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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes and re-enacts the Brucellosis (Scotland) Regulations 2000 and the Brucellosis and Tuberculosis Compensation (Scotland) Order 1978 as amended insofar as it relates to Brucellosis.

This Order implements Council Directive [64/432/EEC](#) insofar as it relates to the operation of a monitoring and testing programme for Brucellosis.

Article 3 extends the definition of “disease” in the Animal Health Act 1981 and states that section 32 of that Act applies to brucellosis to enable animals to be slaughtered if they are infected or suspected of being infected with brucellosis.

Articles 4 and 5 set out the powers of veterinary inspectors to serve notices to restrict movement or require the movement of animals infected or suspected of being infected with brucellosis to specified premises. Article 6 provides for restrictions on the removal of animal waste.

Article 7 sets out the requirements relating to the sampling of milk set out in Council Directive [64/432/EEC](#) as amended (O.J. No. L 121, 29.7.64, p.1977). Article 8 relates to the testing of bovine animals or steers.

Articles 9 and 10 set out notification requirements for abortion, premature and full-term calving.

Article 11 deals with restrictions on the use of semen and article 12 provides for the control of premises used by dealers to keep bovine animals.

Articles 13, 14 and 15 provide for the prevention of the spread of infection.

Articles 16, 17, 18, 19 and 20 provide for the slaughter of bovine animals and payment of compensation together with the ascertainment of market value and average price for that purpose.

Article 21 provides for restrictions on vaccination and article 22 deals with marking bovine animals.

Article 23 sets out requirements for the production of licences. Article 24 makes provision for the powers of veterinary inspectors and inspectors.

Article 25 provides that enforcement is to be carried out by the local authority unless the Scottish Ministers direct otherwise, failure to comply with the Order is an offence under section 73 of the Animal Health Act 1981 punishable in accordance with section 75 of that Act.

Article 26 and the Schedule provide for revocations and article 27 saves provisions of the Brucellosis and Tuberculosis Compensation (Scotland) Order 1978 in relation to compensation determined prior to the coming into force of this Order.

A regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Brucellosis (Scotland) Order 2009.