

SCHEDULE 3

Control and eradication of TSE in bovine animals

Action following confirmation

5.—(1) In accordance with Article 13(1)(c) of, and point 2 of Annex VII to, the Community TSE Regulation, as read with Articles 2(1)(b) and 2(2) of Commission Decision 2007/411/EC, if it is confirmed that the suspect animal was affected with TSE an inspector must—

- (a) if the animal is female, kill all its offspring born within two years prior to, or after, clinical onset of the disease; and
- (b) kill all the bovine animals in its cohort born on or after 1st August 1996 except where—
 - (i) the inspector is satisfied that the animal did not have access to the same feed as the affected animal; or
 - (ii) the animal is a bull that is kept at, and will not be removed from, a semen collection centre.

(2) The appeals procedure in regulation 10 applies to a decision to kill under subparagraph (1)(b).

(3) Where a decision not to kill has been made under sub-paragraph 2(b)(ii)—

- (a) it is an offence to remove the animal from the semen collection centre, except to kill it; and
- (b) the owner of the animal commits an offence if they do not ensure that its carcase is completely destroyed.

(4) If an animal killed under this paragraph is not killed on the holding, an inspector must ensure that its passport is stamped “Not for human consumption” and must direct the owner in writing to consign it to other premises for killing as specified in the direction.

(5) If the test is negative the inspector must remove all restrictions imposed because of the suspect animal and return the cattle passports.

(6) When an animal is killed under this paragraph, it is an offence to remove the carcase from the premises on which it was killed except in accordance with a written direction from an inspector.