

2001 No. 153

ANIMALS

ANIMAL HEALTH

**The Foot-and-Mouth Disease (Scotland) Declaratory (No. 3)
Order 2001**

Made 14th April 2001

Coming into force at 2.00 p.m. on 14th April 2001

The Scottish Ministers, in exercise of the powers conferred by article 17(1) of the Foot-and-Mouth Disease Order 1983(a), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Foot-and-Mouth Disease (Scotland) Declaratory (No. 3) Order 2001 and shall come into force on 14th April 2001 at 2.00 p.m.

(2) This Order extends to Scotland only.

Declaration of infected area

2. The area described in Schedule 1 to this Order is declared an infected area within the meaning of and to which the provisions of Part III of the Foot-and-Mouth Disease Order 1983 apply as varied in accordance with, and disapplied to the extent set out in, Schedule 2 to this Order.

Enforcement

3. The provisions of Part III of the Foot-and-Mouth Disease Order 1983 shall, insofar as they are to be enforced in slaughterhouses, be enforced by the Scottish Ministers.

J S GRAHAM

A member of the staff of the Scottish Ministers

Pentland House,
Edinburgh
14th April 2001

(a) S.I. 1983/1950, as amended by S.I. 1993/3119 and S.I. 1995/2922, and as regards Scotland, by S.S.I. 2001/52, 55 and 101. See article 3(1) for the definition of “the Minister”. The functions of “the Minister”, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

SCHEDULE 1

The infected area shall comprise those parts of the Dumfries and Galloway council area, within the following boundaries:-

- (a) from the sea at map ref NW959636, follow the course of Galdenoch Burn to where it forks at map ref NW974636; take the left fork and continue to where it is crossed by the B738 at map ref NW974638; turn right onto the B738 and continue east to its junction with the B7043; turn left onto the B7043 and continue to its junction with the B798; turn right onto the B798 and continue to its junction with the A718;
- (b) turn left onto the A718 and continue north to where it crosses Sole Burn at map ref NX035645; turn right onto Sole Burn and follow it out into Loch Ryan; cross Loch Ryan in a south easterly direction to the coastline at map ref NX083632 where it meets Kirclachie Burn; follow the course of Kirclachie Burn to where it is crossed by the A77(T) at map ref NX086637;
- (c) turn right onto the A77(T) and continue to its junction with the A751; turn left onto the A751 and continue south east then south to its junction with the A75(T); turn left onto the A75(T) and continue south east to where it crosses Chlenry Burn at map ref NX139578; turn right onto Chlenry Burn and follow it south to where it joins Piltanton Burn at map ref NX139574; turn left onto Piltanton Burn and follow it out to Luce Bay at map ref NX196542;
- (d) from this point cross Luce Bay in a south westerly direction to the coastline at Logan Mills at map ref NX117434 where it meets a track; follow the track south west until its junction with the A716; turn right on to the A716 and continue north west to its junction with the B7065; turn left onto the B7065 and continue south west to its junction with a coastal track at map ref NX097412; turn right onto the coastal track and follow it west to its end at map ref NX092414; follow the coast line north west to map ref NW959636.

Map references are to the Ordnance Survey Landranger 1:50,000 series.

SCHEDULE 2

1. Articles 18, 19, 26, 28(2) and 28(3)(b) of Part III of the Foot-and-Mouth Disease Order 1983 do not apply.

2. Part III of the Foot-and-Mouth Disease Order 1983 is varied by the addition of the requirements set out in the following paragraphs:-

- (a) no person shall move animals from the premises on which the animals are kept, except under the authority of a licence issued by the Scottish Ministers or an inspector;
- (b) no person shall move animals on public or private roads (other than the service roads of premises), except under the authority of a licence issued by the Scottish Ministers or an inspector;
- (c) no person shall transport animals through the infected area, except if the animals are transiting through that area by motorway, trunk road or railway;
- (d) no person shall seek to carry out breeding of animals by means of itinerant service;
- (e) no person shall seek to carry out breeding of animals by means of artificial insemination, other than with semen that is on the premises on which the animals are kept or with semen delivered directly to those premises by an insemination centre, except under the authority of a licence issued by the Scottish Ministers or an inspector;
- (f) no person shall use any premises for fairs, markets, shows or other gatherings of animals;
- (g) Article 20 of the Foot-and-Mouth Disease Order 1983 shall not apply if the slaughterhouse or knackery product is controlled by and the movement is for the purpose of disposal in accordance with-
 - (i) the Specified Risk Material Order 1997(a);
 - (ii) the Specified Risk Material Regulations 1997(b); or
 - (iii) the Animal By-Products Order 1999(c);
- (h) no person shall move any carcass (other than the carcass of an animal slaughtered for human consumption or a suspect BSE or scrapie carcass destined for disposal) from premises other than a slaughterhouse or a knacker's yard, except under the authority of a licence issued by the Scottish Ministers;
 - (i) no person shall move, or cause to be moved, into, out of or within an infected area any embryo, ovum or semen, except with the written approval of a veterinary inspector and subject to such conditions as may be specified therein.

3. In this Schedule, terms used which are also used in the Foot-and-Mouth Disease Order 1983 shall have the same meaning in this Schedule as they do in that Order.

(a) S.I. 1997/2964, as amended, as regards Scotland, by S.S.I. 2000/344 and 2001/4.

(b) S.I. 1997/2965, as amended by S.I. 1997/3062, S.I. 1998/2045 (itself amended by S.I. 1998/2431), S.I. 1999/539 and, as regards Scotland, by S.S.I. 2000/62, 345, 2001/3 and 86.

(c) S.I. 1999/646.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order imposes, with variations, the restrictions contained in Part III of the Foot-and-Mouth Disease Order 1983 (S.I. 1983/1950) within the infected area described in Schedule 1.

A map depicting the infected area may be inspected between 9.00 a.m. and 5.00 p.m., Monday to Friday at the Scottish Executive Rural Affairs Department, Pentland House, 47 Robb's Loan, Edinburgh EH14 1TW.

£1.75

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300 05/01 19593

