

## SCHEDULE 1

### Ear Tags

#### Replacement ear tags

5.—(1) In accordance with [<sup>F1</sup>the first subparagraph of Article 4d,] of Regulation (EC) No. 1760/2000 no ear tag may be removed [<sup>F2</sup>, modified] or replaced without the permission of the Scottish Ministers.

(2) The keeper of any animal born on or after 1st January 1998 whose ear tag has been removed or lost or become illegible shall within 28 days of ascertaining that fact apply to the animal a replacement ear tag bearing the same identification code as the ear tag that is to be replaced and—

- (a) where the ear tag that is to be replaced is a primary tag, the replacement ear tag shall be a primary tag; and
- (b) where the ear tag that is to be replaced is a secondary tag, the replacement ear tag may be a primary tag or a secondary tag.

(3) In the case of an animal born before 1st January 1998 whose ear tag has been removed or lost or become illegible—

- (a) the keeper shall within 28 days of ascertaining that fact apply to the animal—
  - (i) a single ear tag; or
  - (ii) 2 ear tags applied as if in accordance with paragraph 1 and [<sup>F3</sup>Articles 4(1) and 4a] of Regulation (EC) No. 1760/2000;
- (b) the identification code on any replacement ear tag shall be—
  - (i) the same as the identification code on the ear tag to be replaced; or
  - (ii) a new identification code meeting the requirements of paragraph 1(3); and
- (c) if a different identification code is applied under sub paragraph (3)(b)(ii) the keeper shall within 14 days of the replacement ear tag being applied or before the animal is moved off the holding, whichever is the sooner—
  - (i) notify the Scottish Ministers of the new identification code; and
  - (ii) send to the Scottish Ministers the identification document for the animal.

(4) This paragraph applies to replacement of ear tags applied under these Regulations, previous cattle tagging legislation or any provision giving effect to Regulation (EC) No. 820/1997 [<sup>F4</sup> 2000 EUR1760 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation 1997 EUR0820 as it has effect in EU law,] or Regulation (EC) No. 1760/2000 in England and Wales, the Channel Islands, the Isle of Man, Northern Ireland or [<sup>F5</sup>a] member State.

(5) Failure to comply with this paragraph is an offence.

#### Textual Amendments

- F1** Words in sch. 1 para. 5(1) substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(h)(i)**
- F2** Word in sch. 1 para. 5(1) inserted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(h)(ii)**
- F3** Words in sch. 1 para. 5(3)(a)(ii) substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(i)**

**Changes to legislation:** There are currently no known outstanding effects for the The Cattle Identification (Scotland) Regulations 2007, Paragraph 5. (See end of Document for details)

- F4** Words in sch. 1 para. 5(4) inserted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), **21(4)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in sch. 1 para. 5(4) substituted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), **21(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Cattle Identification (Scotland) Regulations 2007, Paragraph 5.