
STATUTORY INSTRUMENTS

2021 No. 1001

The Tuberculosis in Animals (England) Order 2021

PART 1

Introductory provisions

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Tuberculosis in Animals (England) Order 2021 and comes into force on 1st October 2021.

- (2) This Order extends to England and Wales.
- (3) This Order applies in England only.
- (4) Part 2 of this Order applies in relation to—
 - (a) any bovine animal or porcine animal;
 - (b) any animal of a caprine or ovine species;
 - (c) any camelid; and
 - (d) any deer.
- (5) Part 3 of this Order applies only in relation to bovine animals.

Interpretation

2.—(1) In this Order—

“the Act” means the Animal Health Act 1981;

“approved collecting centre” has the meaning given by article 22(1)(c);

“approved disinfectant” means a disinfectant that is approved for use against bovine tuberculosis in accordance with the Diseases of Animals (Approved Disinfectants) (England) Order 2007(1);

“approved finishing unit” has the meaning given by article 22(1)(b);

“approved TB slaughter gathering” means a slaughter market or a slaughter collection that is additionally approved for the sale of TB restricted cattle to slaughter;

“approved veterinary surgeon” means a veterinary surgeon who has been approved by the Secretary of State under article 3;

“bovine animal” means domestic cattle of the genus *Bos*, as well as captive bovines of the genera *Bubalus* and *Bison*;

“camelid” means any species of South American camelid including llama, alpaca, vicuna and guanaco;

“carcase” includes—

- (a) any part of an animal to which Part 2 applies;
 - (b) any part of any other farmed or pet mammal; and
 - (c) for the purposes of article 6 only, any part of a wild deer;
- “collecting centre” means premises, other than a market, used for the intermediate reception of animals intended to be moved elsewhere;
- “deer” means a deer of any species that is managed by a keeper (including deer that are managed on enclosed park land), and, for the purposes of article 6 only, includes wild deer;
- “exempt finishing unit” has the meaning given by article 22(1)(a);
- “exempt market” has the meaning given by article 21(1);
- “finishing unit” means premises where bovine animals are fattened in readiness for being sent to slaughter;
- “inconclusive reactor” means an animal which has revealed a non-negative reading when tested for tuberculosis, but is not a reactor;
- “keeper”, in relation to an animal, means any person who owns or is responsible for the animal, whether on a permanent or temporary basis;
- “licensed finishing unit” means a discrete, self-contained holding in the low-risk area—
- (a) where all the bovine animals are permanently housed on the unit under movement restriction until they can be moved to slaughter either directly or through an approved TB slaughter gathering; and
 - (b) which is licensed by a veterinary inspector for the fattening and finishing of bovine animals that do not come from restricted herds;
- “low-risk area” means any of the counties listed in Schedule 1;
- “officially tuberculosis-free status”, in relation to a bovine herd, means the status derived from satisfying the conditions laid down by the Secretary of State to enable cattle to be traded without restrictions on movement relating to tuberculosis;
- “porcine animal” does not include wild boar;
- “post-movement test” means a skin test carried out in accordance with article 20;
- “premises” includes any land or building;
- “pre-movement test” means a skin test carried out in accordance with article 19;
- “reactor” means an animal that produces a reaction to a relevant test which is consistent with its being infected with tuberculosis;
- “relevant test” means a skin test or any other diagnostic test for tuberculosis approved by the Secretary of State for use on a particular species of animal;
- “restricted herd” means a herd that is under a movement restriction imposed under this Order or any Order revoked by this Order;
- “show” means an event at which animals are exhibited but not for the purpose of sale;
- “skin test” means a single intradermal comparative tuberculin test for tuberculosis using bovine and avian tuberculin;
- “slaughter collection” means an event at which animals are gathered for the purpose of onward consignment directly to slaughter in Great Britain;
- “slaughter market” means an event at which animals are gathered for the purpose of a sale before onward consignment directly to slaughter in Great Britain;
- “suspected animal” means an animal that is suspected of being infected with tuberculosis, and includes a reactor;

“TB restricted cattle” means cattle that are under a movement restriction imposed under this Order;

“tuberculosis” means infection with *Mycobacterium bovis* (*M. bovis*);

(2) For the purposes of articles 19 and 20, a skin test is applied on the date bovine and avian tuberculin is injected into a bovine animal.

Approval of veterinary surgeons

3.—(1) The Secretary of State may approve a veterinary surgeon where—

- (a) the veterinary surgeon has undertaken any training as required by the Secretary of State; and
- (b) the Secretary of State is of the opinion that the veterinary surgeon is suitable to carry out functions conferred on an approved veterinary surgeon by this Order.

(2) The Secretary of State may by notice revoke any approval of a veterinary surgeon approved under this article, giving reasons for the revocation.

Extension of definition of “disease”

4. For the purposes of the Act, the definition of “disease” in section 88 of the Act is extended so as to include tuberculosis.