
STATUTORY INSTRUMENTS

1990 No. 1557

ANIMALS

ANIMAL HEALTH

The Sheep Scab (National Dip) Order 1990

Made - - - - - *27th July 1990*

Coming into force *1st September 1990*

ARRANGEMENT OF ARTICLES

PART I

Title, Commencement and Interpretation

Article

- 1 Title and commencement
- 2 Interpretation

PART II

*Provisions Relating to National Dipping
and Movement Restrictions*

- 3 Requirements relating to dipping of sheep
- 4 Declaration of dipping
- 5 Restrictions relating to movement of sheep other than to or from a market, exhibition or show
- 6 Restrictions relating to markets, exhibitions and shows
- 7 Approved holding premises for sheep

PART III

General

- 8 General provisions as to movement of sheep and production of declarations
- 9 Powers of entry and inspection
- 10 Marking of sheep
- 11 Sampling
- 12 Powers of inspectors in cases of default
- 13 Offences
- 14 Local authority to enforce the Order

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1, 8(1), 14(1) and 86 of the Animal Health Act 1981(a) and of all other powers enabling them in that behalf, hereby make the following Order:

(a) 1981 c.22, section 86(1) contains a definition of "the Ministers" relevant to the exercise of the statutory powers under which this Order is made.

*Title, Commencement and Interpretation***Title and commencement**

1. This Order may be cited as the Sheep Scab (National Dip) Order 1990 and shall come into force on 1st September 1990.

Interpretation

2.—(1) In this Order, unless the context otherwise requires—

- “the Act” means the Animal Health Act 1981;
- “approved holding premises” means premises approved under article 7 for the temporary holding of slaughter sheep;
- “approved premises” has the meaning given to it by article 2(1) of the Export of Animals (Protection) Order 1981(a);
- “approved sheep dip” means a sheep dip for which there is a current product licence permitting its sale or supply for use against sheep scab;
- “approved substances” means those substances (other than water) specified for mixing with an approved sheep dip in the product licence relating to that dip;
- “dipping” means thoroughly immersing the whole sheep (including the head and ears) in a dipping bath, and keeping the sheep (excluding the head and ears) in the dipping bath for not less than one minute, and “dipped” shall be construed accordingly;
- “dipping bath” means a bath prepared by diluting an approved sheep dip with clean water and any other approved substances in the proportions specified for that dip in the product licence relating to it (without the addition of any other sheep dip or substance) and thereafter maintained in the manner specified in the licence;
- “dipped sheep” means sheep, other than slaughter sheep, which have been dipped in accordance with the provisions of this Order and “undipped sheep” shall be construed accordingly;
- “inspector” means a person appointed to be an inspector for the purposes of the Act by the Minister or by a local authority and, when used in relation to an officer of the Ministry, includes a veterinary inspector;
- “market” includes a fairground, sale-yard and any other place where sheep are commonly exposed for sale;
- “the Minister” and “the Ministry” mean respectively the Minister and the Ministry of Agriculture, Fisheries and Food;
- “product licence” means a product licence granted under the Medicines Act 1968(b);
- “relevant period” means the period of six weeks commencing on the 23rd day of September in any year;
- “sheep” includes lambs;
- “sheep scab” means an infestation of sheep with psoroptic or sarcoptic mites;
- “slaughterhouse” means—
 - (a) in relation to England and Wales, a slaughterhouse or knacker’s yard, as defined in section 34 of the Slaughterhouses Act 1974(c) and
 - (b) in relation to Scotland, a slaughterhouse as defined in section 22 of the Slaughter of Animals (Scotland) Act 1980(d);
- “slaughter sheep” means sheep intended for sale for immediate slaughter or for export;
- “slaughter sheep market” means a market or a separate and distinct part of a market where, for the time being, only slaughter sheep are sold;
- “veterinary inspector” means a veterinary inspector appointed by the Minister.

(a) S.I. 1981/1051.

(b) 1968 c.67.

(c) 1974 c.3.

(d) 1980 c.13.

(2) Any reference in this Order—

- (a) to a numbered article, is a reference to the article bearing that number in this Order, and
- (b) to a lettered Form, is a reference to the Form bearing that letter in the Schedule to this Order.

PART II

*Provisions Relating to National Dipping and Movement Restrictions***Requirements relating to dipping of sheep**

3.—(1) Subject to paragraph (3) below, all sheep shall be dipped during the relevant period by the owner or person in charge of them, except that where any sheep have been so dipped and the ownership of them subsequently transferred to another person the sheep shall not be required to be dipped again during the same relevant period by the new owner or person in charge of them.

(2) The owner or person in charge of any sheep which have been dipped in accordance with paragraph (1) above shall keep them separate from undipped sheep during the relevant period.

(3) The provisions of this article shall not apply—

- (a) to sheep which are slaughtered or exported during the relevant period or exported as soon as practicable following detention at an approved holding premises in accordance with the provisions of paragraph (7) of article 6, or
 - (b) to sheep in respect of which a veterinary inspector has issued a certificate of exemption under paragraph (4) below.
- (4)(a) A veterinary inspector may at the request of the owner or the person in charge of any sheep issue a certificate of exemption in respect of the sheep if he is satisfied that it is impracticable or inexpedient to dip them.
- (b) A certificate issued under sub-paragraph (a) above may be issued subject to such conditions as the veterinary inspector issuing it considers necessary for the purpose of preventing the spreading of sheep scab.

Declaration of dipping

4. The owner or person in charge of any sheep shall, not later than the 8th day after the termination of the relevant period, either personally or by his duly authorised agent, make and furnish to the local authority a declaration in Form R.

Restrictions relating to movement of sheep other than to or from a market, exhibition or show

5.—(1) Subject to paragraph (2) below, no person shall move any sheep during the relevant period from any premises to any other premises.

(2) The prohibition in paragraph (1) above shall not apply to any sheep which are moved—

- (a) from any premises to any other premises within a radius of not more than 50 km for the purpose of being dipped thereon;
- (b) after being moved in accordance with the provisions of sub-paragraph (a) above, back to the premises from which they had been moved;
- (c) after being dipped, from any premises to any other premises where they are accompanied by a declaration in Form S made by the owner or his duly authorised agent;
- (d) from any premises direct to approved holding premises, approved premises or a slaughterhouse where they are accompanied by a declaration in Form U made by the owner or his duly authorised agent, and
- (e) from any premises to a veterinary surgery for treatment and from there direct to a slaughterhouse for immediate slaughter or back to the premises from which they were moved.

(3) In this article “premises” shall not include a market, exhibition or show.

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Restrictions relating to markets, exhibitions and shows

6.—(1) Subject to the provisions of this article no person shall during the relevant period—

- (a) hold a market, exhibition or show of sheep;
- (b) move any sheep to a market, exhibition or show; or
- (c) move any sheep from a market, exhibition or show.

(2) The prohibition in paragraph (1)(a) above shall not apply to the holding of a market, exhibition or show of sheep under the authority of a licence issued by the local authority and in accordance with the conditions, if any, subject to which the licence is issued, but a local authority shall not issue a licence permitting the holding of a market, exhibition or show for both dipped sheep and slaughter sheep unless it is satisfied that it is necessary or expedient to do so and that the presence of both dipped sheep and slaughter sheep in the same market, exhibition or show will not give rise to a risk of spreading sheep scab.

(3) A licence to hold a market, exhibition or show issued by the local authority under paragraph (2) above may permit the holding of a market, exhibition or show for—

- (a) dipped sheep, on the condition that no sheep other than dipped sheep are present in, or admitted to, the same market, exhibition or show on the same day;
- (b) slaughter sheep, on the condition that no sheep, other than slaughter sheep are present in or admitted to the same market, exhibition or show on the same day; or
- (c) both dipped sheep and slaughter sheep, on the condition that adequate provision is made (to the local authority's satisfaction) to ensure that dipped sheep and slaughter sheep are kept separate from each other whilst they are in the market, exhibition or show.

(4) The prohibition in paragraph (1)(b) above shall not apply—

- (a) to the movement to a market, exhibition or show of any dipped sheep where they are accompanied by a declaration in Form S made by the owner of the sheep or his duly authorised agent;
- (b) to the movement to a market, exhibition or show during the first 7 days of the relevant period of sheep which have been dipped within the 7 days immediately preceding the commencement of such period where they are accompanied by a declaration in Form S made by the owner of the sheep or his duly authorised agent;
- (c) to the movement to a market of any dipped sheep which have been brought for the first and only time direct from a dipped sheep market within 36 hours of the closure of such a market where they are accompanied by a declaration in Form T made by the auctioneer of the dipped sheep market;
- (d) to the movement to a slaughter sheep market of slaughter sheep where they are accompanied by a declaration in Form U made by the owner of the sheep or his duly authorised agent.

(5) The prohibition in paragraph (1)(c) above shall not apply to the movement of sheep from a market, exhibition or show where—

- (a) dipped sheep are accompanied by a declaration in Form T issued by the auctioneer of that market or the person in charge of that exhibition or show; or
- (b) undipped sheep are accompanied by a declaration in Form V issued by the auctioneer of that market or the person in charge of that exhibition or show;
- (c) subject to paragraphs (6), (7) and (8) below, sheep are moved from a slaughter sheep market to a slaughterhouse, approved holding premises, approved premises or back to the premises from which they had been moved to such market where they are accompanied by a declaration in Form V issued by the auctioneer of that market or the person in charge of that exhibition or show.

(6) Sheep for slaughter moved from a slaughter sheep market to approved holding premises shall, within 5 days of their arrival there or before the end of the relevant period whichever date is earlier, be moved to a slaughterhouse accompanied by a declaration in Form U made by the occupier of the approved holding premises for slaughter within 72 hours of their arrival there, or be dipped.

(7) Sheep for export moved from a slaughter sheep market to approved holding premises which are not moved to approved premises within 35 days of their arrival there accompanied by a declaration in Form U signed by the occupier of the approved holding premises, which have not been slaughtered or dipped during that period, shall forthwith be moved to a slaughterhouse accompanied by a declaration in Form U made by the occupier of the approved holding premises for slaughter within 72 hours of their arrival there, or be dipped.

(8) In the case of sheep for which no buyer has been found at the slaughter sheep market and which are returned to the premises from which they had been moved to that market they shall be detained and kept separate from all the other sheep on the premises and shall, within 14 days of their arrival there or before the end of the relevant period whichever date is earlier, either be dipped or moved direct to a slaughterhouse accompanied by a declaration in Form U made by the owner or his duly authorised agent for slaughter within 72 hours of their arrival there.

(9) The prohibition in paragraph (1)(c) above shall not apply to the movement of sheep from a market, exhibition or show to a veterinary surgery for treatment and from there either direct to the premises from which they had been moved to the market, exhibition or show or direct to a slaughterhouse for immediate slaughter.

Approved holding premises for slaughter sheep

7.—(1) An inspector shall, on application being made to him by the occupier of any premises, approve those premises for the temporary holding of slaughter sheep if he is satisfied that they are fit to be used for that purpose.

(2) The occupier of any approved holding premises—

- (a) shall not move or permit to be moved any sheep on to those premises, except slaughter sheep which are moved from some other premises accompanied by a declaration in Form U or Form V as appropriate;
- (b) shall not move or permit to be moved any sheep out of those premises, except where accompanied by a declaration in Form U made by him or his duly authorised agent;
- (c) shall permit an inspector, at any reasonable time, to enter and inspect the premises and any sheep on the premises;
- (d) shall, at the end of every 6 days or at the end of every other such period as may be specified in the approval given under paragraph (1) above, clear the premises of sheep and keep them empty of sheep for at least 24 hours thereafter.

(3) Any approval of any premises for the temporary holding of slaughter sheep given under paragraph (1) above shall be given in writing and may—

- (a) be given subject to such conditions as the inspector giving the approval considers necessary to prevent the spreading of sheep scab;
- (b) be varied, suspended or withdrawn at any time by a notice in writing served by an inspector on the occupier of the premises if the inspector considers that the variation, suspension or withdrawal is necessary to prevent the spreading of sheep scab.

PART III

General

General Provisions as to movement of sheep and production of declarations

8.—(1) Where any sheep are moved in accordance with the provisions of this Order, the person in charge of the sheep being so moved shall ensure that—

- (a) the sheep are accompanied throughout the movement by declarations in either Form S, Form T, Form U or Form V as appropriate, and
- (b) dipped sheep are kept separate from all other sheep during the movement.

(2) Where any sheep are moved to any premises accompanied by a declaration in Form S, Form T, Form U or Form V—

- (a) the person in charge of the sheep being so moved shall, on demand made by an inspector, produce the declaration and allow a copy thereof or an extract of it to be taken and shall also, on such demand, furnish his name and address;
- (b) the person in charge of the sheep at the time when the movement is completed shall immediately deliver up the declaration to the occupier of the premises who shall retain it for a period of 12 months from the date on which he receives it and who shall, during that period, on demand being made by an inspector, produce the declaration and allow a copy thereof or an extract of it to be taken.

Powers of entry and inspection

9.—(1) For the purposes of this Order, an inspector may at any reasonable time enter any premises on which he has reason to believe that sheep are kept and examine any sheep on those premises and, where the sheep are required to be dipped in accordance with any provision of this Order, supervise the dipping of them.

(2) An inspector entering any premises under paragraph (1) above shall if so required by the person in charge of the premises produce evidence of his authority and state in writing his reasons for entering.

Marking of sheep

10. An inspector may mark or cause to be marked, for identification purposes, any sheep to which this Order applies.

Sampling

11.—(1) A person who, in accordance with any requirement imposed by this Order, dips any sheep or causes any sheep to be dipped, shall, if so required by an inspector, furnish him with a sample of the sheep dip or the dipping bath used (or permit him to take such a sample) and with such particulars as he may reasonably require as to the name or the composition of the sheep dip used and of the manner in which it has been prepared.

(2) The occupier of any premises on which there are any sheep, and the owner or person in charge of the sheep shall permit an inspector to take such samples of the fleece of those sheep as he may require for the purposes of this Order.

Powers of inspectors in cases of default

12. If any person fails to take any action required to be taken by him in accordance with any of the provisions of this Order, an inspector may, without prejudice to any proceedings for an offence arising out of such failure, take, or cause to be taken, such action and the amount of any expenses reasonably incurred by him in doing so shall be recoverable as a civil debt by the Minister, or as the case may be, by the local authority from the person in default.

Offences

13. Any person who, without lawful authority or excuse, proof of which shall lie on him—

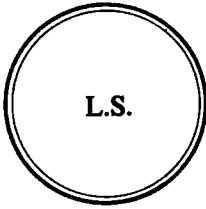
- (a) defaces, obliterates or removes any mark applied to any sheep under article 10 of this Order;
- (b) makes a declaration for the purposes of this Order which he knows to be false in a material particular or, for those purposes, recklessly makes a declaration which is false in a material particular;
- (c) contravenes any provision of this Order or any provision of a certificate of exemption, licence or approval issued or given under this Order;
- (d) fails to comply with any such provision or with any condition of any such certificate of exemption licence or approval; or
- (e) causes or permits any such contravention or non-compliance,

commits an offence against the Act.

Local authority to enforce the Order

14. The provisions of this Order shall, except where otherwise expressly provided, be executed and enforced by the local authority.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th July 1990.



John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

27th July 1990

Sanderson of Bowden
Minister of State, Scottish Office

26th July 1990

David Hunt
Secretary of State for Wales

SCHEDULE

FORMS

FORM R

ANIMAL HEALTH ACT 1981
THE SHEEP SCAB (NATIONAL DIP) ORDER 1990
(Article 4)

DECLARATION AS TO DIPPING OF SHEEP

I,
of
being the *owner/*person in charge of the sheep at
Ministry Holding No/ Code No.
hereby declare that of the sheep in my ownership/charge;—

- (a) (insert number) sheep were dipped by me, or at my direction, in an approved sheep dip;
(b) (insert number) sheep were purchased, or otherwise acquired, by me and were accompanied by a declaration that they were dipped in an approved sheep dip;
(c) (insert number) sheep are the subject of a certificate of exemption from dipping issued by a veterinary inspector

in accordance with the provisions of the Sheep Scab (National Dip) Order 1990.

I further declare that I have kept dipped sheep separate from undipped sheep during the relevant period.

Signed Dated 19

Name in block letters

This declaration is required to be forwarded to the local authority, at the address below, not later than eight days after the end of the relevant period.

Number of sheep on the premises above on the last date of the relevant period

(a) PARTICULARS OF DIPPING BY THE PRESENT OWNER

Number and description of sheep dipped	Place of dipping	Date of dipping	Full description of dip used stating name and manufacturer and dilution at which it was used

(b) PARTICULARS OF SHEEP PURCHASED OR ACQUIRED AS DIPPED BY THE PRESENT OWNER DURING THE RELEVANT PERIOD

(i) Ex farm	
Number and description of sheep dipped	Name of dip and date of dipping

(ii) Ex market dipped sheep			
Number and description of sheep	Name of Market	Date purchased	Lot numbers

(c) **PARTICULARS OF EXEMPTED SHEEP**

Number and description of sheep exempted	Grounds of exemption	Date of exemption

NOTES:

1. In any case where all required particulars of dipping by a previous owner cannot be furnished, the sheep must have been dipped by the present owner.

2. The expression "dipped" means dipped by a thorough immersion of the whole sheep in a dipping bath (including the head and ears), and keeping the sheep (excluding the head and ears) in the dipping bath for not less than one minute.

3. "Dipping bath" means a bath prepared by diluting an approved sheep dip with clean water and any other approved substances in the proportions specified for that dip in the product licence relating to it (without the addition of any other sheep dip or substance) and thereafter maintained in the manner specified in such licence. (Dilution rates for sheep scab dips are stated on the label of the container).

4. "Relevant period" means the period of six weeks commencing on the 23rd day of September (year).

5. This form to be returned to:

By The last day of the relevant period is

Making a false declaration may constitute an offence against the Animal Health Act 1981.

* Delete as applicable.

FORM S
ANIMAL HEALTH ACT 1981
THE SHEEP SCAB (NATIONAL DIP) ORDER 1990
 (Articles 5, 6 and 8)

Declaration in respect of movement of dipped sheep from premises during the relevant period.

This declaration is to be used to accompany sheep moved from premises for any purpose other than a movement to be dipped within 50 km of their premises of origin.

Declaration for dipped sheep

I of
 being the owner of the sheep described below or the person's duly authorised agent declare that

- * (a) the sheep have all been dipped during the past 21 days on a day falling within the relevant period; or
- * (b) the sheep have all been dipped during the 7 days immediately preceding commencement of the relevant period;
- (c) since they were dipped the sheep have been kept separate from undipped sheep;

Number and description of sheep being moved	address of premises from which sheep are being moved	address of premises to which sheep are being moved	Name of dip and date of dipping

Signed Dated

Name in Block Letters

NOTES:

1. The expression "dipped" means dipped by a thorough immersion of the whole sheep in a dipping bath (including the head and ears), and keeping the sheep (excluding the head and ears) in the dipping bath for not less than one minute.

2. "Dipping bath" means a bath prepared by diluting an approved sheep dip with clean water and any other approved substances in the proportions specified for that dip in the product licence relating to it (without the addition of any other sheep dip or substance) and thereafter maintained in the manner specified in such licence. (Dilution rates for sheep scab dips are stated on the label of the container.)

3. "Relevant period" means the period the six weeks commencing on the 23rd day of September (year).

Making a false declaration may constitute an offence against the Animal Health Act 1981.

* Delete as applicable, option (b) applies only to sheep moved to a market, exhibition or show during the first seven days of the relevant period.

FORM T
ANIMAL HEALTH ACT 1981
THE SHEEP SCAB (NATIONAL DIP) ORDER 1990
(Articles 6 and 8)

Declaration in respect of movement of dipped sheep from a market, exhibition or show.

This declaration is to be used to accompany sheep moved from a market, exhibition or show for any purpose.

Declaration for dipped sheep

I of
 hereby declare that the sheep referred to below have been—

- (a) exposed for sale at the dipped sheep market*/dipped sheep section of the market* held at on of which I am auctioneer; or
- (b) exhibited at the exhibition*/show* held at on of which I am the person in charge.

I, further declare that I have received a declaration from the owner to the effect that the sheep have been dipped as required by the Sheep Scab (National Dip) Order 1990.

No. and description of sheep being moved	Name and address of owner

Signed Dated

Name in Block Letters

Making a false declaration may constitute an offence against the Animal Health Act 1981.

* Delete as applicable.

FORM U

ANIMAL HEALTH ACT 1981
THE SHEEP SCAB (NATIONAL DIP) ORDER 1990
(Articles 5, 6, 7 and 8)

Declaration in respect of movement of undipped sheep or slaughter sheep from premises other than a market during the relevant period.

This declaration is to be used to accompany sheep moved from premises to—

- (a) a slaughter sheep market; or
- (b) an approved holding premises; or
- (c) approved premises prior to export; or
- (d) a slaughterhouse.

Declaration for undipped sheep or slaughter sheep

I of
being owner of the sheep described below or the owner's duly authorised agent declare that—

- * (a) the sheep have not been dipped.
- * (b) the sheep have been dipped.

Number and description of sheep being moved	address of premises from which sheep are being moved	address of premises to which sheep are being moved	Where appropriate: name of dip and date of dipping

Signed Dated

Name in Block Letters

NOTES:

1. The expression "dipped" means dipped by a thorough immersion of the whole sheep in a dipping bath (including the head and ears), and keeping the sheep (excluding the head and ears) in the dipping bath for not less than one minute.

2. "Dipping bath" means a bath prepared by diluting an approved sheep dip with clean water and any other approved substances in the proportions specified for that dip in the product licence relating to it (without the addition of any other sheep dip or substance) and thereafter maintained in the manner specified in such licence. (Dilution rates for sheep scab dips are stated on the label of the container).

3. "Relevant period" means the period the six weeks commencing on the 23rd day of September (year).

Making a false declaration may constitute an offence against the Animal Health Act 1981.

* Delete as applicable.

FORM V
 ANIMAL HEALTH ACT 1981
 THE SHEEP SCAB (NATIONAL DIP) ORDER 1990
 (Articles 6, 7 and 8)

Declaration in respect of movement of undipped sheep or slaughter sheep from a market, exhibition or show.

This declaration is to be used to accompany slaughter sheep moved from a market, exhibition or show to—

- (a) a slaughterhouse; or
- (b) an approved holding premises; or
- (c) approved premises prior to export; or
- (d) the premises from which the slaughter sheep had been moved to that market.

Declaration for slaughter sheep

I of hereby declare that the sheep referred to below have been—

- (a) exposed for sale at the *slaughter market/*slaughter section of the market held at on of which I am auctioneer; or
- (b) exhibited at the exhibition*/show* held at on of which I am the person in charge.

No. and description of sheep being moved	Name and address of owner

Signed Dated
 Name in Block Letters

Making a false declaration may constitute an offence against the Animal Health Act 1981.

* Delete as applicable.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the periodical treatment of all sheep in Great Britain by effective dipping for the prevention of sheep scab, subject to certain exceptions (article 3). In addition the Order—

- (a) requires the owner or person in charge of sheep at the end of the dipping period to make and furnish a declaration as to dipping to the local authority (article 4);
- (b) subject to certain exceptions, prohibits the movement of sheep other than to or from a market, exhibition or show unless the sheep is accompanied by a declaration made in appropriate form by the owner of the sheep or his agent (article 5);
- (c) prohibits the holding of markets and movement of sheep to or from markets, exhibitions or shows unless a declaration in appropriate form has been made by the owner of the sheep or his agent, or the auctioneer or person in charge of the exhibition or show in respect of movement from a market and such declaration accompanies the sheep throughout the movement (article 6);
- (d) provides for the approval of premises for the temporary holding of slaughter sheep and imposes restrictions on the movement of sheep to or from those premises (article 7).

The Order also contains provisions concerning—

- (a) the separation, during movement, of dipped sheep from other sheep and the keeping and production of declarations (article 8);
- (b) the powers of inspectors to—
 - (i) enter premises, examine sheep and supervise dipping (article 9);
 - (ii) mark sheep for identification purposes (article 10);
 - (iii) require permission to take samples of sheep dip, dipping bath and fleece of sheep (article 11);
 - (iv) take action in default (article 12).