949, and of every other power enabling it in that behalf and with the approval of the Ministry of Finance, hereby makes the following Scheme:—

1. In order to encourage owners of herds of cattle in Northern Ireland to establish herds of cattle officially certified to be free from Tuberculosis the Ministry is prepared to undertake, on the application of the owner, the testing of any herd of cattle in Northern Ireland and if no reactors to T.B. be found therein to issue a certificate of attestation in respect of that herd and to enter it in the register of attested herds kept by the Ministry and to keep it so registered so long as the rules contained in the First Schedule hereto are strictly observed and performed by the owner; in order to assist owners of herds to qualify for such certificates the Ministry is prepared to entertain applications from the owners of herds for assistance in testing the said herds as provided for in Article 5 of these Regulations; upon the issue of a certificate of attestation in respect of any herd the Ministry may subject to the observance and performance of the rules applicable thereto for the period aforesaid pay to the owner thereof a bonus under Article 14 in either of the alternative forms provided for in Articles 15 and 16 of the Scheme and also such compensation as may become payable under Article 17. All costs of official tests carried out under this Scheme shall be borne by the Ministry. This Scheme may be cited as the Tuberculosis (Attested Herds) Scheme, 1954.

Definitions

2. In this Scheme, unless the context otherwise requires, the following terms have the meanings herein assigned to them:—

"The Ministry" means the Ministry of Agriculture;

"Official Test" means a test with tuberculin carried out by a Veterinary Inspector of the Ministry;

"Assisted Test" means a test with tuberculin carried out in accordance with Articles 3 and 4 of this Scheme by a Veterinary Surgeon employed by the Ministry;

"Herd" means a herd of bovine animals;

"Attested Herd" means a herd in respect of which a Certificate of Attestation has been granted by the Ministry and which is on the Register of Attested Herds;

(a) 12 & 13 Geo. 6 c. 2

"Register of Attested Herds" means the Register of Attested Herds kept by the Ministry;

"Supervised Herd" means a herd which is undergoing a series of official or assisted tests in accordance with Articles 3 or 4 of the Scheme.

"Animal" means bovine animal;

"Approved Disinfectant" means a five per cent. solution of standard phenol or a disinfectant otherwise approved for the time being by the Ministry for the purposes of the Animals Disinfection (Northern Ireland) Order of 1927, Amendment Order, 1931.

Interpretation

3. The Interpretation Act 1889 (a) as applied to Northern Ireland by the Interpretation Act (Northern Ireland) 1921 (b) shall apply to the interpretation of this Scheme in like manner as it applies to the interpretation of an Act of Parliament.

Herds eligible for Assisted Tests

4.—(1) The owner of a herd who applies for assistance under the Scheme will be required:—

(*a*) to satisfy the Ministry that the management of the herd and the conditions under which it is kept are suitable for the observance of the Rules applicable to attested herds which are specified in the First Schedule to the Scheme;

(*b*) to produce evidence in the form of certificates signed by a Veterinary Surgeon that the incidence of tuberculosis in the herd has been reduced to the extent specified in Article 5(1) of the Scheme;

(*c*) to give a written undertaking that he will, to the best of his ability, abide by and observe the said Rules and any amendment or addition thereto which may be made by the Ministry, and that pending a decision on his application, no cattle will be moved on to his premises without the Ministry's sanction.

(2) If the requirements specified above are satisfactorily met the first Assisted Test will be applied to all animals including calves in the herd not earlier than 60 days from the date of the test applied by the owner's Veterinary Surgeon referred to in Article 4(1)(*b*) of the Scheme.

Application for Certificate of Attestation—Supervised Herds

5.—(1) If at a tuberculin test of a herd made by a Veterinary Surgeon the number of reactors in the herd does not exceed the number indicated in the following table:—

(a) 52 & 53 Vict. c. 63. (b) 12 Geo. 5 c. 4.

Number of Cattle in Herd	Number of Reactors found
10 or less	1
from 11 to 20 inclusive	2
„ 21 „ 30 „	3
„ 31 „ 40 „	4
„ 41 „ 50 „	5
for each 10 additional animals	1 additional reactor

and if the owner of the herd produces evidence that he has disposed of the reactors and undertakes to comply with the conditions prescribed in this Article, the Ministry will be prepared, on the application of the owner of the herd, to arrange for the carrying out of subsequent tests as specified in Article 6. Such tests will be known as " assisted tests " and the herd will be known as a " Supervised Herd ". The following are the prescribed conditions:—

(*a*) application for assistance under the terms of this Article must be made by the owner of the herd to the Ministry within 60 days after the test at which not more than the above-specified number of animals in the herd were found to be reactors; the application must be accompanied by a certificate from the Veterinary Surgeon as to the result of the said test, and also information showing how the reactors revealed at such test were disposed of;

(*b*) after each " Assisted Test " the owner must immediately isolate all reactors, dispose of them as quickly as possible and disinfect the premises in the manner prescribed in Article 12;

(*c*) the owner of the herd must, during the whole period from the date of approval by the Ministry of his application under this Article until the date of issue or refusal of a Certificate of Attestation, observe all Rules specified in the Second Schedule to the Scheme.

(2) If the owner of a supervised herd fails to carry out his undertaking to comply with the conditions prescribed in this Article his application will be refused.

(3) The Ministry will only approve the application if it is satisfied on enquiry that the management of the herd and the conditions in which it is kept are suitable for the proper observance of the Rules applicable to Attested Herds.

(4) Notwithstanding anything contained in this Scheme the Ministry may decline to accept and proceed upon any application received under this Scheme from an owner of any herd.

Reactors Disclosed by Assisted Tests

6. If more than 10 per cent. reactors are found at the first Assisted Test, no further tests will be applied unless the herd subsequently qualifies in accordance with the terms of Article 5.

If less than 10 per cent. reactors are found at the first assisted test, the following procedure will apply:—

(*a*) The owner of the herd will be required to undertake to observe the rules specified in the Second Schedule appended hereto during the period following the first assisted tuberculin test, and the herd will be known as a " Supervised Herd ". These rules will continue to apply until the date of issue or refusal of Certificate of Attestation.

(*b*) The reactors must immediately after notification to the owner be isolated and disposed of by the owner as quickly as possible and the premises thereafter disinfected in the manner described in Article 12 of this Scheme.

(*c*) The non-reactors must be submitted to a further assisted test, such retest to take place not earlier than 60 days from the date of completion of the disinfection of the premises.

(*d*) If no reactor is revealed as a result of such retest, further tests will be carried out until all the animals in the herd have passed two tests at intervals of not less than 60 days between each test, when the herd will become eligible for an official test.

(*e*) If any reactor is revealed as a result of the first retest the procedure described in sub-articles (*b*) and (*c*) of this Article will be repeated for a second, and if any reactor is still revealed, a third time, and if on either of such tests no reactor is revealed, the procedure described in sub-article (*d*) of this article above will be carried out.

(*f*) If any reactor is revealed at the third retest referred to in the preceding sub-article the application for a Certificate of Attestation will be refused. Provided, however, that when after four assisted tests the official test is refused and the herd subsequently qualifies for an assisted test under the terms of Article 4 of this Scheme, only one assisted test will be made and if any reactor is revealed as a result of such test, the application for a Certificate of Attestation will be refused; but if no reactor is revealed the procedure as specified at sub-article (*d*) of this Article will be carried out.

Official Test

7. If the requirements specified in Article 6 of the Scheme are satisfactorily met, an official test will be carried out in the herd not earlier than 60 days from the date of the last of the two negative assisted tests. If no reactor is revealed in the official test, and other requirements of the Scheme are being met, a Certificate of Attestation will be issued in respect of the herd.

Award of Certificate in the case of a new herd constituted by Animals from Attested Herds

8. In the case of a new herd being constituted by animals transferred from Attested Herds, the Ministry will be prepared to consider the issue of a Certificate of Attestation in respect of the

new herd without a further official test. The date of validity of such a Certificate will be determined by the Ministry having regard to the circumstances of the case.

Continuance in force of Certificate of Attestation

9. A Certificate of Attestation will continue in force until it is surrendered by the owner or is revoked or cancelled by the Ministry.

Cancellation of Certificate of Attestation

10. A Certificate may be cancelled by the Ministry in writing at any time if, in the opinion of the Ministry, the owner of the herd has failed to observe any of the Rules for the time being in force under this Scheme or any of the conditions of a permit under such Rules or any requirement of the Ministry under this Scheme, and the herd in that event will be removed from the Register of Attested Herds; provided that in lieu of the cancellation of the Certificate under this Article, the whole or part of any bonus payable to the owner of the herd under Articles 14, 15 and 16 of the Scheme may be withheld for such period as may be determined by the Ministry.

Tuberculin Tests

11.—(1) CHARGES—Only official and assisted tests referred to in this Scheme will be carried out without charge to the herd owner.

(2) OFFICIAL TEST AT ANY TIME—The Ministry may at any time cause an official test to be made of all or any animals in an Attested Herd. If any reactor is found the procedure described in sub-articles (*b*) and (*c*) of Article 6 of the Scheme will be followed and, if reactors continue to be found, will be repeated a second, and if necessary, a third time. If reactors continue to be found at the fourth test the Certificate will be cancelled and the herd removed from the Register of Attested Herds.

(3) TESTING OF SWINE—To prevent the risk of infection from swine kept on the same premises as the Attested Herd, the Ministry may by notice in writing require the tuberculin testing of such swine by a Veterinary Surgeon at the owner's expense, and impose such limitation on the free movement of such swine within the premises as the Ministry may consider necessary. Any swine that react to the test must be disposed of as quickly as possible, and that part of the premises concerned shall be disinfected in the manner prescribed in Article 12 of the Scheme.

(4) No claim will be entertained by the Ministry in respect of any loss occasioned by the death, injury or illness, however caused, of an animal submitted to any tests carried out on behalf of the Ministry.

Disinfection of Premises

12. Where in this Scheme or in the Rules contained in the Schedules thereto the disinfection of premises is required to be carried out after the removal of cattle or swine reacting to the tuberculin test the method to be adopted shall be as follows:—