
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 414

**The Sheep and Goats (Records, Identification
and Movement) (Scotland) Order 2009**

PART 2

Application of identification

Identification applied on or after 31st December 2009

5.—(1) The keeper of—

- (a) an animal born on or after 31st December 2009; or
- (b) an animal born before 31st December 2009 which does not bear a means of identification applied under any of the previous United Kingdom Orders or Regulations,

must comply with Article 4(1) (first paragraph) and (2)(a) and (b) and Article 9(3) of the Council Regulation and this article unless the alternative identification method set out in article 6 is used.

(2) No animal may be identified by the use of a bolus in combination with a tattoo.

(3) The period determined for the purposes of Article 4(1) of the Council Regulation is—

- (a) 9 months from its date of birth, in the case of an animal kept in extensive or free range farming conditions; or
- (b) 6 months from its date of birth, in the case of any other animal.

(4) The individual identification code for the purposes of Section A.2 of the Annex is the following information in the following order—

- (a) the letters “UK”, or, on an electronic identification device, the number “0826”; and
- (b) a 12 digit number approved by the Scottish Ministers,

which must be identical on the first and second means of identification.

Commencement Information

II [Art. 5](#) in force at 31.12.2009, see [art. 1\(1\)](#)

Alternative method of identification for animals intended for slaughter before the age of 12 months

6. In accordance with Article 4(3) of the Council Regulation, the keeper of an animal intended for slaughter before the age of 12 months and not intended for export may apply to the animal the alternative method of identification in Section A.7 of the Annex.

Commencement Information

I2 Art. 6 in force at 31.12.2009, see [art. 1\(1\)](#)

Identification for animals no longer intended for slaughter before the age of 12 months

7.—(1) The keeper of an animal to which the alternative method of identification is applied under article 6 which—

- (a) is not slaughtered before the age of 12 months; or
- (b) is to be consigned for export before the age of 12 months,

must be identified in accordance with points 1 to 4 of Section A of the Annex.

(2) The keeper may re-identify an animal identified under article 6 only if—

- (a) the animal is on its holding of birth;
- (b) the animal has moved to its present holding directly from its holding of birth or from its holding of birth via a market; or
- (c) the keeper has a complete record of all the animal's movements.

(3) In the case of an animal not slaughtered before the age of 12 months, the second means of identification must be applied when the animal reaches the age of 12 months.

(4) In the case of an animal to be consigned for export before the age of 12 months, the second means of identification must be applied before the animal leaves the holding from which it is consigned for export.

Commencement Information

I3 Art. 7 in force at 31.12.2009, see [art. 1\(1\)](#)

Animals identified before 31st December 2009

8. The keeper of an animal which bears a means of identification applied before 31st December 2009 which does not contain an individual identification code or unique number must apply to the animal before it leaves the holding on which it is located at that date—

- (a) in the case of an animal on its holding of birth a first and second means of identification meeting the requirements of Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation; and
- (b) in the case of an animal not on its holding of birth, 2 replacement means of identification of which one must be a red replacement eartag.

Commencement Information

I4 Art. 8 in force at 31.12.2009, see [art. 1\(1\)](#)

Animals sent for export

9.—(1) A keeper must identify all animals consigned for export in accordance with Article 4(2) (a) and (b) and Article 9(3) of the Council Regulation.

(2) The keeper of an animal consigned for export which bears means of identification containing different individual identification codes must apply to the animal an eartag containing the same individual identification code as one of the existing means of identification.

(3) The means of identification to be applied under this article must be applied, at the latest, before the animal leaves the holding from which it is consigned for export.

(4) A keeper must ensure that all animals consigned for export comply with the ^[F1]following requirements—

- (a) have been continuously present on the holding of origin for at least 30 days, or since birth if the animals are younger than 30 days of age,
- (b) do not come from a holding into which ovine or caprine animals have been introduced during the 21 days prior to dispatch,
- (c) do not come from a holding into which biungulate animals imported from a third country have been introduced during the 30 days prior to dispatch.]

^[F2](5) For the purposes of paragraph (4), a holding of origin means any holding on which the ovine and caprine animals have been continuously present and on which records are maintained demonstrating the residence of the animals which may be audited.]

Textual Amendments

- F1** Words in art. 9(4) substituted (31.12.2020) by *The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71)*, regs. 1(1)(b), **25(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Art. 9(5) inserted (31.12.2020) by *The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71)*, regs. 1(1)(b), **25(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I5** Art. 9 in force at 31.12.2009, see **art. 1(1)**

Animals imported from third countries

10.—(1) The keeper of an animal imported from a third country must comply with Article 4(4) of the Council Regulation and this article.

(2) The period for identifying such an animal for the purposes of Article 4(4) of the Council Regulation is 14 days.

(3) The means of identification for animals imported from a third country must be the same as that set out in Article 4(2)(a) and (b) and Article 9(3) of the Council Regulation and the identification code for the purposes of Section A.2 of the Annex is—

- (a) the letters “UK”; and
- (b) a 12 digit number in accordance with a numbering scheme approved by the Scottish Ministers.

(4) Where an animal is imported from a third country and re-identified according to this article, the keeper must record information about the addition of the new means of identification in the register together with the full identification code on the new means of identification and the full code on the method of identification applied in the third country.

Commencement Information

- I6** Art. 10 in force at 31.12.2009, see **art. 1(1)**

Receipt of animals from [F³a] Member State

11.—(1) No person may receive an animal from [F⁴a] Member State unless it is identified in accordance with—

- (a) in the case of an animal born after 9th July 2005, the Council Regulation [F⁵or Council Regulation (EC) No. 21/2004 of 17th December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC as it has effect in EU law]; or
- (b) in the case of an animal born on or before 9th July 2005, Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals(1).

(2) It is prohibited to remove or replace the original method of identification of an animal originating in [F⁶a] Member State in contravention of Article 4(5) of the Council Regulation [F⁷or Council Regulation (EC) No. 21/2004 of 17th December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC as it has effect in EU law].

Textual Amendments

- F3** Word in art. 11 heading substituted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), 25(4)(a); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in art. 11(1) substituted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), 25(4)(b)(i); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in art. 11(1)(a) inserted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), 25(4)(b)(ii); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in art. 11(2) substituted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), 25(4)(c)(i); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in art. 11(2) inserted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), 25(4)(c)(ii); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I7** Art. 11 in force at 31.12.2009, see art. 1(1)

Receipt of animals from England, Wales or Northern Ireland

12. No person may receive an animal from England, Wales or Northern Ireland unless it is identified and accompanied by a movement document in accordance with—

- (a) in the case of an animal born after 9th July 2005, the Council Regulation, including any derogation exercised under the Council Regulation; or
- (b) in the case of an animal born on or before 9th July 2005 the previous United Kingdom Orders or Regulations and any additional requirements imposed in legislation enforcing the Council Regulation in relation to those animals.

Commencement Information

- I8** Art. 12 in force at 31.12.2009, see art. 1(1)

(1) O.J. No.L 355, 5.12.1992, p.32.

Loss of methods of identification applied in a third country

13. Where an animal is imported from a third country and identified in accordance with Article 4(4) of the Council Regulation, the keeper is not required to replace a method of identification applied in the third country if it subsequently becomes lost or illegible.

Commencement Information

19 [Art. 13](#) in force at 31.12.2009, see [art. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Sheep and Goats (Records, Identification and Movement) (Scotland) Order 2009, PART 2.