
 STATUTORY INSTRUMENTS

1987 No. 1601

ANIMALS

ANIMAL HEALTH

 The Warble Fly (England and Wales) (Amendment)
 Order 1987

Made - - - - - *10th September 1987*

Coming into force *11th September 1987*

The Minister of Agriculture, Fisheries and Food, in relation to England, and the Secretary of State, in relation to Wales, in exercise of the powers conferred on them by sections 1, 8(1) and 86(1) of the Animal Health Act 1981(a) and of all other powers enabling them in that behalf, hereby Order as follows:

Title and commencement

1. This Order may be cited as the Warble Fly (England and Wales) (Amendment) Order 1987 and shall come into force on 11th September 1987.

Amendment

2. The Warble Fly (England and Wales) Order 1982(b) shall be amended as follows—

(a) in paragraphs (1), (3) and (4) of article 5 (veterinary enquiry and service of notices) after the word “affected” there shall be inserted the words “or suspected”;

(b) in article 6 (contents and effects of notices)—

(i) in paragraph (1)(a), (c) and (d) for the word “shall” there shall be substituted the word “may”;

(ii) in paragraph (1)(a) after the words “within the autumn period” there shall be inserted the words “or between such dates in the autumn period as may be specified in it.”; and

(iii) after paragraph (2) there shall be inserted the following paragraph—

“(3) Where a notice in Form A prohibits the movement of any animal in accordance with paragraph (1)(d) above but does not impose any other requirement, a veterinary inspector may by a further notice in writing amend that notice so as to impose any one or more of the requirements mentioned in paragraph (1) above”;

(c) for article 7 (autumn treatment) there shall be substituted the following article—

“7. If a veterinary inspector knows or has reasonable grounds for suspecting that, at any time during the current calendar year before the beginning of the autumn period,—

(a) any animal was affected;

(b) an affected animal was present on any premises; or

(a) 1981 c.22.

(b) S.I. 1982/234, amended by S.I. 1985/328.

(c) an animal which has or which may have been exposed to infection by warble fly was present on any premises,

he may, at any time after the end of the spring period and before the end of the autumn period in that year, serve a notice in Form A on the owner or person in charge of the animal, or of any animal on the premises, as the case may be; and in this case the notice in Form A shall require the treatment to be carried out during the autumn period or between such dates in the autumn period as may be specified in it.”; and

(d) for Form A in the Schedule there shall be substituted the following Form—

“FORM A
ANIMAL HEALTH ACT 1981
Warble Fly (England and Wales) Order 1982 (as amended)
(Articles 5, 6 and 7)
NOTICE OF MOVEMENT RESTRICTIONS AND TREATMENT

To
of

I, the undersigned, being a veterinary inspector of the Ministry of Agriculture, Fisheries and Food, hereby give you notice in accordance with the provisions of the above Order that—

* (1) No animal to which this notice applies may be moved until this notice has been cancelled by a notice in Form E except—

- (a) under the authority of a licence (Form D) issued by a veterinary inspector, and
- (b) in the case of an animal which has been treated and in which the presence of the warble fly can be seen or felt, where accompanied by a declaration in Form C or a declaration of treatment under the Warble Fly (Scotland) Order 1982 made in respect of it.

* (2) You are required, as the owner*/person in charge of the animals to which the notice applies,—

- (a) to treat or have treated the animals to which this notice applies by using a dressing licensed for systemic use against warble fly, such treatment to be carried out
 - * within 10 days,
 - * between the following dates and,
 - * during the period 15th September to 30 November inclusive,
 - * in the presence of, and to the satisfaction of, an appropriate officer;
- (b) to give me written notification of the date and time on which the treatment is to be carried out, such notice to be delivered or sent by post so as to be received at least 3 clear days before the treatment is to be carried out;
- (c) to deliver or to send to me by post a Declaration of Treatment in Form B within 7 days of the treatment being carried out.

The animals to which this notice applies are:

* (1) all cattle in your ownership or charge present on the premises specified below at the time of service of this notice, other than cattle exempted from treatment under article 15 of the Order and calves aged less than 12 weeks.

Description of premises Full postal address
--

* Delete if inappropriate

*(2) the cattle specified in the table below—

<i>Official Identity number</i>	<i>Description of cattle</i> <i>e.g. Breed Sex Age</i>
---------------------------------	---

Signed Dated
(Veterinary Inspector)

Name in block letters

Official address

Notes

1. Animals are exempted from treatment under article 15 of the Order if:—
 - (a) it is not reasonable to treat them because of sickness, because treatment other than for warble fly has been administered to them or because of some other veterinary reason and it has not been reasonable to treat them at any time since the requirement to treat them arose; or
 - (b) a veterinary inspector has issued a certificate of exemption under article 15(2) in respect of them; or
 - (c) they are at a slaughterhouse.

2. An appropriate officer is, in respect of premises in England, an inspector of the Ministry of Agriculture, Fisheries and Food or any other officer of the Ministry and, in respect of premises in Wales, an officer of the Secretary of State for Wales.”

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 10th September 1987.



John MacGregor
Minister of Agriculture, Fisheries and Food

Peter Walker
Secretary of State for Wales

24th August 1987

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Warble Fly (England and Wales) Order 1982 by adding provisions which—

(1) enable a veterinary inspector, where there are on any premises cattle which are suspected of being infected with warble fly, to serve a notice in Form A prohibiting the movement of any cattle from the premises or requiring them to be treated in respect of warble fly (article 2(a) and (b)(i));

(2) enable a veterinary inspector, where he serves a notice in Form A on any person requiring him to treat cattle in respect of warble fly to require the treatment to be carried out between such dates during the autumn period (the period from 15th September to 30th November inclusive in any year) as may be specified in the notice (article 2(b)(ii));

(3) enable a veterinary inspector, where a notice in Form A has been served on any person prohibiting the movement of cattle from any premises, to serve a further notice on such person requiring the cattle to be treated in respect of warble fly (article 2(b)(iii)); and

(4) enable a veterinary inspector, where he knows or suspects that at any time during the current calendar year before the beginning of the autumn period any cattle which have, or may have been, exposed to infection by warble fly were present on any premises to serve a notice in Form A requiring any cattle on those premises to be treated in respect of warble fly (article 2(c)).