
STATUTORY INSTRUMENTS

1998 No. 871

The Cattle Identification Regulations 1998

PART III

CATTLE PASSPORTS

Application and interpretation

12.—(1) This Part shall apply in relation to cattle born in Great Britain after the coming into force of these Regulations, and to cattle brought into Great Britain on or after that date.

(2) Any cattle passport issued under the provision of these Regulations shall remain the property of the appropriate Minister and shall be produced or surrendered to an officer of the appropriate Minister or the local authority on demand; and failure to produce or surrender a cattle passport shall be an offence.

Application for a cattle passport

13.—(1) Any keeper of cattle shall, subject to the provision of regulation 15 below on calf passports, apply for a cattle passport for all cattle born in Great Britain within the following period—

- (a) if the animal is born before 1st October 1998, 28 days from the date that the animal must be tagged under these Regulations;
- (b) if the animal is born on or after 1st October 1998 but before 1st January 2000, 15 days from the date that the animal must be tagged under these Regulations;
- (c) if the animal is born on or after 1st January 2000, 7 days from the date that the animal must be tagged under these Regulations.

(2) An application for a cattle passport shall be made in writing to the appropriate Minister and shall be in such form as the appropriate Minister shall reasonably approve.

(3) Any keeper of cattle who fails to apply for a cattle passport in accordance with this regulation shall be guilty of an offence.

(4) If a person applies for a cattle passport outside the time limits specified in these Regulations, the cattle passport shall not be granted unless in the opinion of the appropriate Minister it is reasonable to grant it taking into account all the circumstances of the case.

Movement of animals

14.—(1) In accordance with Article 6.2 of the Council Regulation, and subject to regulation 15 below, any person who moves cattle born after the coming into force of these Regulations on to or off any holding commits an offence unless the animal is accompanied by a cattle passport which—

- (a) has been issued under Article 6 of the Council Regulation, and
- (b) is signed in the appropriate place in accordance with Article 6.1 of Commission Regulation (EC) No. 2629/97 and contains the information specified in that Article.

(2) An officer of the appropriate Minister may at any time issue a licence for cattle to be moved without a cattle passport if he is satisfied that it is necessary to do so and that it is not practicable to obtain one.

Movement of calves under 28 days without a cattle passport

15.—(1) The appropriate Minister shall be the competent authority for the purposes of Article 6.2 of Commission Regulation (EC) No. 2629/97.

(2) In accordance with Article 6.2 of Commission Regulation (EC) No. 2629/97, the requirement for a cattle passport shall not apply in the case of calves under four weeks of age provided that the provisions of that paragraph are complied with.

Imported cattle and cattle from Northern Ireland, the Isle of Man or the Channel Islands

16.—(1) In the case of cattle imported from outside the European Union or brought in from Northern Ireland, the Isle of Man or the Channel Islands, the animal may not be moved from the holding of destination without a cattle passport, and any person doing so shall be guilty of an offence.

(2) In the case of cattle imported from outside the European Union the keeper of the cattle shall apply to the appropriate Minister for a cattle passport within 15 days from the date that the animal must be tagged in accordance with the first paragraph of Article 4.3 of the Council Regulation, and failure to do so shall be an offence.

(3) In the case of cattle brought in from Northern Ireland, the Isle of Man or the Channel Islands, the keeper at the holding of destination shall apply for a cattle passport to the appropriate Minister within 15 days of the animal arriving at the holding, and failure to do so shall be an offence.

(4) It shall be a defence for any person charged under this regulation to prove that—

- (a) when the animal was imported, the holding of destination was a slaughterhouse, and
- (b) the animal was slaughtered within the time limit for applying for a cattle passport.

Cattle from another member State

17.—(1) If cattle are brought in from another member State, the keeper shall, within 15 days of arrival at the holding of destination, surrender the cattle passport (if any) accompanying the animal to the appropriate Minister and apply to him for a cattle passport under these Regulations and failure to do so shall be an offence.

(2) It shall be a defence for any person charged under this regulation to prove that—

- (a) when the animal was imported, the holding of destination was a slaughterhouse, and
- (b) the animal was slaughtered within the time limit for applying for a cattle passport,

but in this case the keeper shall give any cattle passport accompanying the animal to the official veterinary surgeon or his representative at the time of slaughter, and failure to do so shall be an offence.

Completion of cattle passports when cattle are moved

18.—(1) When cattle are moved off a holding, the keeper shall ensure that the cattle passport is marked with the date of movement and is signed in the appropriate place by him.

(2) When cattle are moved on to a holding other than a slaughterhouse, the keeper (or, in the case of a market, the operator of the market) shall ensure that the cattle passport is marked with—

- (a) the date of movement on to the holding,

- (b) the official County, Parish and Holding number (and Herd number if there is one) of the holding, and
- (c) the name, address and signature of the keeper (or, in the case of a market, the operator of the market);

within 36 hours of the arrival of the animal on the holding and in any event before it is moved off the holding.

- (3) When cattle are moved on to a licensed slaughterhouse, the operator shall—
 - (a) record on the passport that the animal has been slaughtered, and the date of slaughter;
 - (b) mark the passport with the name and address of the slaughterhouse;
 - (c) sign it, and
 - (d) give it to the official veterinary surgeon or his representative forthwith.

(4) Any person who fails to complete a cattle passport in accordance with this regulation shall be guilty of an offence.

Markets

19. The operator of a market shall ensure that no cattle are accepted into the market for sale, or are sold at a market, unless accompanied by a valid cattle passport; and if any such cattle are accepted for sale or are sold, the operator of the market shall be guilty of an offence.

Slaughterhouses and private kills

20.—(1) The operator of a licensed slaughterhouse shall ensure that only cattle accompanied by a valid cattle passport are slaughtered for human consumption at the slaughterhouse.

(2) On arrival at a licensed slaughterhouse, the keeper of the animals shall give the cattle passport for each animal to the operator of the slaughterhouse.

(3) If an animal arrives at a licensed slaughterhouse without a valid cattle passport or with the wrong cattle passport, it shall not be moved from the slaughterhouse except under the authority of a licence granted by the official veterinary surgeon or his representative.

(4) If an animal without a valid cattle passport is slaughtered in a licensed slaughterhouse, the operator of the slaughterhouse shall identify the carcass as an animal by-product in accordance with the Animal By-Products (Identification) Regulations 1995 and dispose of it in accordance with the Animal By-Products Order 1992. However, if the cattle passport is not valid only because it has not been signed by the last keeper, the carcass may be sent for human consumption if the keeper or his agent signs the cattle passport within 7 days of slaughter.

(5) No person shall slaughter an animal for human consumption outside a licensed slaughterhouse unless the animal has a valid cattle passport.

(6) Any person who fails to comply with any provision of this regulation shall be guilty of an offence.

Retention of cattle passports

21.—(1) A keeper of cattle shall produce the cattle passport for each animal if requested to do so by an inspector, unless the passport is, at the time of the request, in the possession of the appropriate Minister.

(2) Whenever cattle are transported, the keeper shall give the cattle passport duly completed to the transporter and the transporter shall ensure that each animal is accompanied throughout its journey by its cattle passport, except that, if the transporter is not the owner of the animals, it shall be

a defence for him to prove that he had no reason to believe that the animals were not accompanied by valid cattle passports.

(3) When cattle are sold, the seller shall give each animal's cattle passport duly completed to the buyer (or, if sold through a market, he shall give it to the market operator, who shall then give it to the buyer).

(4) Any person who fails to comply with any provision of this regulation shall be guilty of an offence.

Lost cattle passports

22.—(1) If a cattle passport is lost, stolen or destroyed, the keeper of the animal to which it relates shall notify the appropriate Minister in writing within 14 days of becoming aware of the fact.

(2) In the event of notification under paragraph (1), a replacement cattle passport may be provided by the appropriate Minister if the keeper so requests.

(3) The appropriate Minister shall only provide a replacement cattle passport if he is satisfied that he can accurately reconstruct the movements of the animal since birth or importation.

(4) If a cattle passport has been lost, stolen or destroyed and the appropriate Minister has not provided a replacement, or is unable to provide a replacement because he cannot satisfy himself in accordance with the preceding paragraph, the animal to which it relates shall not be moved off a holding except (under the authority of a licence granted by the appropriate Minister) to a knacker's yard or hunt kennel.

(5) If a person who has obtained a replacement cattle passport subsequently finds the original cattle passport, he shall notify the appropriate Minister within 7 days and enclose with the notification the original cattle passport.

(6) Any person who fails to comply with any provision of this regulation shall be guilty of an offence.

Change of eartag number

23. In the event of an animal born on or after 1st July 1996 and before the coming into force of these Regulations being re-tagged with a different eartag number, or an animal from another member State being re-tagged in accordance with regulation 6(4)(b) above, the keeper shall, within 14 days of the new eartag being attached and in any event before the animal is moved off the holding, notify the appropriate Minister of the new eartag number and return the old cattle passport with an application for a new cattle passport to be issued with the new eartag number, and failure to do so shall be an offence.

Fees

24.—(1) Any person applying for a replacement cattle passport shall pay to the appropriate Minister at the time of application a fee of £50.

(2) The fee shall be forfeited if the applicant withdraws the application or the appropriate Minister is unable to obtain sufficient information to issue a replacement passport.

Movement of cattle outside Great Britain

25.—(1) Where cattle are exported to third countries the keeper shall return all the cattle passports to the appropriate Minister in accordance with Article 6.5 of the Council Regulation; and any person who fails to do so within 7 days of the export shall be guilty of an offence.

(2) Where cattle are transported outside Great Britain to a destination within the European Union the transporter shall ensure that each animal is accompanied by its passport, and any person who fails to do so shall be guilty of an offence.

Animal deaths or lost or stolen animals

26.—(1) If an animal with a cattle passport dies (other than in the circumstances set out in the following regulation), the keeper shall send the cattle passport to the appropriate Minister within 7 days in accordance with Article 6.4 of the Council Regulation and any person who fails to do so shall be guilty of an offence.

(2) If an animal with a cattle passport is lost or stolen, the keeper shall send the cattle passport to the appropriate Minister within 7 days of becoming aware of the fact, and any person who fails to do so shall be guilty of an offence.

Return of the cattle passport from slaughterhouses etc.

27.—(1) Following slaughter, the operator of a licensed slaughterhouse shall immediately give the cattle passport for each animal slaughtered to the official veterinary surgeon or his representative, together with notification of the fact that the animal has been slaughtered.

(2) If an animal is slaughtered other than in a licensed slaughterhouse and the carcass is then sent to a licensed slaughterhouse to be dressed for human consumption—

- (a) the keeper shall send the cattle passport with the carcass to the slaughterhouse;
- (b) the operator of the slaughterhouse shall not accept the carcass unless it is accompanied by the cattle passport; and
- (c) the operator shall give the cattle passport to the official veterinary surgeon or his representative together with notification that he has accepted the animal for dressing for human consumption.

(3) If an animal is slaughtered for human consumption other than in a licensed slaughterhouse and is not sent to a licensed slaughterhouse for dressing for human consumption, or is killed other than for human consumption and not taken to a knacker's yard or hunt kennel, the keeper of the animal at the time of slaughter or killing shall send the cattle passport to the appropriate Minister within 7 days.

(4) If an animal dies on a holding or is killed other than for human consumption and is taken to a knacker's yard or hunt kennel, then the person collecting the carcass shall either—

- (a) send the passport (if it has one) to the appropriate Minister within 21 days of collection, giving the address of the holding of collection and indicating that the animal has died or has been killed; or
- (b) if the animal did not have a passport, notify the appropriate Minister within 21 days of collection of the ear tag number of the animal and the address and holding of collection.

(4) Any person who fails to comply with any provision of this regulation shall be guilty of an offence.

Alterations

28. No person shall alter or deface any information entered, either by the appropriate Minister or by an earlier keeper of the animal, on to a cattle passport before it came into his possession and any person who fails to comply with this regulation shall be guilty of an offence.