



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2006 Rhif 867 (Cy.79)**

**2006 No. 867 (W.79)**

**ANIFEILIAID, CYMRU**

**ANIMALS, WALES**

**IECHYD ANIFEILIAID**

**ANIMAL HEALTH**

**Gorchymyn Lewcosis Buchol  
Ensootig (Cymru) 2006**

**The Enzootic Bovine Leukosis  
(Wales) Order 2006**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

*(This note is not part of the Order)*

Mae'r Gorchymyn hwn yn dirymu ac yn ailddeddfu Gorchymyn Lewcosis Buchol Ensootig 1997 (O.S. 1997/757) o ran Cymru.

This Order revokes and re-enacts the Enzootic Bovine Leukosis Order 1997 (S.I. 1997/757) in relation to Wales.

Mae'r Gorchymyn yn gweithredu'r darpariaethau sy'n ymwneud â llaeth yng Nghyfarwyddeb y Cyngor 64/432/EEC, fel y'i diwygiwyd (ar broblemau ieched sy'n effeithio ar fasnach anifeiliaid buchol a moch o fewn y Gymuned) (O.J. Rhif L121, 29.7.64, t.1977) a Chyfarwyddeb y Cyngor 77/391 EEC, fel y'i diwygiwyd, (cyflwyno mesurau'r Gymuned i ddileu brwselosis, twbercwlosis a lewcosis) (O.J. Rhif L145, 13.6.77, t.44). Mae'r Cyfarwyddebau hyn yn gwneud gweithredu rhaglen fonitro a phrofi yn ofynnol at ddiben cadw statws swyddogol Prydain Fawr fel lle sy'n rhydd rhag lewcosis buchol ensootig o dan Gyfarwyddeb y Cyngor 64/432/EEC.

The Order implements the provisions relating to milk of Council Directive 64/432/EEC, as amended (on health problems affecting intra-Community trade in bovine animals and swine) (O.J. No. L121, 29.7.64, p.1977) and Council Directive 77/391 EEC, as amended, (introducing Community measures for the eradication of brucellosis tuberculosis and leukosis) (O.J. No. L145, 13.6.77, p.44). These Directives require the operation of a monitoring and testing programme in order to maintain officially enzootic bovine leukosis-free status of Great Britain under Council Directive 64/432/EEC.

Mae'r prif newidiadau sy'n cael eu gwneud gan y Gorchymyn hwn yn ymwneud â'r trefniadau profi llaeth am dystiolaeth o lewcosis buchol ensootig a dileu'r rhestr o labordai a gymeradwywyd a gynhwyswyd yn Atodlen 1 i Orchymyn 1997.

The principal changes made by this Order relate to the arrangements for testing milk for evidence of enzootic bovine leukosis and the removal of the list of approved laboratories that were contained in Schedule 1 to the 1997 Order.

Rhaid hysbysu'r Rheolwr Milfeddygol Rhanbarthol os canfyddir bod unrhyw anifail, carcass neu sampl labordy wedi'i heintio â lewcosis buchol ensootig (erthyglau 3, 4 a 5).

Notice must be given to the Divisional Veterinary Manager if any animal, carcass or laboratory sample is found to be infected with enzootic bovine leukosis (articles 3, 4 and 5).

Mae Erthygl 6 yn nodi dyletswyddau'r sawl sy'n prynu llaeth i'w ailwerthu i sicrhau bod y llaeth yn cael ei anfon i'w brofi mewn labordy a gymeradwywyd.

Article 6 sets out the duties of purchasers of milk for resale to ensure that milk is sent for testing to an approved laboratory.

Rhaid i'r person y mae labordy a gymeradwywyd dan ei ofal hysbysu'r Cynulliad Cenedlaethol o fewn 24

The person in charge of an approved laboratory must notify the Assembly of any positive test results within

awr os yw canlyniad unrhyw brawf yn gadarnhaol ac o fewn mis os yw'r canlyniad yn negyddol. Hefyd, rhaid i'r person hwnnw gadw cofnodion o'r holl brofion a wneir am gyfnod o flwyddyn o ddyddiad y prawf (erthygl 6(5)(e)).

Mae methu â chydymffurfio ag unrhyw ddarpariaeth yn y Gorchymyn hwn yn dramgwydd yn erbyn Deddf Iechyd Anifeiliaid 1981.

Mae Arfarniad Rheoliadol yn ymwneud â'r Gorchymyn hwn wedi ei baratoi ac wedi ei roi yn llyfrgell y Cynulliad Cenedlaethol. Gellir cael copïau oddi wrth Swyddfa y Prif Swyddog Milfeddygol, Adran Clefydau Endemig, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

24 hours and negative test results within one month. That person must also maintain records of all the tests carried out for a period of one year from the date of the test (article 6(5)(e)).

Failure to comply with any provision of the Order is an offence under the Animal Health Act 1981.

A Regulatory Appraisal has been prepared and placed in the library of the National Assembly. Copies can be obtained from the Office of the Chief Veterinary Officer, Endemic Diseases Branch, Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ.

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**Gorchymyn Lewcosis Buchol  
Ensootig (Cymru) 2006**

**The Enzootic Bovine Leukosis  
(Wales) Order 2006**

*Wedi'i wneud*                      *21 Mawrth 2006*  
*Yn dod i rym*                      *31 Mawrth 2006*

*Made*                                      *21 March 2006*  
*Coming into force*                      *31 March 2006*

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Erthygl 2(1)

Article 2(1)

Profi hematolegol ar anifeiliaid buchol

Haematological testing of bovine animals.

Mae'r Cynulliad Cenedlaethol, drwy arfer y pwerau a roddwyd gan adrannau 1, 6, 7(1), 15(4), 28, 32(2) 34(7), 35(3), 87(2) a 88(2) o Ddeddf Iechyd Anifeiliaid 1981(1) yn gwneud y Gorchymyn canlynol:

**Enwi, cychwyn a chymhwyso**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Lewcosis Buchol Ensootig (Cymru) 2006 a daw i rym ar 31 Mawrth 2006.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

**Dehongli**

2.-(1) Yn y Gorchymyn hwn-

ystyr "anifail buchol" ("*bovine animal*") yw tarw, buwch, bustach, anner (heffer, treisiad) neu lo;

ystyr "anifail dan amheuaeth" ("*suspected animal*") yw anifail buchol dan amheuaeth o fod wedi'i effeithio gan lewcosis buchol ensootig oherwydd-

- (a) ei fod yn dangos nodau lymff chwyddedig di-boen neu newidiadau tiwmorol (heblaw haemangioma, papiloma neu ddafadennau) ar rannau o'i gorff; neu
- (b) bod archwiliad hematolegol o'r anifail wedi datgelu cyfrif lymffosytau o fewn yr ystod a bennir yn yr Atodlen i'r Gorchymyn hwn; neu
- (c) bod unrhyw brawf arall a wnaethpwyd ar yr anifail wedi dangos presenoldeb posibl haint o achos feirws lewcosis buchol;

ystyr "anifail yr effeithiwyd arno" ("*affected animal*") yw anifail buchol yr effeithiwyd arno gan lewcosis buchol ensootig neu a heintiwyd gan feirws lewcosis buchol;

ystyr "arolygydd milfeddygol" ("*veterinary inspector*") yw arolygydd milfeddygol a benodir gan y Cynulliad Cenedlaethol;

ystyr "carcas" ("*carcase*") yw carcass anifail buchol ac mae'n cynnwys rhan o garcas a'r cig, esgyrn, croen, carnau, gweddillion neu ran arall o anifail buchol, ar wahân neu fel arall, neu unrhyw gyfran ohono;

ystyr "y Cynulliad Cenedlaethol" ("*the National Assembly*") yw Cynulliad Cenedlaethol Cymru;

(1) 1981 p.22. Fel y'i diwygiwyd gan Ddeddf Iechyd Anifeiliaid 2002, p.42. Mae'r swyddogaethau o dan Ddeddf 1981 yn awr wedi eu breinio yn y Cynulliad Cenedlaethol drwy O.S. 1999/672 ac O.S. 2004/3044.

The National Assembly, in exercise of the powers conferred by sections 1, 6, 7(1), 15(4), 28, 32(2), 34(7), 35(3), 87(2) and 88(2) of the Animal Health Act 1981(1) makes the following Order:

**Title, commencement and application**

1.-(1) The title to this Order is the Enzootic Bovine Leukosis (Wales) Order 2006 and comes into force on 31 March 2006.

(2) This Order applies in relation to Wales.

**Interpretation**

2.-(1) In this Order-

"affected animal" ("*anifail yr effeithiwyd arno*") means a bovine animal that is affected with enzootic bovine leukosis or is infected with the bovine leukosis virus;

"approved laboratory" ("*labordy a gymeradwywyd*") means a laboratory approved by the National Assembly to carry out testing of milk for the enzootic bovine leukosis;

"approved slaughterhouse" ("*lladd-dy a gymeradwywyd*") means a slaughterhouse approved by an officer for the slaughter of reactors;

"bovine animal" ("*anifail buchol*") means a bull, cow, steer, heifer or calf;

"carcase" ("*carcas*") means the carcase of a bovine animal and includes part of a carcase and the meat, bones, hide/skin, hooves, offal or other part of a bovine animal, separately or otherwise, or any portion thereof;

"Divisional Veterinary Manager" ("*Rheolwr Milfeddygol Rhanbarthol*") means the veterinary inspector appointed for the time being by the National Assembly to receive information about diseased or suspected animals, or the carcasses of diseased or suspected animals, for the area in which the animals or carcasses are situated;

"the National Assembly" ("*y Cynulliad Cenedlaethol*") means the National Assembly for Wales;

(1) 1981 c.22. As amended by the Animal Health Act 2002, c.42. Functions under the 1981 Act now vested in the National Assembly by virtue of S.I. 1999/672 and S.I. 2004/3044.

ystyr "labordy a gymeradwywyd" ("*approved laboratory*") yw labordy a gymeradwywyd gan y Cynulliad Cenedlaethol i brofi llaeth am lewcosis buchol ensootig;

ystyr "lladd-dy a gymeradwywyd" ("*approved slaughterhouse*") yw lladd-dy a gymeradwywyd gan swyddog i gigydda adweithyddion;

ystyr "llawfeddyg milfeddygol" ("*veterinary surgeon*") yw llawfeddyg milfeddygol neu ymarferydd milfeddygol a gofrestrwyd o dan Ddeddf Llawfeddygon Milfeddygol 1966(1);

mae "mangre" ("*premises*") yn cynnwys tir ag adeiladau neu dir hebddynt;

ystyr "Rheolwr Milfeddygol Rhanbarthol" ("*Divisional Veterinary Manager*") yw'r arolygydd milfeddygol a benodwyd ar y pryd gan y Cynulliad Cenedlaethol i gael gwybodaeth am anifeiliaid a'r clefyd arnynt neu anifeiliaid yr amheuir bod y clefyd arnynt, neu garcasau anifeiliaid y bu'r clefyd arnynt neu anifeiliaid yr amheuir y bu'r clefyd arnynt, ar gyfer yr ardal lle mae'r anifeiliaid neu'r carcasau; ac

ystyr "swyddog" ("*officer*") yw arolygydd milfeddygol neu unrhyw un o swyddogion eraill y Cynulliad Cenedlaethol.

(2) At ddibenion Deddf Iechyd Anifeiliaid 1981 wrth ei gymhwyso i'r Gorchymyn hwn, estynnir diffiniad "disease" yn adran 88(1) drwy hyn i gynnwys pob ffurf ar lewcosis buchol.

(3) Rhaid i bob hysbysiad, trwydded neu gymeradwyaeth a ddyroddir o dan y Gorchymyn hwn fod yn ysgrifenedig a gellir eu gwneud yn ddarostyngedig i amodau a gellir eu diwygio, eu hatal dros dro, neu eu dirymu yn ysgrifenedig unrhyw bryd.

### Hysbysu am glefyd mewn anifeiliaid buchol

3.-(1) Rhaid i berson sy'n meddu ar anifail yr effeithiwyd arno neu anifail dan amheuaeth neu berson sydd â rheolaeth ar yr anifail hwnnw, neu lawfeddyg milfeddygol sy'n archwilio'r anifail hwnnw, hysbysu'r canlynol am y ffaith honno cyn gynted ag sy'n ymarferol bosibl -

- (a) arolygydd awdurdod lleol; neu
- (b) y Rheolwr Milfeddygol Rhanbarthol.

(2) Pan hysbysir arolygydd awdurdod lleol o dan baragraff (1) o'r erthygl hon, rhaid i'r arolygydd hysbysu'r Rheolwr Milfeddygol Rhanbarthol sy'n gyfrifol am yr ardal honno ar unwaith.

(3) Rhaid i berson sy'n meddu ar anifail yr effeithiwyd arno neu anifail dan amheuaeth neu berson â gofal yr anifail hwnnw, ei gadw yn y fangre lle y'i cedwir hyd nes i arolygydd milfeddygol ei archwilio.

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(1) 1966 p.36.

"officer" ("*swyddog*") means a veterinary inspector or other officer of the National Assembly;

"premises" ("*mangre*") includes land, with or without buildings;

"suspected animal" ("*anifail dan amheuaeth*") means a bovine animal that is suspected of being affected with enzootic bovine leukosis because-

- (a) it is exhibiting swollen, painless lymph nodes or tumorous changes (other than haemangiomas, papilomas or warts) in parts of its body; or
- (b) a haematological examination of the animal has disclosed a lymphocyte count within the range specified in the Schedule to this Order; or
- (c) any other test carried out on the animal has indicated the possible presence of infection with the bovine leukosis virus;

"veterinary inspector" ("*arolygydd milfeddygol*") means a veterinary inspector appointed by the National Assembly; and

"veterinary surgeon" ("*llawfeddyg milfeddygol*") means a veterinary surgeon or veterinary practitioner registered under the Veterinary Surgeons Act 1966(1).

(2) For the purposes of the Animal Health Act 1981 in its application to this Order, the definition of "disease" in section 88(1) is hereby extended to include all forms of bovine leukosis.

(3) All notices, licences or approvals issued under this Order will be in writing and may be made subject to conditions and may be amended, suspended or revoked in writing at any time.

### Notification of disease in bovine animals

3.-(1) A person who is in possession of or has control of an affected or suspected animal, or a veterinary surgeon who examines any such animal must with all practicable speed give notice of that fact to-

- (a) an inspector of the local authority; or
- (b) the Divisional Veterinary Manager.

(2) Where notice under paragraph (1) of this article is given to an inspector of the local authority, the inspector must immediately inform the Divisional Veterinary Manager responsible for that area.

(3) A person who is in possession or in charge of an affected animal or a suspected animal must detain it on the premises where it is kept until it has been examined by a veterinary inspector.

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(1) 1966 c.36.

### **Hysbysu am glefyd mewn carcasau**

4.-(1) Rhaid i unrhyw berson sy'n meddu ar garcas anifail buchol sy'n dangos arwyddion newidiadau tiwmorol (heblaw haemangioma, papiloma, neu ddafadennau) yn y nodau lymff neu unrhyw ran ohono neu berson â gofal y carcass hwnnw, hysbysu'r Rheolwr Milfeddygol Rhanbarthol sy'n gyfrifol am yr ardal honno am ffaith honno cyn gynted ag sy'n ymarferol bosibl.

(2) Rhaid i berson sy'n meddu ar garcas y mae paragraff (1) o'r erthygl hon yn gymwys iddo, neu berson â gofal y carcass hwnnw, ei gadw yn y fangre lle y'i cedwir hyd nes i arolygydd milfeddygol ei archwilio neu hyd nes i arolygydd milfeddygol benderfynu nad oes angen archwiliad.

### **Hysbysu am glefyd mewn samplau labordy**

5.-(1) Yn ddarostyngedig i baragraff (2) isod, pan fydd archwiliad mewn labordy o sampl a gymerwyd oddi wrth anifail buchol yn dangos tystiolaeth o fodolaeth lewcosis buchol ensootig, rhaid i'r person â gofal y labordy hysbysu'r Rheolwr Milfeddygol Rhanbarthol ar gyfer yr ardal lle y cymerwyd y sampl neu'r ardal lle mae'r labordy am y ffaith honno o fewn 24 awr.

(2) Nid yw'r rhwymedigaeth i hysbysu ym mharagraff (1) yn gymwys pan fydd lewcosis buchol ensootig wedi'i gyflwyno i sampl labordy yn fwiadol.

### **Samplu llaeth i'w brofi am dystiolaeth o lewcosis buchol ensootig**

6.-(1) Rhaid i unrhyw berson sy'n prynu llaeth oddi wrth berchennog buches odro yng Nghymru neu'r person â gofal amdani i'w ailwerthu fel llaeth neu gynnyrch llaeth-

- (a) ddewis labordy a gymeradwywyd i brofi'r llaeth hwnnw am lewcosis buchol ensootig;
- (b) hysbysu'r Cynulliad Cenedlaethol am y labordy a ddewiswyd;
- (c) unwaith bob pum mlynedd ac ar ei draul ei hun gyflwyno dwy sampl o llaeth i'r labordy hwnnw i'w brofi am dystiolaeth o lewcosis buchol ensootig a rhaid gadael bwllch o bedwar mis o leiaf rhwng pob tro y cymerir samplau a rhaid i'r samplau gynnwys llaeth oddi wrth bob buwch odro yn y fuches honno y mae ei llaeth ar gael i'w werthu;
- (ch) ychwanegu at y sampl y cadwolyn hwnnw y mae'r person â gofal am y labordy yn gofyn amdano;
- (d) sicrhau bod label ar y sampl sy'n cynnwys-
  - (i) cod bariau neu ddyfais arall sy'n galluogi'r labordy i adnabod y fuches neu'r rhan o fuches y cymerwyd y sampl ohoni; a

### **Notification of disease in carcasses**

4.-(1) Any person who is in possession or in charge of the carcass of a bovine animal, showing signs of tumorous changes (other than haemangiomas, papillomas or warts) in the lymph nodes or any part thereof, must with all practicable speed, give notice of that fact to the Divisional Veterinary Manager responsible for that area.

(2) A person who is in possession or in charge of a carcass to which paragraph (1) of this article applies, must detain it on the premises where it is kept until it has been examined by a veterinary inspector or until a veterinary inspector has determined that an inspection is not required.

### **Notification of disease in laboratory samples**

5.-(1) Subject to paragraph (2) below, where by reason of a laboratory examination of a sample taken from a bovine animal, evidence of the existence of enzootic bovine leucosis is identified, the person in charge of the laboratory must, within 24 hours, notify the Divisional Veterinary Manager of the area from which the sample was taken or in which the laboratory is situated, of that fact.

(2) The obligation to give notification in paragraph (1) does not apply where enzootic bovine leucosis has been deliberately introduced into a laboratory sample.

### **Sampling of milk for testing for evidence of enzootic bovine leucosis**

6.-(1) Any person who buys milk from the owner or person in charge of a herd of dairy cows in Wales for resale as milk or milk products must-

- (a) select an approved laboratory to carry out testing of such milk for enzootic bovine leucosis;
- (b) notify the National Assembly of the laboratory selected;
- (c) once every five years and at his or her own expense, submit two samples of milk to that laboratory for testing for evidence of enzootic bovine leucosis and the samples must be taken at least four months apart and must include milk from all the dairy cows in that herd whose milk is available for sale;
- (d) add such preservative to the sample as may be requested by the person in charge of the laboratory;
- (e) ensure that the sample is labelled with-
  - (i) a bar code or other device which enables the laboratory to identify the herd or part of a herd from which the sample was taken; and

(ii) dyddiad cymryd y sampl.

(2) Mae person yn esempt o'r dyletswydd a osodir gan baragraff (1) uchod, os yw'r person hwnnw dim ond yn prynu llaeth amrwd wedi'i ragbacio i'w ailwerthu-

- (a) yn y cynhwysydd y cafodd y person hwnnw ef ynddo a'r caewyr heb eu torri;
- (b) o gerbyd a ddefnyddir yn gyfreithlon fel mangre siop; a
- (c) yn uniongyrchol i'r defnyddiwr olaf.

(3) Ym mharagraff (2) uchod, ystyr "defnyddiwr olaf" yw unrhyw berson sy'n prynu llaeth heblaw at ddibenion-

- (a) ei ailwerthu;
- (b) sefydliad arlwygo; neu
- (c) busnes gweithgynhyrchu.

(4) Ni chaiff unrhyw berson mewn unrhyw ddull na modd drin, ac eithrio drwy ychwanegu cadwolyn yn unol â pharagraff (1)(ch) uchod, unrhyw sampl neu ei label, nac ymyrryd â hwy a bernir bod person wedi trin neu ymyrryd â sampl os yw'r person yn gwneud unrhyw beth mewn perthynas ag ef sy'n debygol o effeithio ar ganlyniad y profi sy'n ofynnol o dan yr erthygl hon.

(5) Rhaid i'r person â gofal am labordy a gymeradwywyd gydymffurfio â'r darpariaethau canlynol fel un o amodau'r gymeradwyaeth -

- (a) rhaid i'r person hwnnw gadw cofnod o'r buchesi yr anfonir eu llaeth i'w brofi o dan baragraff (1) uchod;
- (b) rhaid i'r person hwnnw hysbysu'r Cynulliad Cenedlaethol ar unwaith os na cheir sampl pan y'i disgwylir oddi wrth un o'r buchesi a restrir yn y cofnodion a gedwir dan is-baragraff (a) uchod;
- (c) rhaid i'r person hwnnw hysbysu'r Cynulliad Cenedlaethol o fewn 24 awr pan fydd sampl wedi ei brofi am dystiolaeth o fodolaeth o lewcosis buchol ensootig a bod y canlyniad yn gadarnhaol;
- (ch) rhaid i'r person hwnnw hysbysu'r Cynulliad Cenedlaethol o fewn mis pan fydd sampl wedi ei brofi am dystiolaeth o fodolaeth lewcosis buchol ensootig a bod y canlyniad yn negyddol; a
- (d) rhaid i'r person hwnnw gadw cofnod o ganlyniadau'r holl brofion a wneir am dystiolaeth o fodolaeth lewcosis buchol ensootig am gyfnod o flwyddyn o ddyddiad y prawf.

(6) Os bydd unrhyw berson yn methu â chymryd unrhyw gam sy'n ofynnol o dan ddarpariaethau paragraff (1) uchod, caiff arolygydd milfeddygol, heb ragfarnu unrhyw achos am dramgwydd sy'n codi o'r

(ii) the date on which the sample was taken.

(2) A person is exempted from the duty imposed by paragraph (1) above, if that person only purchases pre-packed raw milk for resale-

- (a) in the container in which that person received it with the fastenings unbroken;
- (b) from a vehicle which is lawfully used as shop premises; and
- (c) direct to the ultimate consumer.

(3) In paragraph (2) above, "ultimate consumer" means any person who buys milk other than for the purposes of-

- (a) resale;
- (b) a catering establishment; or
- (c) a manufacturing business.

(4) No person is permitted to in any way treat, other than by adding preservative in accordance with paragraph (1)(d) above, or tamper with any sample or its label and a person will be deemed to have treated or tampered with a sample if that person does anything in relation to it which is likely to affect the result of the testing required under this article.

(5) The person in charge of an approved laboratory must comply with the following provisions of this paragraph as a condition of the approval-

- (a) that person must maintain a record of the herds from which milk is sent for testing under paragraph (1) above;
- (b) that person must immediately notify the National Assembly if a sample is not received when due from one of the herds listed in the records held under sub-paragraph (a) above;
- (c) that person must notify the National Assembly within 24 hours where a sample has been tested for evidence of the existence of enzootic bovine leukosis and the result is positive;
- (d) that person must notify the National Assembly within one month where a sample has been tested for evidence of the existence of enzootic bovine leukosis and the result is negative; and
- (e) that person must maintain a record of the result of all the tests carried out for evidence of the existence of enzootic bovine leukosis for a period of one year from the date of the test.

(6) If any person fails to take any action required under the provisions of paragraph (1) above, a veterinary inspector may, without prejudice to any proceedings for an offence arising out of such default,

methiant hwnnw, gymryd y cam hwnnw, neu beri ei gymryd, a chaiff y Cynulliad Cenedlaethol adennill unrhyw dreuliau y mae wedi mynd iddynt yn rhesymol wrth wneud hynny oddi wrth y person sydd wedi methu â chymryd y cam gofynnol.

### **Ymchwiliad milfeddygol i fodolaeth lewcosis buchol ensootig**

7.-(1) Pan fydd rheswm i gredu, ar sail gwybodaeth a gafwyd o dan erthyglau 3, 4, 5, neu 6 neu fel arall, bod lewcosis buchol ensootig yn bodoli neu wedi bodoli yn ystod y 56 o ddyddiau blaenorol yn unrhyw fangre, rhaid i arolygydd milfeddygol gymryd y camau hynny sy'n angenrheidiol cyn gynted ag sy'n ymarferol bosibl i gadarnhau -

- (a) ai lewcosis buchol ensootig yw'r clefyd hwnnw;
- (b) y cyfnod o amser y mae'r clefyd wedi bodoli yn y fangre; ac
- (c) tarddiad posibl y clefyd yn y fangre.

(2) Pan fydd arolygydd milfeddygol yn cynnal ymchwiliad o dan yr erthygl hon i fodolaeth lewcosis buchol ensootig, rhaid i-

- (a) meddiannydd y fangre y mae'r ymchwiliad yn cael ei gynnal mewn perthynas ag ef, a chyflogeion y meddiannydd;
- (b) unrhyw berson sydd neu a fu'n meddu ar unrhyw anifail buchol sydd neu a fu yn y fangre hwnnw, neu berson sydd neu a fu â gofal yr anifail hwnnw; ac
- (c) unrhyw lawfeddyg milfeddygol a fu'n trin unrhyw anifail buchol yn y fangre honno neu yr ymgynghorwyd ag ef ynghylch unrhyw anifail buchol neu garcas a gadwyd yn y fangre honno

roi'r cyfleusterau rhesymol hynny, a chydymffurfio â'r gofynion rhesymol hynny, sy'n angenrheidiol at ddibenion yr ymchwiliad.

(3) Rhaid i arolygydd milfeddygol sy'n mynd i fangre o dan ddarpariaethau'r erthygl hon roi'r rhesymau dros fynd iddi, os bydd y meddiannydd neu'r person â gofal yr anifeiliaid buchol yn y fangre yn gofyn amdanynt.

### **Pwerau arolygwyr milfeddygol i wahardd neu reoli symud anifeiliaid buchol**

8. Os oes gan arolygydd milfeddygol seiliau rhesymol dros gredu y gall symud unrhyw anifail buchol o'r naill le i'r llall greu perygl lledaenu lewcosis buchol ensootig, caiff arolygydd milfeddygol, at ddibenion atal y clefyd rhag cael ei ledaenu, gyflwyno hysbysiad i berchennog neu feddiannydd y lle hwnnw neu i berchennog yr anifail buchol, neu i'r person a gofal amdano-

take or cause to be taken such action and any expenses reasonably incurred in so doing will be recoverable by the National Assembly from the person in default.

### **Veterinary inquiry as to the existence of enzootic bovine leukosis**

7.-(1) Where by reasons of information received under articles 3, 4, 5, or 6 or otherwise, there is reason to believe that enzootic bovine leukosis exists or has within the previous 56 days existed on any premises, a veterinary inspector must, with all practicable speed, take such steps as may be necessary to establish-

- (a) whether that disease is enzootic bovine leukosis;
- (b) the length of time that the disease has existed on the premises; and
- (c) the possible origin of the disease on the premises.

(2) Where a veterinary inspector is carrying out an inquiry under this article as to the existence of enzootic bovine leukosis-

- (a) the occupier of the premises in relation to which the inquiry is taking place, and his or her employees;
- (b) any person who is or has been in possession or charge of any bovine animal which is or has been on such premises; and
- (c) any veterinary surgeon who has been attending any bovine animal on those premises or has been consulted about any bovine animal or carcase kept on those premises;

must give such reasonable facilities and comply with such reasonable requirements as may be necessary for the purpose of the inquiry.

(3) A veterinary inspector entering premises under the provisions of this article must, if required by the occupier or person in charge of bovine animals on the premises, state the reasons for entering.

### **Powers of veterinary inspectors to prohibit or control movement of bovine animals**

8. If a veterinary inspector has reasonable grounds for believing that the movement of any bovine animal from any place may give rise to the risk of enzootic bovine leukosis being spread the veterinary inspector may for the purpose of preventing the spread of that disease, serve a notice on the owner or occupier of that place or the owner or person in charge of the bovine animal-



- (a) sy'n gwahardd symud yr anifail hwnnw;
- (b) ei gwneud yn ofynnol ei gadw ar wahân yn gorfforol oddi wrth anifeiliaid buchol eraill ar y fangre;
- (c) yn gosod yr amodau hynny yn ymwneud â'i symud ac a fernir yn gyfleus.

### **Marcio anifeiliaid yr effeithiwyd arnynt**

9.-(1) Rhaid i berchennog anifeiliaid buchol neu'r person a gofal amdanynt ac a gedwir ar y fangre, os mynnir hynny gan hysbysiad a gyflwynwyd gan arolygydd milfeddygol, farcio'r anifeiliaid hynny mewn dull a benna'r arolygydd milfeddygol.

(2) Caiff arolygydd milfeddygol baentio, stampio, clipio, tagio neu farcio anifeiliaid buchol a gedwir yn unrhyw fangre mewn dull arall.

(3) Ni chaiff unrhyw berson newid, tynnu, dileu, difwyno, na cheisio newid, tynnu, dileu, neu ddifwyno'r marc hwnnw.

### **Cyfyngiadau ar ddefnyddio semen**

10. Caiff arolygydd milfeddygol gyflwyno hysbysiad i'r perchennog neu'r person sydd â gofal dros unrhyw anifeiliaid yr effeithir arnynt neu unrhyw anifeiliaid amheus a gedwir ar unrhyw fangre a hwnnw'n hysbysiad sy'n gwahardd defnyddio semen o anifeiliaid o'r fath. neu sy'n cyfyngu ar ei ddefnyddio.

### **Glanhau a diheintio**

11.-(1) Caiff arolygydd milfeddygol gyflwyno hysbysiad i feddiannydd unrhyw fangre lle y mae neu lle y bu anifail yr effeithiwyd arno neu anifail dan amheuaeth, neu garcas y fath anifail, ac sy'n ei gwneud yn ofynnol i'r meddiannydd, ar draul y meddiannydd ei hun, lanhau a diheintio-

- (a) y fangre neu unrhyw ran ohoni; neu
- (b) unrhyw offer, cyfarpar neu beth a ddefnyddir mewn cysylltiad ag anifail yr effeithiwyd arno, anifail dan amheuaeth, neu garcas y fath anifail.

(2) Os na chydymffurfir â gofynion hysbysiad a gyflwynir o dan baragraff (1) uchod, caiff arolygydd milfeddygol, heb ragfarnu unrhyw achos am dramgwydd sy'n codi o'r methiant hwnnw, gyflawni neu beri cyflawni'r gwaith glanhau a diheintio, a chaiff y Cynulliad Cenedlaethol adennill unrhyw dreuliau y mae arolygydd milfeddygol wedi mynd iddynt yn rhesymol oddi wrth y person sydd wedi methu â chydymffurfio â'r gofynion hynny.

(3) At ddibenion arfer y pwerau o dan baragraff (1) uchod caiff arolygydd milfeddygol, drwy ddangos ei awdurdod pan ofynnir iddo wneud hynny, fynd i mewn i fangre y cyflwynwyd hysbysiad o dan yr erthygl hon mewn cysylltiad ag ef, a chaiff fynd ag unrhyw berson

- (a) prohibiting the movement of that animal;
- (b) requiring physical separation from other bovine animals on the premises;
- (c) imposing such conditions in respect of its movement as may be considered expedient.

### **Marking of affected animals**

9.-(1) The owner or person in charge of bovine animals kept on any premises must, if so required by notice served by a veterinary inspector, mark his or her animals in accordance with the requirements of the veterinary inspector.

(2) A veterinary inspector may paint, stamp, clip, tag or otherwise mark bovine animals kept on any premises.

(3) No person is permitted to alter, remove, obliterate, deface or attempt to alter, remove, obliterate or deface any such mark.

### **Restrictions on the use of semen**

10. A veterinary inspector may serve a notice on the owner or person in charge of any affected or suspected animals kept on any premises prohibiting the use of semen from such animals, or restricting its use.

### **Cleansing and disinfection**

11.-(1) A veterinary inspector may serve a notice on the occupier of any premises where there is or has been an affected or suspected animal, or the carcase of such an animal, requiring the occupier at the occupier's own expense to cleanse and disinfect-

- (a) the premises or any part thereof; or
- (b) any apparatus, equipment or thing used in connection with any affected animal, suspected animal, or the carcase of such an animal.

(2) If the requirements of a notice served under paragraph (1) above are not complied with, a veterinary inspector may, without prejudice to any proceedings for an offence arising out of such default, carry out or cause to be carried out, such cleansing and disinfection and any expenses reasonably incurred by the veterinary inspector will be recoverable by the National Assembly from the person in default.

(3) For the purpose of exercising the powers under paragraph (1) above a veterinary inspector may, on production on demand of the veterinary inspector's authority, enter the premises to which a notice served under this article relates, and may be accompanied by

y barna ei fod yn angenrheidiol gydag ef, a rhaid i'r arolygydd milfeddygol, os bydd y meddiannydd neu'r person â gofal y fangre yn gofyn iddo wneud hynny, ddweud wrtho beth yw'r rhesymau dros fynd i mewn i'r fangre.

### **Darpariaethau arbennig ar gyfer anifeiliaid a fewnforir**

12. Ni fydd darpariaethau'r Rheoliadau hyn yn gymwys mewn perthynas â mangreoedd a gymeradwyd o dan Orchymyn Menwforio Anifeiliaid 1977(1) a dim ond mewn perthynas ag anifeiliaid buchol a fewnforir o'r amser a bennir yn y drwydded a ddyroddir ar gyfer yr anifeiliaid hynny o dan erthygl 11(5) o'r Gorchymyn hwnnw y byddant yn gymwys.

### **Cymhwyso adran 32 o Ddeddf Iechyd Anifeiliaid 1981 i lewcosis buchol ensootig**

13. Mae adran 32 o Ddeddf Iechyd Anifeiliaid 1981 yn gymwys i lewcosis buchol ensootig.

### **Hysbysu am gigydda arfaethedig**

14.-(1) Pan fydd y Cynulliad Cenedlaethol yn arfaethu cigyddu anifail buchol o dan y pwerau a gynhwysir yn adran 32 o Ddeddf Iechyd Anifeiliaid 1981 wrth iddi gael ei chymhwyso i lewcosis buchol ensootig, rhaid i arolygydd milfeddygol gyflwyno hysbysiad cigyddu arfaethedig i berchennog yr anifail neu i'r person sydd â gofal amdano ac sy'n hysbysu'r person hwnnw am y cigyddu arfaethedig ac yn ei gwneud yn ofynnol i'r person hwnnw ildio'r anifail i gael ei gigydda (neu i gadw'r anifail tra erys am gael ei gigydda) a'i ynysu i'r graddau y mae'n ymarferol oddi wrth anifeiliaid nas bennir yn yr hysbysiad.

(2) Rhaid i'r person y cyflwynir yr hysbysiad hwnnw iddo beidio â symud yr anifail o'r fangre neu o ran ohoni ac eithrio o dan awdurdod trwydded a ddyroddir gan y Cynulliad Cenedlaethol ac yn unol â'r telerau ynddi.

### **Pwerau arolygwyr**

15.-(1) At ddibenion y Rheoliadau hyn, bydd gan arolygydd, ar ôl dangos os gofynnir iddo neu iddi, ryw ddogfen a ddilyswyd yn briodol ac sy'n dangos awdurdod yr arolygydd, hawl ar bob adeg resymol i fynd i mewn i unrhyw fangre a feddiennir fel mangre preifat.

- (2) Caiff arolygydd-
- (a) arolygu unrhyw anifail buchol neu unrhyw garcas ar y fangre;
  - (b) archwilio unrhyw gofnodion ar ba ffurf bynnag y bônt ar y fangre a chymryd copïau o'r cofnodion hynny; neu

such persons as are considered necessary, and the veterinary inspector will if so required by the occupier or person in charge of the premises, state the reasons for entering.

### **Special provisions for imported animals**

12. The provisions of these Regulations do not apply in relation to premises approved under the Importation of Animals Order 1977(1) and will only apply in relation to imported bovine animals from the time specified in the licence issued in respect of those animals under article 11(5) of that Order.

### **Application of section 32 of the Animal Health Act 1981 to enzootic bovine leucosis**

13. Section 32 of the Animal Health Act 1981 applies to enzootic bovine leucosis.

### **Notice of intended slaughter**

14.-(1) Where the National Assembly for Wales proposes to slaughter a bovine animal under the powers contained in section 32 of the Animal Health Act 1981 in its application to enzootic bovine leucosis, a veterinary inspector must serve a notice of intended slaughter on the owner or person in charge of such animal informing that person of the proposed slaughter and requiring that person to surrender the animal for slaughter (or to detain the animal pending slaughter) and to isolate it as far as practicable from other animals which are not specified in the notice.

(2) The person on whom such a notice is served must not move the animal off the premises or part thereof except under the authority of a licence issued by the National Assembly and in accordance with the terms thereof.

### **Powers of inspectors**

15.-(1) For the purpose of enforcing these Regulations, an inspector will, on producing if so required, some duly authenticated document showing that inspector's authority, have a right at all reasonable times to enter any premises, other than any part of any premises occupied as a private dwelling.

- (2) An inspector may-
- (a) inspect any bovine animal or any carcase on the premises;
  - (b) examine any records in whatever form on the premises and take copies of those records; or

- (c) mynd ag unrhyw berson arall gydag ef neu hi y gellir ei ystyried yn angenrheidiol at unrhyw ddiben mewn perthynas â gorfodi'r Rheoliadau hyn.

### **Tramgwyddau**

**16.** Bydd unrhyw berson sy'n mynd yn groes i unrhyw ddarpariaeth o'r Gorchymyn hwn neu'n methu â chydymffurfio â hi heb awdurdod neu esgus cyfreithlon yn euog o dramgwydd yn erbyn Deddf Iechyd Anifeiliaid 1981.

### **Gorfodi**

**17.** Yr awdurdod lleol sy'n gorfodi'r Gorchymyn hwn yn ei ardal ddaearyddol.

### **Dirymu**

**18.** I'r graddau y mae yn gymwys i Gymru, mae Gorchymyn Lewcosis Buchol Ensootig 1997(1) drwy hyn wedi'i ddirymu.

- (c) take with him or her such other person as may be considered necessary for any purpose in relation to the enforcement of these Regulations.

### **Offences**

**16.** Any person who, without lawful authority or excuse, contravenes or fails to comply with any provision of this Order or a notice or licence served under it is guilty of an offence against the Animal Health Act 1981.

### **Enforcement**

**17.** This Order will be enforced by the local authority in its geographical area.

### **Revocations**

**18.** In so far as it applies to Wales, the Enzootic Bovine Leukosis Order 1997(1) is hereby revoked.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2)

21 Mawrth 2006

21 March 2006

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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(1) O.S. 1997/757.

(2) 1998 p.38.

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(1) S.I. 1997/757.

(2) 1998 c.38.

ATODLEN

SCHEDULE

Profi anifeiliaid buchol yn hematolegol

Haematological testing of bovine animals

Oedran yr Anifail Buchol	Ystod annormal: y nifer o lymffosytâu fesul milimetr ciwbig	Unedau S.I.
O dan flwydd oed	Mwy nag 11,000	mwy nag 11.0
Blwydd ond o dan 2 flwydd	Mwy na 10,000	mwy na 10.0
2 flwydd ond o dan 3 blwydd	Mwy nag 8,500	mwy nag 8.5
3 blwydd ond o dan 4 blwydd	Mwy na 7,500	mwy na 7.5
4 blwydd ond o dan 5 mlwydd	Mwy na 6,500	mwy na 6.5
5 mlwydd ond o dan 6 mlwydd	Mwy na 6,000	mwy na 6.0
6 blwydd a throsodd	Mwy na 5,500	mwy na 5.5

Age of Bovine Animal	Abnormal Range No. of Lymphocytes per cubic millimetre	S.I. Units
Under 1 year	More than 11,000	more than 11.0
1 year but under 2 years	More than 10,000	more than 10.0
2 years but under 3 years	More than 8,500	more than 8.5
3 years but under 4 years	More than 7,500	more than 7.5
4 years but under 5 years	More than 6,500	more than 6.5
5 years but under 6 years	More than 6,000	more than 6.0
6 years and over	More than 5,500	more than 5.5

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