

2004 No. 491

AGRICULTURE

**Identification and Movement of Sheep and Goats Order
(Northern Ireland) 2004**

Made - - - - - 30th November 2004

The Department of Agriculture and Rural Development(a), in exercise of the powers conferred on it by Articles 5(1)(b), 19(e) and (g), 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(b) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004.

Interpretation

2.—(1) In this Order –

“animal” means a sheep or goat;

“approved eartag” in relation to an animal means an eartag approved by the Department and bearing the details specified in Article 5 or such other information as the Department may authorise in writing;

“collecting centre” means any premises used for the intermediate reception of animals intended to be moved elsewhere (but does not include a market);

“Divisional Veterinary Office” means a Divisional Veterinary Office of the Department for the area in which a holding is located;

“flock mark” means the mark for sheep in a particular flock allocated by the Department to the keeper of that flock in accordance with Article 3(3) and intended to differentiate sheep in that flock from sheep in a different flock;

“herd mark” means the mark for goats in a particular herd allocated by the Department to the keeper of that herd in accordance with Article 3(3) and intended to differentiate goats in that herd from goats in a different herd;

“holding” means any establishment, construction or, in the case of an open-air farm, place under the same ownership in which animals are held, kept or handled and includes land with or without buildings;

“holding number” means a number allocated by the Department to a person who keeps animals in respect of each holding on which he keeps animals;

(a) The Department of Agriculture for Northern Ireland was renamed the Department of Agriculture and Rural Development by Article 3(4) of the Departments Order 1999 (S.I. 1999/283 (N.I. 1))
(b) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Article 17(2) and S.I. 1994/1891 (N.I. 6) Article 23(1) and (2)

“hunt kennel” means a hunt kennel approved in accordance with the Animal By-Products Regulations (Northern Ireland) 2003(a);

“incinerator” means an incinerator approved in accordance with the Animal By-Products Regulations (Northern Ireland) 2003;

“individual animal identification number” means the unique numeric sequence on an approved eartag on an animal by which the animal may be identified;

“keeper” means any natural or legal person responsible for animals whether on a permanent or temporary basis except a veterinary practice or clinic;

“market” means a market place, sale yard or any other premises or place to which animals are brought from any other place to be exposed for sale and includes any place, lairage or parking area adjoining a market and used in connection with it;

“member State” means any member State of the European Union other than the United Kingdom;

“notification document” means the pre-printed document supplied by the Department to a keeper for use in the notification of the movement of an animal for the purposes of Article 9;

“reconciliation period” means the period between 1 September and 15 December in a calendar year;

“record” in relation to sheep means a flock register and in relation to goats means a herd register;

“rendering plant” means a rendering plant approved in accordance with the Animal By-Products Regulations (Northern Ireland) 2003;

“slaughterhouse” means any premises licensed under the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997(b) and used for the slaughtering of animals the flesh of which is intended for human consumption;

“trading premises” means a premises on which a dealer operates a collecting centre which is a separate epidemiological unit from any other premises on which animals are kept;

“vehicle” means any form of road transport conveyance used for the movement of animals and includes a trailer.

(2) A notice served or authorisation given to any person under this Order –

(a) shall be in writing;

(b) may be subject to conditions;

(c) may be amended, suspended or revoked by notice at any time on the same person and in particular may be suspended or revoked if the Department is of the reasonable opinion that the provisions of this Order are not being complied with.

(3) A person on whom a notice is served shall comply with its requirements.

Notification of a holding

3.—(1) A person who keeps an animal on a holding shall give notice to the Department containing particulars of –

(a) the address of the holding;

(b) the name and address of the owner or occupier of the holding, and, if different, the name and address of the keeper of the animal;

(c) any numbers or codes used to identify animals on the holding;

(d) the presence of any cattle or pigs on the holding; and

(e) in relation to –

(a) S.R. 2003 No. 495

(b) S.R. 1997 No.493 as amended by S.R. 1998 No.237, S.R. 2000 No. 78, S.R. No. 2000 No. 191, S.R. No. 2000 No. 307 and S.R. No. 2002 No. 217

- (i) cattle on the holding, any unique identification code allocated under Article 3(1)(b) of the Cattle Identification (No.2) Regulations (Northern Ireland) 1998(a); and
- (ii) pigs on the holding, any holding number allocated under Article 3(3) of the Aujeszky's Disease Scheme Order (Northern Ireland) 1994(b).

(2) In the case of a holding used for keeping animals on the date this Order comes into operation the notice required by paragraph (1) shall be given within 60 days of that date and in any other case shall be given within 30 days of the holding first being used to keep animals.

(3) On receiving notification under this Article, the Department shall allocate to the keeper, a holding number and, in the case of sheep, a flock mark or, in the case of goats, a herd mark.

(4) Where in relation to a holding to which paragraph (1) applies there is a change in –

(a) the identity of the person keeping animals on the holding;

or

(b) any other particulars notified under that paragraph, the keeper of the animals shall notify the Department accordingly.

Identification of animals

4.—(1) The keeper of an animal born after the date of coming into operation of this Order shall –

- (a) identify it with the appropriate flock or herd mark within 21 days of birth; and
- (b) attach to the animal's left ear, an approved eartag (hereinafter referred to as the "natal tag") –
 - (i) by the age of 9 months, or
 - (ii) before the animal leaves the holding on which it was born, or
 - (iii) before the expiry of the reconciliation period for the year in which the animal was born,

whichever is earlier.

(c) where an animal is born between 16 December and 31 December of any calendar year, the reconciliation period for the purposes of this Article shall be construed as belonging to the next calendar year after the year in which the animals were born.

(2) Except as otherwise provided by paragraph (3) and Article 11(1) the keeper shall upon movement of an animal onto a holding attach a green approved eartag to the animal's right ear.

(3) Where an animal which has previously been kept on 2 holdings is moved to a third holding the keeper of that animal shall attach a further approved eartag to the animal's right ear.

(4) Where an animal to which paragraph (3) applies is moved to any subsequent holding the keeper –

- (a) shall record the details of any one of the approved eartags attached to the animal on any of the previous holdings but;
- (b) shall not attach a further approved eartag to the animal except in accordance with Article 6(b) or 12(1).

(5) In this Article "holding" does not include any premises or place used for the time being for the purposes of a market, trading premises, fair, show or sale of animals, slaughterhouse or a veterinary practice or clinic.

Approval of eartags

5.—(1) A person shall not attach an eartag to any animal unless it is –

- (a) approved by the Department; and

(a) S.R. 1998 No. 279 as amended by S.R. 1999 No. 324
 (b) S.R. 1994 No. 199

(b) inscribed with the letters “UK”, the appropriate holding number and an individual animal identification number allocated to the animal.

(2) A person shall not sell or supply an eartag for the purpose of identifying an animal, other than a sheep or goat, that is not readily distinguishable by its difference in size and colour from an approved eartag for the identification of animals under the provisions of this Order.

(3) A person shall not sell or supply an eartag with the unique holding number allocated by the Department to any other person for the purposes of identifying animals on any other holding.

Replacement eartags

6. Where the keeper of an animal discovers that the characters on an approved eartag attached to that animal have become illegible or that an approved eartag has been lost, he shall, immediately and no later than 24 hours after the discovery –

- (a) where an animal loses a natal tag on its holding of birth, attach a replacement natal tag in accordance with Article 4(1);
- (b) where an animal has lost an approved eartag, other than a natal tag, replace it with a green approved eartag in accordance with Article 4(3); and
- (c) where an animal has lost all its approved eartags from both the left and right ears, attach an orange approved eartag to the left ear,

bearing the information relevant to that holding as specified in Article 5(1)(b).

Alteration of eartags

7. A person shall not –

- (a) tamper with, alter, obliterate or deface or cause or permit to be tampered with, altered, obliterated or defaced any approved eartag attached to an animal;
- (b) transfer an approved eartag from an animal or a carcase to any other animal;
- (c) use for identifying any animal an approved eartag which has at any time been used to identify any other animal;
- (d) remove or replace an approved eartag other than in accordance with this Order;
- (e) have in his possession an approved eartag which bears an individual animal identification number already allocated to an animal on his holding or any other holding except a replacement approved eartag specifically authorised by the Department;
- (f) have in his possession an animal bearing an eartag which could be confused with any approved eartag applied under this Order;
- (g) have in his possession without lawful excuse, an approved eartag bearing an individual animal identification number other than that issued to him in accordance with the provisions of this Order.

Prohibition on removal of identification marks

8. A person shall not –

- (a) remove or cause or permit to be removed from an animal, a flock or herd mark; or
- (b) replace a flock or herd mark applied to an animal otherwise than in replacement of one which has become illegible,

except under and in accordance with an authorisation issued by an inspector.

Movement of animals

9.—(1) Subject to paragraph (2), a keeper shall not move or cause or permit to be moved, any animal from a flock or herd on his holding unless –

- (a) the Department has allocated to the keeper a holding number in respect of that holding and, as the case may be, a mark for that flock or herd;
- (b) the animal is identified in accordance with the relevant provisions of this Order;

- (c) in the case of an animal being brought to a destination in Northern Ireland from another member State it bears a mark applied in accordance with Council Directive 91/68/EC on animal health conditions governing intra-Community trade in ovine and caprine animal^(a);
 - (d) he notifies the Department in accordance with paragraph (2) and the animal is accompanied by a notification document correctly completed in accordance with this Article.
- (2) The notification document shall contain the information specified in paragraph (3) and notification of the movement of an animal shall be either –
- (a) by the keeper completing the notification document in relation to a movement off his holding; or
 - (b) where the keeper is a market operator, and the movement is into or out of the market, by the keeper completing the notification document and delivering a copy of that document to the Divisional Veterinary Office in accordance with paragraph (5).
- (3) (a) Where a keeper completes a notification document in accordance with paragraph (2)(a) the information to be recorded is –
- (i) the number of animals moving off the holding;
 - (ii) the category of animal moving off the holding i.e. whether it is a ram, ewe, lamb or goat;
 - (iii) the individual animal identification number of each animal moving off the holding;
 - (iv) his name, address and holding number;
 - (v) the date of movement of the animals off the holding;
 - (vi) the haulier/vehicle registration number in which the animals are moved off the holding;
 - (vii) the buyer's name, address and holding number; and
- (b) Where an animal is moving off a holding to a market, collection centre or show, the keeper in addition to the information set out in sub-paragraphs (3)(a)(i) to (vi) shall record the name, address and identification code of the market, collection centre or show.
- (c) Where a keeper completes a notification document in accordance with paragraph (2)(b) the information to be recorded is –
- (i) the name and address of the person who purchased the animals;
 - (ii) the haulier/vehicle registration number in which the animals were removed.
- (4) The duty of a market operator to correctly complete a notification document in accordance with paragraph (2)(b) shall also apply to the operator of a slaughterhouse if for any reason live animals are rejected from the slaughterhouse.
- (5) A notification document shall be –
- (a) sent to the Divisional Veterinary Office on the day of the movement to which it relates; or
 - (b) where the keeper is the operator of a market or slaughterhouse, delivered by him to the Divisional Veterinary Office on the day of movement to which it relates or, where this is not reasonably practicable, on the following working day.
- (6) The keeper of an animal shall ensure that a copy of the notification document completed under this Article accompanies the animal to which it relates while it is in transit and shall, on demand made by an inspector or by a member of the Police Service of Northern Ireland –
- (a) produce that document and allow a copy thereof or an extract therefrom to be taken; and
 - (b) furnish his name and address.

^(a) O.J. No. L146, 19.2.91, p. 19-36 as amended by Commission Decision 2002/261/EC (O.J. No. L91, 06.04.2002, p. 31), Council Directive 2003/50/EC (O.J. No. L169, 08.07.2003, p. 51), Commission Decision 2004/554/EC (O.J. No. L248, 22.07.2004, p. 1)

(7) A person to whom a notification document is supplied under this Article shall keep a copy of such document for a period of 4 years following the end of the year in which the documents were received.

(8) A keeper of an animal who supplies a notification document in accordance with this Article shall keep a copy of such document for a period of 4 years following the end of the year in which the document was supplied.

Power to restrict movement

10.—(1) If a keeper fails to comply with the requirements of this Order an inspector may serve a notice on the keeper prohibiting or restricting the movement of such animals, as may be specified in the notice, to or from the holding.

(2) The prohibition or restrictions imposed pursuant to a notice served under this Article shall remain in force until the notice is withdrawn.

Importation of animals into Northern Ireland

11.—(1) Where an animal is imported into Northern Ireland from any place outside the European Community it may be moved from the point of importation to the holding of destination stated on the health certificate accompanying it, without an approved eartag, but within 6 days of the date of its importation (unless it is slaughtered without being moved from the holding of destination within that time), or before it is moved from the holding of destination if sooner, it shall be identified on that holding by attaching a green approved eartag to its right ear.

(2) Where an animal is imported into Northern Ireland from Great Britain or any Member state and moved onto a holding, other than a slaughterhouse, the keeper shall not remove any eartag attached to the animal at the time of importation and shall attach a green approved eartag to the animal's right ear.

Export of animals to a member State

12.—(1) A person who exports or consigns for export to a member State, any animal, shall ensure that, in addition to any other requirement in this Order for the identification of the animal, it has attached to its left ear, in such a position as not to obscure any other tag, a blue approved eartag bearing –

- (a) the letters “UK” and the holding number of the exporter ; and
- (b) an individual animal identification number relevant to that holding.

(2) The provisions of Article 4(1)(b) shall not apply to an animal under the age of 9 months which is being exported to the Republic of Ireland from its holding of origin.

(3) Notwithstanding paragraph (1), a person shall not export any animal which has lost both its approved eartags from the left and right ears or to which an orange approved eartag has been applied in accordance with Article 6(c).

Records

13.—(1) The owner or person in charge of any animal shall keep a record of the particulars of such animal as specified in columns A to J of the form set out in the Schedule.

(2) Where a replacement approved eartag, other than an orange approved eartag, is attached to an animal in accordance with Article 6 the keeper shall, in respect of that animal, keep a record of, and correlate, the original and the replacement individual animal identification number.

(3) A person by whom a record is required to be kept under this Order shall –

- (a) keep such record for a period of 4 years following the end of the year to which the record relates; and

- (b) annually check, on a date during the reconciliation period, that the details of the approved eartag attached to any animal on the holding agree with the details in the record relating to that animal.
- (4) Without prejudice to paragraphs (1) and (3) the owner or person in charge of sheep shall record, by the end of the reconciliation period each year, the particulars specified in columns G to J of the form set out in the Schedule in respect of sheep owned by him or in his charge.
- (5) A person required by this Order to keep a record or retain a copy of a notification document shall –
 - (a) on demand by an inspector, produce to him that record or notification document, as the case may be, and such an inspector shall be entitled to inspect and take extracts therefrom; and
 - (b) in the case of a record, record the necessary details, within 7 days –
 - (i) of the identification or movement of an animal, as the case may be;
 - (ii) of the discovery of the death of a tagged animal; and
 - (iii) at the end of the lambing season, the total number of births.

Market operators

- 14.** The owner or person in charge of a market shall –
 - (a) ensure that an animal is not accepted into the market for sale or sold at the market unless it is identified in accordance with Article 4;
 - (b) ensure that an animal is not accepted or exposed for sale or displayed at any market unless it is accompanied by a valid copy of a notification document in accordance with Article 9;
 - (c) endorse the notification document relating to any animal sold in the market with –
 - (i) the name and address of the person who purchased the animals;
 - (ii) the lot number of the sale;
 - (iii) the name and address of the market; and
 - (iv) the haulier/vehicle registration number in which the animals were removed from the market.
 - (d) subject to paragraph (e), prior to any animal leaving the market, supply the keeper of the animal with a copy of a notification document including full details of the holding or slaughterhouse to which the animal is being consigned;
 - (e) ensure that, where more than one animal is presented and listed on a single notification document, all such animals are listed exclusively on a single notification document prior to leaving the market and for the purposes of this paragraph a single notification document may include a continuation sheet;
 - (f) return the endorsed notification document referred to in sub-paragraph (c) and the notification document referred to in sub-paragraphs (d) and (e) to the Divisional Veterinary Office; and
 - (g) retain a copy of any notification document for an animal entering or leaving the market for a period of 4 years following the end of the year in which the document was received.

Slaughterhouse operators

- 15.** The owner or person in charge of a slaughterhouse shall –
 - (a) take reasonable steps to satisfy himself of the place of origin and movement history of any animal presented for slaughter;
 - (b) ensure that an animal is not accepted for slaughter or slaughtered unless it is identified in accordance with Article 4 or Article 11;
 - (c) with the exception of those animals in the category specified at paragraph (f), ensure that an animal is not accepted for slaughter unless it is accompanied by a valid copy of a notification document in accordance with Article 9;

- (d) endorse the notification document relating to the animal with the name and address of the owner or person in charge of a slaughterhouse and such further information as the Department may specify on the notification document;
- (e) return a copy of the completed notification document, duly signed by a representative of the operator of the slaughterhouse, to the Divisional Veterinary Office;
- (f) in the case of an animal not originating from a holding in Northern Ireland but moving directly to the slaughterhouse from the point of import, ensure –
 - (i) that it is accompanied by the original veterinary health certificate from the country/region of origin or a copy of the same endorsed by an inspector;
 - (ii) that the certificate described at sub-paragraph (i) is surrendered to an inspector at the slaughterhouse at the earliest opportunity after arrival of the animals; and
 - (iii) that the veterinary certificate described at sub-paragraph (i) is endorsed in a manner specified by the Department upon acceptance of an animal for slaughter, ensuring that each individual animal identification number has been recorded on the document;
- (g) retain a copy of the veterinary certificate referred to in paragraph (f)(iii) or the completed notification document referred to in paragraph (e) for a period of 4 years following the end of the year in which the document was received;
- (h) remove all eartags from each animal and keep them in a secure place and surrender them to the Department on request.

Rendering plants, hunt kennels and incinerators

16. The operator of a rendering plant, hunt kennel or incinerator shall remove any eartags from any carcase and keep the eartags in a secure place and surrender them to the Department on request.

Transitional and saving provision

17. Notwithstanding Article 18, any record in respect of sheep or goats required to be kept by any person under the provisions of the Animals (Records) Order (Northern Ireland) 1997(**a**) as in operation immediately before the commencement of this Order shall, if made on or before the commencement of this Order, be retained by him for a period of 4 years after the making of the last entry in the record and in relation to such records Article 7(2) of that Order is amended accordingly.

Disapplication

18. The Animals (Records) Order (Northern Ireland) 1997 shall cease to have effect in relation to sheep and goats.

Revocation

19. The Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997(**b**) is hereby revoked.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 30th November 2004.

(L.S.)

Liam McKibben

A senior officer of the Department of Agriculture and Rural Development

(a) S.R. 1997 No. 172 (as amended by S.R. 1998 No. 27 and S.R. 2000 No. 344)
(b) S.R. 1997 No. 173 (as amended by S.R. 1998 No. 393)

SCHEDULE

Article 13(1)

Event Codes: B – Birth D – Death P – Purchased (to include all movement on to the holding) S – Sold (to include all movement off the holding)		R – Replaced tag AR – Annual Reconciliation L – Lost, strayed etc. T – Transfer to breeding flock					BREEDING STOCK		
		G	H	I	J	Running Totals			
A	B	C	D	E	F	G	H	I	J
Date	Event Code	No. of sheep/goats	(1) Natal Tag Numbers of animals born on the holding; or (2) Movement Document Serial Number of animal/s moved into or out of the holding; or (3) Ear Tag Number or Health Cert. Number of imported/exported animal/s. (4) Movement or Replacement Tag details of animals moved onto your holding.	Category of sheep/goat e.g. ewe, lamb, ram etc.	Name & Address of seller/buyer/ market (include market lot No.) meat plant or means of disposal and details of death.	Lambs /Stores	Ewes/ Ewe Lambs	Rams	Over- all Total
Number of sheep/goats on the holding – Reconciliation date =									

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order revokes and replaces the Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997 (as amended).

The Order introduces new provisions for the identification and movement of sheep and goats. It prohibits a person from keeping sheep or goats on any holding unless certain details in respect of that holding are notified to the Department (Article 3).

A duty is imposed on all such persons to ensure that animals are identified in accordance with the Order (Article 4).

Article 5 prohibits a person from attaching to an animal an eartag that has not been approved by the Department and specifies the form of eartag to be used.

Article 6 sets out arrangements for the replacement of eartags where an animal has lost its eartag.

The alteration of eartags is prohibited (Article 7). The removal of identification marks is prohibited except under and in accordance with the authorisation of an inspector (Article 8).

Article 9 prohibits the movement of an animal unless it has been identified in accordance with the Order and places certain duties on the keeper of an animal to notify the Department on the movement of an animal.

Article 10 contains provisions which allow the Department to restrict the movement of animals where a keeper fails to comply with the requirements of the Order.

Article 11 contains provisions on the importation of animals from Great Britain, Member States and countries outside the European Community.

Article 12 contains provisions for the identification of animals which are for export to the Republic of Ireland or to another Member State.

Article 13 sets out the record keeping requirements. Articles 14 and 15 respectively place certain duties on market and slaughterhouse operators. Article 16 places certain duties on the operators of rendering plants, hunt kennels and incinerators. Article 17 contains transitional and saving provisions.

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