

1980 No. 453 (S.43)

AGRICULTURE

LIVESTOCK INDUSTRIES

**The Artificial Insemination of Cattle (Scotland) Regulations
1980**

<i>Made - - - -</i>	<i>27th March 1980</i>
<i>Laid before Parliament</i>	<i>10th April 1980</i>
<i>Coming into Operation</i>	<i>1st May 1980</i>

In exercise of the powers conferred on me by section 17 of the Agriculture (Miscellaneous Provisions) Act 1943(a), and of all other powers enabling me in that behalf, I hereby make the following Regulations:

PART I

INTRODUCTORY

Citation, extent and commencement

1. These Regulations may be cited as the Artificial Insemination of Cattle (Scotland) Regulations 1980, shall apply to Scotland and shall come into operation on 1st May 1980.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

“advertisement” includes every form of advertising to the public, whether in a publication, or by the display of any notice, or by means of any catalogue, price list, letter (whether circular or addressed to a particular person) or other document, or by words inscribed on any article, or by the exhibition of a photograph or a cinematograph film, or by way of sound recording, sound broadcasting or television, or in any other way;

“approval category” means the category into which an approved bull is placed under regulation 5(4);

“approved bull” means a bull which is approved for the time being—

(a) by the Secretary of State under regulation 5; or

(b) by the Minister under regulation 5 of the Artificial Insemination of Cattle (England and Wales) Regulations 1980(b);

“artificial insemination” means the artificial insemination of a cow;

(a) 1943 c. 16.

(b) S.I. 1980/448.

- “bull eligible for extended use” means an approved bull placed into an approval category other than Grade A (Progeny Testing) or Grade B (Untested) by the Secretary of State under regulation 5(4) or by the Minister under regulation 5(4) of the Artificial Insemination of Cattle (England and Wales) Regulations 1980;
- “centre storage licence” means a licence granted under regulation 7(1)(c);
- “cow” includes heifer;
- “dairy breed” means any of the Ayrshire, British Friesian (including Red and White Friesian and Poll Friesian), British Canadian Holstein, Jersey, Guernsey breeds or Dairy Shorthorn types of cattle;
- “distribute” includes sell;
- “embryo transfer unit” means premises wholly or mainly used for the purposes of the collection or the transference of embryos of cattle and “exempted embryo transfer unit” means an embryo transfer unit in respect of which a certificate issued by the Secretary of State is in force certifying that the unit is an exempted embryo transfer unit for the purpose of these regulations;
- “evaluation” in relation to semen means the examination of semen from a bull and the assessment of its suitability for use in artificial insemination but does not include such examination by a veterinary surgeon or a veterinary practitioner;
- “farm” includes an embryo transfer unit and a research or experimental establishment;
- “farm storage licence” means a licence granted under regulation 7(1)(f);
- “farm storage servicing licence” means a licence granted under regulation 7(1)(g);
- “flask” means a cryogenic flask;
- “Improved Contemporary Comparison” means predicted breeding values for production for bulls of dairy breeds published from time to time jointly by the Milk Marketing Board and the Scottish Milk Marketing Board;
- “the Minister” means the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly;
- “owner” includes a joint owner, and any person having authorised possessory use, and “ownership” shall be construed accordingly;
- “process” in relation to semen, means all or any of the following—
- (a) dilute (except for the purpose of, or in the course of, the evaluation of semen);
 - (b) add any substance which is calculated to prolong the natural life of the semen;
 - (c) package into straws;
 - (d) freeze (except for the purpose of, or in the course of, the evaluation of semen);
- and “processing” shall be construed accordingly except that the processing of semen shall not be regarded as completed until all the processes listed in the next definition have been carried out;
- “processed” in relation to semen, means, except where the context otherwise requires semen which has passed through all the following processes—

- (a) dilution;
- (b) addition of any substance which is calculated to prolong the natural life of the semen;
- (c) packaging into straws;
- (d) freezing;

“processing centre” means premises specified in a processing licence and in regulations 13, 14 and 15 it also means premises specified in a licence issued under regulation 7(1)(a) of the Artificial Insemination of Cattle (England and Wales) Regulations 1980;

“processing licence” means a licence granted under regulation 7(1)(a);

“qualified person” means any of the following—

- (a) a veterinary surgeon;
- (b) a veterinary practitioner; and
- (c) a person, not being a veterinary surgeon or a veterinary practitioner, who collects semen under the direction of a veterinary surgeon approved by the Secretary of State in this behalf;

“quarantine” means holding in isolation;

“quarantine centre” means premises specified in a quarantine licence and in regulations 14, 18 or 20; it also means premises specified in a licence issued under regulation 7(1)(b) of the Artificial Insemination of Cattle (England and Wales) Regulations 1980;

“quarantine licence” means a licence granted under regulation 7(1)(b);

“raw semen” means semen which has not been diluted or treated in any way so as to prolong its natural life;

“research or experimental establishment” means premises on which research into or experiments with cattle breeding is or are carried out and includes veterinary premises in which the treatment of sub-fertile or infertile cattle is carried out; and “exempted research or experimental establishment” means a research or experimental establishment in respect of which a certificate issued by the Secretary of State is in force, certifying that the establishment is an exempted research or experimental establishment for the purposes of these Regulations;

“semen” means semen collected from a bull;

“special movement licence” means a licence granted under regulation 7(1)(e);

“storage centre” means premises specified in a centre storage licence and in regulations 15, 17, 18 or 20 it also means premises specified in a licence granted under regulation 7(1)(c) of the Artificial Insemination of Cattle (England and Wales) Regulations 1980;

“straw” means a container holding one dose of processed semen for use in artificial insemination;

“supply licence” means a licence granted under regulation 7(1)(d);

“veterinary practitioner” means a person registered in the supplementary veterinary register kept under section 8 of the Veterinary Surgeons Act 1966(a); and

“veterinary surgeon” means a person registered in the register of veterinary surgeons kept under section 2 of the Veterinary Surgeons Act 1966.

(2) Any reference in these regulations to a numbered regulation or Schedule shall be construed as a reference to the regulation so numbered in, or the Schedule to, these regulations.

Revocation

3. The Artificial Insemination of Cattle (Scotland) Regulations 1977(a) are hereby revoked.

Application of Regulations

4.—(1) These regulations shall not apply to anything done by a permitted person in the course of or for the purpose of artificial insemination of a cow with raw semen which has been collected from a bull by a permitted person when, at the time of such insemination, the cow is—

- (a) in the same ownership as the bull from which the semen is collected;
- (b) kept on land occupied by the owner of the bull; and
- (c) comprised in the same herd as the bull.

(2) Nothing in these regulations shall apply to anything done in the course of or for the purpose of the artificial insemination of a cow—

- (a) on an exempted embryo transfer unit with raw semen which has been collected from a bull by a qualified person; or
- (b) on an exempted research or experimental establishment with semen which has been collected from a bull by a qualified person.

(3) These regulations shall not apply to the evaluation, processing, keeping or moving of semen by any person for the purposes of education or research in an educational or research establishment where that semen is not intended to be used at any time in artificial insemination.

(4) In paragraph (1) of this regulation, “permitted person” means—

- (a) the owner of the bull from which semen is collected;
- (b) a person in the employment of the owner of the bull;
- (c) a veterinary surgeon; or
- (d) a veterinary practitioner.

PART II

APPROVAL OF BULLS

Bulls for use in artificial insemination

5.—(1) For the purposes of these regulations the Secretary of State may on application made to him by or on behalf of the owner of a bull approve the bull for use in artificial insemination.

(2) The Secretary of State may require an applicant for approval of a bull for use in artificial insemination—

- (a) to furnish him with such information as he may deem necessary for proper consideration of the application; and
- (b) to permit the bull to be subjected to such isolation and to such tests, examinations or inspections as he may deem necessary.

(a) S.I. 1977/1230.

(3) In considering whether or not to approve a bull for use in artificial insemination the Secretary of State shall have regard to the health of the bull and may take into account the health of other cattle with which that bull may have been in contact and the genetic qualities and physical characteristics, including abnormalities or defects of any kind, of the bull and its progeny.

(4) Where a bull has been approved for use in artificial insemination the Secretary of State may, for the purposes of regulations 21 and 22, place the bull into any one of the following approval categories, that is to say "Grade A (Progeny Testing)", "Grade B (Untested)", "Unclassified", "Class 1", "Class 2", "Class 3" or "Class 4" and in so doing may take into account the Improved Contemporary Comparison, production information, progeny characteristics, age and pedigree of or relating to that bull.

(5) The Secretary of State may approve a bull for use in artificial insemination without condition or subject to the following conditions or to one or more of them—

- (a) that the approved bull shall be subjected to such further isolation and shall fulfil such further veterinary investigations as may be specified;
- (b) that only during a specified period shall semen of the approved bull be collected for use in artificial insemination;
- (c) that semen for use in artificial insemination shall be collected from the approved bull only on specified premises;
- (d) that semen from the approved bull shall be supplied for use in the artificial insemination only of cows comprised in such herd or herds as may be specified;
- (e) that semen from the approved bull collected during a specified period shall be supplied for use in the artificial insemination only of cows comprised in such herd or herds as may be specified;
- (f) that the total amount of semen which may be supplied for use in the artificial insemination of cows comprised in a herd or herds other than a specified herd or herds shall not exceed a specified amount.

For the purposes of this paragraph "specified" means specified in writing by the Secretary of State.

(6) Where a bull is approved subject to a condition under paragraph (5)(f) of this regulation, or is approved subject to a condition under regulation 5(5)(f) of the Artificial Insemination of Cattle (England and Wales) Regulations 1980, or is deemed to have been approved by virtue of regulation 28(1) and the licence issued in respect of the bull imposed a limit on the amount of semen which could be distributed, or, in the case of imported semen, the import licence is issued subject to a quantitative limit, the owner of the bull or, in the case of imported semen, the licensee, shall provide such certification of semen supplied in relation to the relevant condition or licence as may be required by the holder of a supply licence to meet the conditions of that supply licence.

(7) Where a bull is approved subject to one or more of the conditions set out in paragraph (5) of this regulation, that condition or those conditions shall be binding on the owner for the time being of the approved bull.

(8) Where a bull is approved subject to one or more of the conditions set out in sub-paragraphs (d), (e) and (f) of paragraph (5) of this regulation the owner of semen from that bull shall not knowingly supply that semen for use in such a way that there is a breach of any of those conditions.

(9) Where the Secretary of State has approved a bull for use in artificial insemination subject to the condition set out in paragraph (5)(f) of this regulation notice of any subsequent change of ownership of that bull or of any subsequent disposal of semen from that bull shall be given to the Secretary of State by the owner of that bull or semen.

Provided that no notice shall require to be given to the Secretary of State in respect of semen which is moved from a storage centre under regulation 20(2)(a), (d) or (f).

(10) Where the owner of an approved bull or the owner of any semen from an approved bull knows or suspects that any progeny of that bull has shown signs of any abnormality the owner shall as soon as is practicable give notice of that knowledge or suspicion to the Secretary of State and if subsequently so directed by the Secretary of State to any person whom that owner reasonably believes to be in possession of semen from that bull.

(11) In any case where he considers it to be desirable having regard to the result of any veterinary test, examination or inspection the Secretary of State may, by a notice served on the owner of an approved bull, prohibit the use, in any herd, of semen collected from that bull, being semen collected during such period as is specified in the notice, or being semen collected between a date specified in the notice and a date specified in a subsequent notice to be served by the Secretary of State on the owner.

(12) The Secretary of State may at any time by notice to such persons as he considers appropriate—

- (a) cancel or vary any condition subject to which the bull was approved or may subject the approval of the bull to any of the conditions specified in paragraph (5) of this regulation not previously imposed; or
- (b) vary the approval category into which a bull is placed; or
- (c) withdraw the approval of the bull.

(13) Where the Secretary of State has withdrawn the approval of a bull, no person who has been notified of the withdrawal by the Secretary of State under paragraph (12) above shall, without the consent in writing of the Secretary of State, supply for use in artificial insemination any semen collected from that bull before the approval of that bull was withdrawn.

(14) On the death of an approved bull, the owner shall forthwith give notice to the Secretary of State of the death and the circumstances in which it occurred.

(15) Any notice given to the Secretary of State by an owner of a bull under paragraphs (9), (10) or (14) of this regulation shall be deemed to be notice on behalf of all the owners of that bull.

PART III

LICENCES

General prohibition of evaluation etc. of semen

6. The following are prohibited except under the authority of, and in accordance with, the conditions of a licence issued by the Secretary of State and for the time being in force:—

- (a) the evaluation, processing, keeping in quarantine, storage or movement from a storage centre of semen, or the causing or permitting of such evaluation, processing, keeping in quarantine, storage or movement;
- (b) the delivery to farms of equipment or materials required for the storage and use of semen in artificial insemination or the servicing whilst on the farm of such equipment.

Licences

7.—(1) For the purpose of these regulations the Secretary of State may on application made to him grant one or more of the following licences:—

- (a) a processing licence;
- (b) a quarantine licence;
- (c) a centre storage licence;
- (d) a supply licence;
- (e) a special movement licence;
- (f) a farm storage licence;
- (g) a farm storage servicing licence; and

(2) Where the Secretary of State grants two or more licences to the same person he may, if he thinks fit, grant the licences in the form of a combined licence.

(3) A processing licence shall authorise the licensee named therein to collect semen and to evaluate or process semen on specified premises (“a processing centre”).

(4) A quarantine licence shall authorise the licensee named therein to keep processed semen in quarantine on specified premises (“a quarantine centre”).

(5) A centre storage licence shall authorise the licensee named therein to store processed semen on specified premises (“a storage centre”) and to move semen from those premises in accordance with regulation 20(1) or 20(2).

(6) A supply licence shall authorise the licensee named therein to move processed semen from a storage centre in accordance with regulation 20(2).

(7) A special movement licence shall authorise the licensee named therein to move semen or cause or permit semen to be moved from a processing centre or from a storage centre in respect of which a supply licence is also granted in accordance with regulation 7(1)(d) to farms situated within a specified area.

(8) A farm storage licence shall authorise the licensee named therein to store processed semen on a specified farm and to use or cause such semen to be used in the artificial insemination of cows, which are kept on a specified farm which is, except where the farm is an exempted embryo transfer unit or an exempted research or experimental establishment or within an area which by reason of its lack of a suitable artificial insemination service the Secretary of State considers to be a remote area, owned by the licensee.

(9) A farm storage servicing licence shall authorise the licensee named therein to deliver to farms equipment or materials (including liquid nitrogen for farm storage flasks) required for the storage and use of semen or to service such equipment in accordance with regulation 25.

(10) In this regulation “specified” means specified by the Secretary of State in the relevant licence.

PART IV

COLLECTION, EVALUATION AND PROCESSING OF SEMEN

Collection of semen

8. No person shall collect semen from a bull for evaluation or processing unless he is a qualified person.

9. No person shall collect semen from a bull for processing except under the authority of and in accordance with the conditions of a processing licence for the time being in force unless that bull is an approved bull and—

- (a) is at a processing centre; or
- (b) where the approval of the bull for use in artificial insemination was subject to the conditions set out in regulation 5(5)(a) of these regulations, has been kept in isolation on premises specified in the approval of the bull under regulation 5(5)(c) since the commencement of the veterinary investigations specified under regulation 5(5)(a).

10.—(1) Where the collection of semen is to take place on the premises specified in the approval of the bull under regulation 5(5)(c) a teaser animal may be used if authorised by a qualified person.

(2) In this regulation “teaser animal” means a bovine animal which is used as an aid in the collection of semen from a bull.

Delivery of semen for evaluation or processing

11. No person shall—

- (a) submit for processing at a processing centre semen collected from a bull kept on that centre, or
- (b) deliver semen to a processing centre for evaluation or processing unless he is a qualified person.

Evaluation of semen

12.—(1) No person shall accept semen for evaluation unless it is submitted to him by a qualified person on the processing centre where the semen was collected, or is delivered to him at a processing centre by a qualified person.

(2) No person shall evaluate semen or cause or permit semen to be evaluated except under the authority of, and in accordance with the conditions of, a processing licence for the time being in force.

Processing of semen

13.—(1) No person shall accept semen for processing, unless it is submitted to him by a qualified person on the processing centre where the semen was collected, or is delivered to him at a processing centre and—

- (a) is delivered or was consigned by a qualified person; or
- (b) comes from another processing centre for completion of processing.

(2) No person shall process semen or cause or permit semen to be processed unless he knows or reasonably believes it to be semen collected in accordance with the provisions of regulation 9.

(3) No person shall process semen or cause or permit semen to be processed except under the authority of and in accordance with the conditions of a processing licence for the time being in force.

Movement of semen from a processing centre

14.—(1) No person shall move semen or cause or permit semen to be moved from a processing centre except—

- (a) in the case of partially processed semen—
 - (i) direct to another processing centre;
 - (ii) direct to an exempted research or experimental establishment; or
 - (iii) to a farm situated within an area specified in a special movement licence granted to him;
- (b) in the case of processed semen—
 - (i) direct to a quarantine centre; or
 - (ii) direct to a place outside Great Britain.”

(2) The person to whom a processing licence is granted shall, as soon as it is reasonably practicable after processing of the semen has been completed, move the semen or cause it to be moved direct to—

- (a) a quarantine centre; or
- (b) a place outside Great Britain.

PART V

QUARANTINE OF SEMEN

Acceptance of semen to be kept in quarantine

15. No person shall accept semen to be kept in quarantine unless—

- (a) it is delivered to him at a quarantine centre; and
- (b) it comes from a processing centre or a storage centre in respect of which a supply licence has also been granted in accordance with regulation 7(1)(d) of these regulations or regulation 7(1)(d) of the Artificial Insemination of Cattle (England and Wales) Regulations 1980 or is imported into Great Britain under a licence issued under section 17(3) of the Agriculture (Miscellaneous Provisions) Act 1943(a).

Keeping of semen in quarantine

16. No person shall keep semen in quarantine or cause or permit semen to be kept in quarantine except under the authority of and in accordance with the conditions of a quarantine licence for the time being in force.

Movement of semen from a quarantine centre

17.—(1) Subject to the provisions of paragraph (4) of this regulation no person shall move semen or cause or permit semen to be moved from a quarantine centre until the semen has been kept there for a period of 28 days.

(2) No person shall move semen or cause or permit semen to be moved from a quarantine centre except direct—

- (a) to a storage centre; or
- (b) to a place outside Great Britain.

(3) Subject to the provisions of paragraph (4) of this regulation, the person to whom a quarantine licence is granted shall, as soon as practicable after semen has been kept at the quarantine centre for 28 days, move the semen or cause it to be moved direct—

(a) 1943 c. 16.

- (a) to a storage centre; or
- (b) to a place outside Great Britain.

(4) Nothing in this regulation shall prevent the movement of semen from a quarantine centre direct to a place outside Great Britain before it has been kept for 28 days.

PART VI

STORAGE, SUPPLY, DISTRIBUTION AND USE OF SEMEN

Acceptance of semen for storage

18. No person shall accept semen for storage unless either—

- (a) the semen—
 - (i) is delivered to him at a storage centre; and
 - (ii) comes from another storage centre under the provisions of regulation 20(1)(a) or 20(2)(b), or from a quarantine centre, or is imported into Great Britain under a licence issued under section 17(3) of the Agriculture (Miscellaneous Provisions) Act 1943; or
- (b) the semen—
 - (i) is delivered to him at a building specified in the farm storage licence granted to him; and
 - (ii) comes from the storage centre specified in the farm storage licence as the storage centre from which he may obtain semen.

Storage of semen

19. No person shall store semen or cause or permit semen to be stored except—

- (i) under the authority of and in accordance with the conditions of a centre storage licence for the time being in force; or
- (ii) under the authority of and in accordance with the conditions of a farm storage licence for the time being in force.

Movement of semen from a storage centre

20. No person shall move semen or cause or permit semen to be moved from a storage centre, except under the authority of, and in accordance with the conditions of, a centre storage licence or a supply licence for the time being in force and—

- (1) in the case of a storage centre in respect of which a centre storage licence only is granted in accordance with regulation 7(1)(c) direct—
 - (a) to another storage centre; or
 - (b) to a place outside Great Britain;
- (2) in the case of a storage centre in respect of which a supply licence is also granted in accordance with regulation 7(1)(d)—
 - (a) by means of an artificial insemination service to farms situated within the area designated in that supply licence; or
 - (b) direct to another storage centre also licensed to supply semen within the area designated in the supply licence of the centre from which the semen is transferred; or

- (c) direct to a quarantine centre; or
- (d) to any person who by virtue of a farm storage licence granted to him is entitled to obtain semen from that storage centre; or
- (e) to a farm situated within an area designated in a special movement licence; or
- (f) direct to a place outside Great Britain; or
- (g) to a veterinary surgeon or a veterinary practitioner approved by the Secretary of State and practising within an area which by reason of its lack of a suitable artificial insemination service the Secretary of State considers to be a remote area.

Distribution of semen from a bull of a dairy breed

21. (1) No person shall distribute semen from a bull of a dairy breed unless he provides the recipient either before or at the time of distribution with a statement of the breed, name and current approval category of the bull from which the semen was taken and, if the bull is registered in Great Britain, the herd book number.

(2) No person shall distribute semen from a bull of a dairy breed eligible for extended use which is categorised by the Secretary of State under regulation 5(4) as Unclassified unless he provides the recipient either before or at the time of distribution with all the latest information available relating to the matters specified in paragraph 1(a), (b) and, where applicable, (c) of the Schedule.

(3) A person who distributes semen from a bull of a dairy breed eligible for extended use which is categorised by the Secretary of State under regulation 5(4) as Class 1, 2, 3 or 4, shall, on a request in writing, provide all the latest information available relating to the matters specified in paragraph 1(a), (b) and, where applicable, (c) of the Schedule.

(4) No person shall distribute semen from a bull of a dairy breed which is categorised by the Secretary of State under regulation 5(4) as Grade B (Untested) unless he provides the recipient either before or at the time of distribution with all the latest information available relating to the matters specified in paragraph 2(a), (b) and (c) of the Schedule.

(5) A person who distributes semen from a bull of a dairy breed which is categorised by the Secretary of State under regulation 5(4) as Grade A (Progeny Testing) shall, on a request in writing, provide all the latest information available relating to the matters specified in paragraph 2(a), (b) and (c) of the Schedule.

(6) No person shall distribute semen taken from an imported bull of a dairy breed unless—

- (a) where the semen is from a bull eligible for extended use, he complies with the requirements relating to the provision of information contained in paragraph (2) or (3) above, as the case may be, and the information is expressed in terms, so far as practicable, comparable to the Improved Contemporary Comparison and conformation assessments of mature bulls bred in Great Britain;
- (b) where the semen is from a bull categorised by the Secretary of State under regulation 5(4) as Grade A (Progeny Testing) or Grade B (Untested), he complies with the requirements relating to the provision of information contained in paragraph (4) or (5) above, as the case may be, and the information is expressed in terms, so far as practicable, comparable to the Improved Contemporary Comparison and conformation assessments of bulls being progeny tested in Great Britain.

(7) Where any information to be provided under any of the foregoing paragraphs of this regulation is not available, a statement in writing to that effect specifying the information which is not available shall be supplied to the recipient before or at the time of distribution.

(8) Nothing contained in the foregoing paragraphs of this regulation shall apply to a person who distributes semen in respect of which he is not the owner and the distribution is under the authority of and in accordance with the conditions of a supply licence.

Advertisement of semen from a bull of a dairy breed

22.—(1) No person shall cause an advertisement relating to any semen from a bull of a dairy breed to be issued unless that advertisement includes a statement of the breed, name, current approval category of the bull from which that semen was taken, and, if the bull was registered in Great Britain, the herd book number.

(2) (a) No person shall cause an advertisement relating to any semen from a bull of a dairy breed eligible for extended use which is categorised by the Secretary of State under regulation 5(4) as Unclassified to be issued unless that advertisement includes all the latest information available relating to the matters specified in paragraphs 1(a), (b) and where applicable (c) of the Schedule.

(b) No person shall cause an advertisement relating to any semen from a bull of a dairy breed which is categorised by the Secretary of State under regulation 5(4) as Grade B (Untested) to be issued unless that advertisement includes all the latest information available relating to the matters specified in paragraphs 2(a), (b) and (c) of the Schedule.

(c) No person shall cause an advertisement to be issued relating to any semen taken from an imported bull of a dairy breed unless—

- (i) where the semen is from a bull eligible for extended use, that advertisement includes all the latest information available relating to the matters specified in paragraph 1(a), (b) and, where applicable, (c) of the Schedule expressed in terms, so far as practicable, comparable to the Improved Contemporary Comparison and conformation assessments of mature bulls bred in Great Britain; or
- (ii) where the semen is from a bull categorised by the Secretary of State under regulation 5(4) as Grade A (Progeny Testing) or Grade B (Untested) that advertisement includes all the latest information available relating to the matters specified in paragraph 2(a), (b) and (c) of the Schedule expressed in terms, so far as practicable, comparable to the Improved Contemporary Comparison and conformation assessments of bulls being progeny tested in Great Britain.

(3) Where in relation to any semen any of the information required under paragraphs (1) and (2) above is not available, a statement to that effect, specifying the information which is not available, shall be made in the advertisement.

(4) (a) Any person who causes an advertisement relating to any semen from a bull of a dairy breed eligible for extended use which is categorised by the Secretary of State under regulation 5(4) as Class 1, 2, 3 or 4 to be issued shall, on a request in writing, provide all the information available relating to the matters specified in paragraph 1(a), (b) and where applicable (c), of the Schedule.

(b) Any person who causes an advertisement relating to any semen from a bull of a dairy breed which is categorised by the Secretary of State under regulation 5(4) as Grade A (Progeny Testing) to be issued shall, on request in writing, provide all the information specified in paragraph 2(a), (b) and (c) of the Schedule.

23. Any statement or information to be provided under regulation 21 or 22 shall be printed in a clear and legible manner and that which is unfavourable shall be given equal prominence to that which is favourable.

General prohibition on use of semen

24. No person shall use semen from a bull in the artificial insemination of a cow unless:—

- (a) that semen has been obtained from a storage centre from which the semen was moved in accordance with the provisions of these regulations or from a processing centre from which the semen was moved in accordance with the conditions of a special movement licence; and
- (b) he is—
 - (i) a veterinary surgeon;
 - (ii) a veterinary practitioner,
 - (iii) an employee of a holder of a supply licence or special movement licence who to the satisfaction of the licence holder is competent in artificial insemination and associated hygiene precautions and who is under the general direction of a veterinary surgeon specified in the licence.
 - (iv) the holder of a farm storage licence or an employee of such holder who has completed a course of training in artificial insemination under the direction of a veterinary surgeon and recognised by the Agricultural Training Board or who regularly carried on artificial insemination during the period or 12 months immediately preceding the coming into force of the Artificial Insemination of Cattle (Scotland) Regulations 1977 and who has continued regularly to carry out artificial insemination since the coming into force of those regulations or, within an area, which, by reason of its lack of a suitable artificial insemination service the Secretary of State considers to be a remote area, such person as the Secretary of State may approve, and who complies with the requirements of the conditions of the licence relating to such a person.
 - (v) the owner, tenant or manager, or the employee of that owner, tenant or manager, of a farm to which semen has been moved by virtue of and in accordance with regulation 14(1)(a)(iii) or 20(2)(e).

PART VII

FARM STORAGE SERVICING

Delivery and service of equipment required for storage and use of semen

25. No person shall deliver to a farm equipment or materials (including liquid nitrogen for farm storage flasks) required for the storage and use of semen in artificial insemination or service such equipment whilst on the farm except under the authority of and in accordance with the conditions of a farm storage servicing licence for the time being in force.

Provided that nothing in this regulation shall prevent the holder of a farm storage licence from servicing equipment which belongs to him, or from collecting any materials for use on his own farm.

PART VIII

GENERAL

Application etc. to be in writing

26. Any application, approval, authorisation, certificate, consent, direction, licence, notice or requirement made, given or granted for the purpose of these regulations shall be in writing.

Offences

27. No person shall—

- (a) furnish any information required by regulations 5(2)(a), 21 or 22,
- (b) give any certificate under regulation 5(6),
- (c) make any statement or furnish any information for the purpose of obtaining a licence under these regulations, which he knows to be false or does not believe to be true.

Transitional provisions

28.—(1) Where immediately before the date of coming into operation of the Artificial Insemination of Cattle (Scotland) Regulations 1977(a) there was in force in respect of a bull a licence issued by the Secretary of State under the Artificial Insemination of Cattle (Scotland) Regulations 1957(b) or by the Minister under the Artificial Insemination of Cattle (England and Wales) Regulations 1957(c) permitting the distribution or sale of semen from the bull, the bull shall for the purposes of these regulations be deemed to be an approved bull, and these regulations shall apply in respect of the bull and its semen as they apply to an approved bull and its semen.

(2) Where immediately before the coming into operation of the Artificial Insemination of Cattle (Scotland) Regulations 1977 an owner of semen was entitled by virtue of regulations 3(2)(a) of the Artificial Insemination of Cattle (Scotland) Regulations 1957 or regulation 4(2)(a) of the Artificial Insemination of Cattle (England and Wales) Regulations 1957 to use that semen without a licence, that owner may continue to use that semen in the artificial insemination of cows belonging to him and the bull from which the semen was taken shall, for that purpose only, be deemed to be an approved bull.

(3) Where a bull is deemed to be an approved bull by virtue of paragraph (1) above, and the licence issued in respect of it imposed a limit on the amount of semen which could be distributed, then the amount of semen which may be supplied for use in the artificial insemination of cows comprised in a herd other than a herd in the same ownership as the bull shall not exceed that limit, reduced by the amount of its semen which was distributed under the licence before the coming into operation of these regulations.

(a) S.I. 1977/1230.

(b) S.I. 1957/1954.

(c) S.I. 1957/948.

(4) Where a bull is deemed to be an approved bull by virtue of paragraph (1) above, and the licence issued in respect of it provided that its semen could be distributed for use only in a specified herd or specified herds, then the semen of that bull shall be supplied only for use in the artificial insemination of cows comprised in the herd or herds so specified.

(5) Where a bull is deemed to be an approved bull by virtue of paragraph (1) or (2) above, then that bull—

- (a) shall be subjected to such isolation, and undergo such veterinary investigation, as the Secretary of State may by notice direct; and
- (b) shall, if the Secretary of State by notice so directs, cease to be so deemed.

George Younger

One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.

27th March 1980.

Regulations 21 and 22

SCHEDULE

ADVERTISEMENT AND DISTRIBUTION OF SEMEN

1.—(a) The date of publication of, and the following details from, the latest Improved Contemporary Comparisons relating to the bull from which the semen was taken, with the appropriate weighting for each Improved Contemporary Comparison, placing the symbol “—” or the word “minus” immediately before negative figures:—

- (i) number of daughter records in the milk yield Improved Contemporary Comparison,
- (ii) number of herds in which the daughters to which those records relate were milked,
- (iii) percentage of those daughters in the herd with the largest number of those daughters,
- (iv) where the percentage of daughters in the herd with the second largest number of those daughters was more than 10 per cent., that percentage,
- (v) kilograms of milk,
- (vi) kilograms of butter-fat and butter-fat percentage,
- (vii) kilograms of protein and protein percentage.

(b) The number of daughters of the bull from which the semen was taken which have been classified by a breed society or licensed artificial insemination organisation or centre, classification summary of the ratings of the daughters in respect of the legs, feet and the components of the mammary system, the date on which these summary ratings were last determined and the name of the breed, society or licensed artificial insemination organisation or centre from which this information was obtained.

(c) Where production information is given relating to any individual daughter or daughters of the bull from which the semen was taken—

the number of daughters, the average milk yield and butter-fat and protein average percentages obtained from the Bureau of Records of the Milk Marketing Board or the Bureau of Records of the Scottish Milk Marketing Board based on all daughters which have completed qualifying lactations in officially milk recorded herds, and in the case of heifer yields the percentage of the total calving in officially milk recorded herds which have failed to achieve qualifying lactations.

2. (a) The name of the sire of the bull from which the semen was taken, and details of the latest Improved Contemporary Comparison relating to that sire as set out in paragraph 1(0) of this Schedule, together with their date of publication.

(b) The number of daughters of the sire of the bull from which the semen was taken which have been classified by a breed society or licensed artificial insemination organisation or centre, classification summary ratings of the daughters in respect of the legs, feet and the components of the mammary system, the date on which these summary ratings were last determined and the name of the breed Society or licensed artificial insemination organisation or centre from which this information was obtained.

(c) The name of the dam of the bull from which the semen was taken, her breed society type classification and details of the first four authenticated 305-day lactations, including calving dates, and either the current breeding index or the production indices, stating the herd base to which the cow has been compared.

3. In paragraphs 1(b) and 2(b) above, the expression “licensed artificial insemination organisation or centre” means an organisation or centre authorised for the time being to process, quarantine, store and supply semen by virtue of a licence issued under these regulations or under the Artificial Insemination of Cattle (England and Wales) Regulations 1980.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which revoke and supersede the Artificial Insemination of Cattle (Scotland) Regulations 1977 continue, with certain changes, the system for the control of the practice of artificial insemination in Scotland.

The Regulations provide for the issuing and withdrawal of approvals by the Secretary of State of bulls for use in artificial insemination. Approvals may be unconditional or subject to one or more of the conditions mentioned in the regulations and may be varied or cancelled.

The Regulations prohibit the collection of semen for processing except by licence unless from an approved bull and prohibit the evaluation, processing, quarantine, storage and supply of semen for use in artificial insemination except under the authority of licences granted by the Secretary of State and subject to such conditions as may be specified in the licences.

The Regulations provide that artificial insemination may be carried out only by veterinary surgeons and by certain other specified persons and also provide for the control of the delivery of equipment and materials required for the storage and use of semen, and for the servicing of such equipment. Transitional provisions are also included providing for bulls, the use of whose semen was authorised before the coming into force of the 1977 Regulations to continue to be regarded as approved bulls.

The Regulations do not apply to the use of raw semen in cows belonging to the owner of the bull from which the semen came, or on an embryo transfer unit in respect of which Secretary of State has granted an exemption; nor do they apply to the use of any semen on a research or experimental establishment similarly exempted.

Because of the special problems which arise in the remote areas of Scotland the provisions of Regulations 7(8), 20(2)(g) and 24(b)(iv) have been modified to enable storage centres to supply semen to veterinary surgeons or veterinary practitioners in those areas and allow the holders of farm storage licences to carry out the artificial insemination of cows kept on their own and neighbouring farms specified in their licence. In addition, such artificial insemination of cows may be carried out by a person approved by the Secretary of State.

The principal changes from the 1977 regulations are:—

1. The Secretary of State may place a dairy bull which has been approved for use in artificial insemination into one of the approval categories specified in the regulations and no person may distribute semen or may advertise semen unless he provides in writing specified information, according to the approval category in which the bull is placed.
2. To allow for more flexibility in the movement of semen in certain exceptional situations the transfer of partially processed semen from a processing centre or of processed semen from a storage centre to farms situated in a specified area may be authorised by the Secretary of State by the issue of a special movement licence. An owner or tenant or employee of a farm to which semen has been moved under a special movement licence is allowed to inseminate cows with the semen.
3. Semen may not be moved from a storage centre, licensed to supply semen within one area, direct to a storage centre licensed to supply semen in another area except via a licensed quarantine centre where it must first undergo a period of quarantine.

4. There is now no restriction on the evaluation, processing or moving of semen by any person for the purposes of education or research in an educational or research establishment where that semen is not intended to be used in artificial insemination.

5. Where the Secretary of State considers it to be necessary, having regard to the result of any veterinary test, he may, by notice served on the owner of a bull prohibit the use of semen collected from the bull during the period specified in the notice.