

1993 No. 307

ANIMALS

**Animals (Post-Import Control) Order
(Northern Ireland) 1993**

Made 5th July 1993

Coming into operation 23rd August 1993

The Department of Agriculture, in exercise of the powers conferred on it by Articles 19(e) and (k), 29, 44(b) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(a) 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 Animals (Post-Import Control) Order (Northern Ireland) 1993 and shall come into operation on 23rd August 1993.

Interpretation

2. In this Order—

“Divisional Veterinary Officer” means a Divisional Veterinary Officer of the Department;

“health certification” in relation to any animal means the health certificate required to accompany that animal under the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1993(b) or under the conditions of a licence granted in relation to it under the Importation of Animals Order (Northern Ireland) 1986(c);

“imported” means landed in Northern Ireland by any means whatsoever; and

“place of destination” in relation to any animals means the place to which they have been consigned as specified in the accompanying health certification.

Importation of bovine animals from areas not free from warble fly

3.—(1) Subject to paragraph (2) the owner or person in charge of imported bovine animals which are not for immediate slaughter shall—

(a) within 24 hours of their arrival at the place of destination, ensure that they are treated with an approved specified warble fly preparation as

(a) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17

(b) S.R. 1993 No. 305

(c) S.R. 1986 No. 253

defined in Council Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products(a) and Council Directive 81/852/EEC on the approximation of the laws of the Member States relating to the analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products(b); and

- (b) within 5 working days of their arrival at their place of destination, send to the Divisional Veterinary Officer for the area in which that place is located, a written declaration that they have been treated as required by this paragraph.

(2) Paragraph (1) shall not apply in relation to bovine animals imported from Great Britain or from a country or region of a country recognised by the Commission of the European Economic Community as being free from warble fly infestation.

Importation of bovine animals from Canada

4.—(1) Subject to paragraph (2) the owner or person in charge of a consignment of bovine animals imported from Canada in pursuance of Commission Decision 83/494/EEC concerning animal health conditions and veterinary certification for the importation of domestic animals of the bovine and porcine species from Canada(c) shall, in accordance with the conditions set out in Schedule 1, move the animals comprising that consignment directly from the point of landing in Northern Ireland to isolation premises and shall keep them or cause them to be kept in isolation for six months or such longer period as that Schedule may require.

(2) Paragraph (1) shall not apply in relation to any consignment of bovine animals which have originated in Canadian Health Accredited Herds and have not come into contact or shared airspace with other bovine animals imported from Canada in pursuance of Commission Decision 83/494/EEC.

Importation of bovine animals for meat production from specified countries

5.—(1) The owner or person in charge of bovine animals imported for meat production under a provision specified in Schedule 2 from a country referred to in that Schedule, shall ensure that they do not come into contact with other bovine animals, either during transportation to, or after arrival at, their place of destination.

(2) A person shall not move bovine animals to which paragraph (1) relates, or cause or permit them to be moved, from their place of destination except under the authority of and in accordance with the conditions of a licence granted by the Department.

(3) A licence granted under paragraph (2) in relation to any bovine animals shall only authorize their movement directly to a slaughterhouse for immediate slaughter.

(a) O.J. No. L317, 6.11.81, p. 1 as amended by Council Directive 90/676/EEC, O.J. No. L373, 31.12.90, p. 15

(b) O.J. No. L317, 6.11.81, p. 16 as amended by Council Directive 87/20/EEC, O.J. No. L15, 17.1.87, p. 34 and Council Directive 92/18/EEC, O.J. No. L97, 10.4.92, p. 1

(c) O.J. No. L273, 6.10.83, p. 37 as amended by Commission Decision 84/421 EEC, O.J. No. L237, 5.9.84, p. 14 and Commission Decision 88/212 EEC, O.J. No. L95, 13.4.88, p. 21

Importation of bovine animals for slaughter from specified countries

6. The owner or person in charge of bovine animals imported for slaughter under a provision specified in Schedule 2 from a country referred to in that Schedule, shall transport them directly from the point of landing in Northern Ireland to the slaughterhouse specified in the health certification accompanying the animals, and shall ensure that they are slaughtered there within 72 hours of their landing.

Action in default

7. If any person on whom a duty is placed by this Order fails to comply with such duty the Department may, without prejudice to any proceedings for an offence arising out of such default, take such action as may be necessary to ensure compliance with that duty.

Revocation

8. Article 5 of the Warble Fly Order (Northern Ireland) 1976(a) is hereby revoked.

Sealed with the Official Seal of the Department of Agriculture on 5th July 1993.

(L.S.)

P. T. Toal

Assistant Secretary

Conditions applicable to post-import isolation premises for bovine animals

1. The bovine animals shall be kept—
 - (a) in a building meeting the requirements of paragraph 2 or a field meeting the requirements of paragraph 3;
 - (b) isolated separately from one another unless there are facilities on the isolation premises for isolating individual animals in the event of their being injured or affected with disease.
2. Where a building is used for the isolation of the bovine animals—
 - (a) it shall be enclosed securely and must be cleansed and disinfected prior to such use;
 - (b) drainage from it shall not flow into any area, or on to any land, accessible to other animals.
3. Where any field is used for the isolation of the bovine animals—
 - (a) it must be enclosed by boundary fences in the form of double fencing 3 metres apart so as to prevent contact with any other animals;
 - (b) it shall give access to a suitable building meeting the requirements of paragraph 2.
4. While the bovine animals are being moved to the isolation premises they shall not have contact or share airspace with any animals except other imported bovine animals.
5. While the bovine animals are held on the isolation premises, the only other animals which shall be moved onto or kept on those premises are—
 - (a) other imported bovine animals; or
 - (b) male teasers.
6. A person who attends the bovine animals shall wear suitable protective clothing (including boots, overalls and gloves) and this clothing shall be cleansed and disinfected immediately thereafter.
7. Where the bovine animals—
 - (a) have contact or share airspace with other imported bovine animals;
 - (b) use any building, yard, shed, field or other place used by any other imported bovine animals before it has been cleansed and disinfected,the six months isolation period for the bovine animals shall begin when the latest of the other imported bovine animals was moved onto the isolation premises.
8. Where any of the bovine animals are affected with disease, or are suspected of being so affected, then the fact shall be reported to a veterinary officer and any such animals shall be kept in isolation separately from any other animal.
- 9.—(1) Until the end of the period of isolation, the bovine animals shall not be moved from the isolation premises except—
 - (a) directly to a slaughterhouse for immediate slaughter; or

- (b) directly to the premises of a veterinary surgeon for the purpose of receiving treatment; or
- (c) with the prior approval of the Divisional Veterinary Officer, directly to other premises for the purpose of being milked.

(2) Where any of the bovine animals are moved from the isolation premises under sub-paragraph (1)(b) or (c) they shall not have contact with any other animal and shall be returned to the isolation premises immediately after being milked or treated, as the case may be.

(3) Except as provided in sub-paragraph (1) the bovine animals shall not be moved from the isolation premises until all the imported bovine animals kept on those premises during that period have reacted negatively to tests for Enzootic Bovine Leucosis carried out in pursuance of paragraph 13 or 14 or have been slaughtered.

10. Where any building, yard, field, shed or other place to which the bovine animals have access is used by any other animal (except other imported bovine animals or male teasers) it shall be thoroughly cleansed and disinfected both before and after use by the bovine animals.

11. The bovine animals shall not be vaccinated or subjected to any tests (other than any tests referred to in paragraph 13 or 14) except with the prior approval of the Divisional Veterinary Officer.

12. Where any of the female bovine animals is pregnant when landed in Northern Ireland, it shall be kept in isolation separately from any other bovine animal and where the fact of such pregnancy is not recorded on the health certification accompanying the consignment, the details thereof shall be reported to the Divisional Veterinary Officer.

13. An inspector shall be permitted to take samples for testing for Enzootic Bovine Leucosis from the bovine animals at any time in the periods between day 70 and day 74 and between day 180 and day 184 of their isolation period and at such other times during that period as the Department may require.

14.—(1) Any of the bovine animals which react positively to a test for Enzootic Bovine Leucosis (in this paragraph referred to as a “reactor”) shall be slaughtered as soon as practicable.

(2) Except as provided in paragraph 9(1) any of the bovine animals which have been in contact with a reactor shall remain on the isolation premises until they have reacted negatively to a test for Enzootic Bovine Leucosis carried out between 180 and 184 days after the date that reactor has been removed for slaughter.

15. Embryos shall not be collected from any of the bovine animals except with the prior approval of the Divisional Veterinary Officer.

16. The artificial insemination of any of the bovine animals shall not be carried out except with the prior approval of the Divisional Veterinary Officer.

17. The female bovine animals shall not be naturally serviced except by a male imported bovine animal.

18. The male bovine animals shall not be examined and tested for the purposes of the Artificial Insemination of Cattle Regulations (Northern Ireland) 1988(a) unless they have reacted negatively to any test to which they have been subject pursuant to paragraph 13 or 14.

19. Any semen collected from the male bovine animals shall not be used for artificial insemination until those animals have been released from isolation.

20. Male teasers kept on isolation premises shall not be moved therefrom until all the bovine animals with which they have been in contact or have shared airspace have reacted negatively to tests for Enzootic Bovine Leucosis carried out in pursuance of paragraph 13 or 14 or have been moved directly to a slaughterhouse for immediate slaughter.

21. In this Schedule—

- (a) “imported bovine animals” means bovine animals imported from Canada in pursuance of Commission Decision 83/494/EEC and which are required by Article 4(1) to be kept in isolation in accordance with this Schedule;
- (b) “male teaser” means any castrated male bovine animal over 18 months of age which has reacted negatively to a test for Enzootic Bovine Leucosis.

List of Commission Decisions

1. Article 1.5 of Commission Decision 91/190/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Austria.

O.J. No. L96, 17.4.1991, p. 16

2. Article 1.4(b) or 1.4(c) of Commission Decision 92/322/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Hungary.

O.J. No. L177, 30.6.1992, p. 1

3. Article 1.4(b) or 1.4(c) of Commission Decision 92/323/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Poland.

O.J. No. L177, 30.6.1992, p. 18

4. Article 1.4(b) or 1.4(c) of Commission Decision 92/324/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Czechoslovakia.

O.J. No. L177, 30.6.1992, p. 35

5. Article 1.4(b) or 1.4(c) of Commission Decision 92/325/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Bulgaria.

O.J. No. L177, 30.6.1992, p. 52

6. Article 1.4(b) or 1.4(c) of Commission Decision 92/401/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Norway.

O.J. No. L224, 8.8.1992, p. 1

7. Article 1.4(b) or 1.4(c) of Commission Decision 92/402/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Romania.

O.J. No. L224, 8.8.1992, p. 18

8. Article 1.4(b) or 1.4(c) of Commission Decision 92/460/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Switzerland.

O.J. No. L261, 7.9.1992, p. 1

9. Article 1.4(b) or 1.4(c) of Commission Decision 92/461/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Sweden.

O.J. No. L261, 7.9.1992, p. 18

10. Article 1.4(b) or 1.4(c) of Commission Decision 92/462/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Finland.

O.J. No. L261, 7.9.1992, p. 34

11. Article 1.4(b) or 1.4(c) of Commission Decision 92/463/EEC concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Iceland.

O.J. No. L261, 7.9.1992, p. 50

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for:

- (a) the treatment with an approved warble fly preparation of bovine animals, not for immediate slaughter, imported from a country or region not free from warble fly (Article 3);
- (b) the keeping in isolation of certain bovine animals imported from Canada in pursuance of Commission Decision 83/494/EEC in isolation (Article 4 and Schedule 1);
- (c) controls on bovine animals imported for meat production from certain specified third countries in pursuance of a number of European Economic Community decisions (Article 5 and Schedule 2);
- (d) the slaughter, within 72 hours of arrival in Northern Ireland from certain specified third countries, of bovine animals imported for slaughter in pursuance of a number of European Economic Community decisions (Article 6 and Schedule 2);
- (e) action by the Department where any person fails to comply with a duty placed on him by this Order (Article 7);
- (f) the revocation of Article 5 of the Warble Fly Order (Northern Ireland) 1976 (Article 8).

Any person who without lawful authority or excuse, proof of which shall lie on him, contravenes any provision of the Order shall be guilty of an offence against the Diseases of Animals (Northern Ireland) Order 1981. The penalty, on summary conviction, is a fine at level 5 on the standard scale (currently £2,000) or in the case of an offence committed with respect to more than 5 animals, a fine at level 3 on the standard scale (currently £400) for each animal.