

1978 No. 165

ANIMALS

Brucellosis Control (Amendment) Order (Northern Ireland) 1978

Made 19th June 1978

Coming into operation 17th July 1978

The Department(a) of Agriculture, in exercise of the powers conferred on it by sections 3, 5, 10, 13, 18 and 53 of and the Second Schedule to the Diseases of Animals Act (Northern Ireland) 1958(b) 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 (Amendment) Order (Northern Ireland) 1978 and shall come into operation on 17th July 1978.

Amendment of the Brucellosis Control Order (Northern Ireland) 1972

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

(1) In Article 2 for the definition of “maiden heifer” there shall be substituted—

“ “maiden heifer” means a female animal which is not showing permanent incisor teeth and is not pregnant;”.

(2) In Article 9 sub-paragraph (1)(b) for “£567” there shall be substituted “£660” and for “£342” there shall be substituted “£420”.

(3) In Article 11:

(a) at the beginning of paragraph (2) there shall be added “Subject to paragraph (3)”;

(b) after paragraph (2) there shall be added—

“(3) This Article shall not apply to a person who acquires an eligible animal which is to be slaughtered or exported within seven days of acquisition and which has not been moved on to any holding prior to such slaughter or export.”.

(4) After Article 15 the following Article shall be inserted:

“15A. The owner of a herd shall soak such litter as the Department of Agriculture may by notice require in an approved disinfectant and destroy such litter either by burning it or burying it within ground.”.

(5) In Article 17:

(a) at the beginning of paragraph (1) there shall be added “Subject to paragraph (4)”;

(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. 94 (p. 360) as amended by S.R. & O. (N.I.) 1973 No. 77 (I, p. 350); S.R. & O. (N.I.) 1973 No. 437 (II, p. 2610); S.R. 1976 No. 84 (I, p. 388); S.R. 1977 No. 47 (I, p. 128); S.R. 1977 No. 337 (II, p. 1805)

(b) after paragraph (3) there shall be added—

“(4) If the owner of a herd has obtained an authorisation in writing from the Department of Agriculture he may, subject to compliance with the conditions endorsed on or otherwise attached to such authorisation, move any animal from a Brucellosis (Certified) Herd to any premises approved by the Department of Agriculture for the sale of animals from Brucellosis (Certified) Herds. The issue of authorisations by the Department of Agriculture shall be at its complete discretion and such authorisations may be revoked at any time by one week’s notice in writing served on the owner of the herd.”.

(6) Article 18 is hereby revoked.

(7) In Article 20:

(a) in sub-paragraph (1)(i) after “prohibiting the movement” there shall be inserted “to or”;

(b) after sub-paragraph (1)(viii) the following sub-paragraphs shall be added—

“(ix) prohibiting the feeding of milk from infected animals to livestock on the same premises unless such milk is treated in accordance with the terms of the notice;

(x) requiring him, unless otherwise directed by the Department of Agriculture, to bury within ground with all practicable speed any still-born calf, any calf which has died within 24 hours of birth and any afterbirth.”.

(8) Article 26 sub-paragraph (1)(b) is hereby revoked.

(9) After Article 30 there shall be inserted:

“30A. No person shall treat any animal for brucella infection with any curative or alleviating agent.”.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 19th June 1978.

(L.S.)

S. R. Armstrong

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order makes the following amendments to the Brucellosis Control Order (Northern Ireland) 1972 :

1. the upper limits of compensation payable in respect of pedigree and non-pedigree reactors are raised;
2. it shall not be an offence for a herdowner who is not included and has not applied to be included in the Brucellosis Register to have in his possession an eligible animal provided the eligible animal is to be slaughtered or exported within seven days of acquisition and has not been moved on to any holding before it is slaughtered or exported;
3. the Department of Agriculture may by notice require the owner of a herd to disinfect and subsequently destroy any litter which has come in contact with an infected animal or afterbirth;
4. the Department of Agriculture may authorise the movement of any animal from a Brucellosis (Certified) Herd to any approved sale of animals from Brucellosis (Certified) Herds subject to such conditions as the Department of Agriculture may determine;
5. it removes the restrictions imposed where an eligible animal is returned unsold to a Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd from a sale which is not a sale of animals from Brucellosis (Certified) Herds;
6. the Department of Agriculture may now serve notices on the owner of a herd which is under restriction prohibiting the movement of any animal on to as well as from his premises, prohibiting the feeding of untreated milk from infected animals to livestock on the same premises, and requiring him to bury within ground any still-born calf, any calf which has died within 24 hours of birth and any afterbirth, except in accordance with the terms of the notice;
7. it removes the concession whereby bulls originating in a herd other than a Brucellosis (Certified) Herd could be imported from the Republic of Ireland;
8. the treatment of any animal for brucella infection with any curative or alleviating agent is prohibited.