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WELSH STATUTORY INSTRUMENTS

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**2009 No. 3364**

**The Sheep and Goats (Records, Identification and Movement) (Wales) Order 2009**

**PART 6**

**Removal or replacement of identification marks on animals identified before 31 December 2009**

**Application of Part 6**

**19.** This Part applies to all animals identified before 31 December 2009 and to goats identified in accordance with article 17.

**Removal or replacement of identification marks**

**20.**—(1) No person may contravene or fail to comply with Article 4(6)(first paragraph) of the Council Regulation.

(2) But a keeper must replace a lost or illegible identification mark, in accordance with article 21, article 22 or article 23 (whichever article is applicable) as soon as possible after the original identification mark is discovered to be lost or illegible, but in any event—

- (a) no later than 28 days after it was discovered to be lost or illegible; and
- (b) before the animal is moved from the holding.

(3) Where an identification mark is replaced with an identification mark bearing a different identification code and the animal is not on its holding of birth and the old identification code is known the keeper must cross-reference the old and new identification codes in the holding register.

(4) It is a defence for any person charged with an offence of contravening or failing to comply with paragraphs (1) or (2) to prove that—

- (a) the identification mark was removed to prevent unnecessary pain to an animal; and
- (b) a replacement means of identification bearing the same identification code was applied to the animal as soon as possible.

(5) A keeper may at any time remove identification marks and re-identify the animal in accordance with article 9.

**Replacement of a single identification mark on a double-tagged animal**

**21.** An animal is re-identified according to this article if the missing or illegible means of identification is replaced with—

- (a) means of identification bearing the same unique number as the lost or illegible means of identification;
- (b) two non-electronic means of identification, both bearing the same number; or

- (c) the means of identification specified in Articles 4(1) (first paragraph), 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

### **Replacement of a identification mark on a single tagged animal**

**22.**—(1) This article applies where the means of identification or older means of identification on a single identified animals is lost or illegible.

(2) In this article “single-identified animal” means an animal identified with only one older means of identification containing a unique number applied under previous Orders.

(3) If a keeper is replacing a lost or illegible tag on an animal born after 9 July 2005 a new or replacement means of identification must be an identification tag and not a tattoo.

(4) If the animal is on its holding of birth the keeper must replace the missing or illegible means of identification with a—

- (a) means of identification bearing the same unique number as the lost or illegible means of identification;
- (b) a new means of identification;
- (c) two non-electronic means of identification both bearing he same number; or
- (d) the means of identification specified in Articles 4(1) (first paragraph), 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(5) If the animal is not on it’s holding of birth, the keeper may replace the missing or illegible means of identification with

- (a) means of identification bearing the same unique number as the lost or illegible means of identification;
- (b) a replacement means of identification;
- (c) two non-electronic means of identification, both bearing the same number; or
- (d) the means of identification specified in Articles 4(1)(first paragraph), 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(6) If an animal is re-identified by the means of identification referred to in paragraph (5)(b) to (d) above the keeper must record information about the replacement including the full identification code on the replacement and record the letters or flockmark or herdmark on the original means of identification, if known, within the holding register.

### **Re-identification of animals identified under previous Orders with an identification mark that does not contain a unique number.**

**23.**—(1) This article applies to animals identified under previous Orders with a means of identification that does not contain a unique number.

(2) If the means of identification

- (a) becomes lost or illegible; or
- (b) the animal is moved from a holding

the animal must be re-identified in accordance with paragraphs (3) or (4).

(3) If the animal is on its holding of birth the keeper must re-identify the animal with —

- (a) a new means of identification
- (b) two non-electronic means of identification both bearing the same number :or
- (c) the means of identification specified in Articles 4(1) (first paragraph), 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(4) If the animal is not on its holding of birth the keeper must re-identify the animal with—

- (a) a new means of identification;
- (b) two non-electronic means of identification both bearing the same number; or
- (c) the means of identification specified in Articles 4(1) (first paragraph), 4(2)(a) and (b) and Article 9(3) of the Council Regulation.

(5) If an animal is re-identified by the means of identification referred to in paragraph (4) above the keeper must record information about the replacement including the full identification code on the replacement and record the letters or flockmark or herdmark on the original means of identification, if known, within the holding register.

(6) If an animal is re-identified in accordance with paragraphs (3) or (4) the identification code on a new means of identification must be:—

- (a) the letters “UK”; and
- (b) a 12 digit number in accordance with a numbering scheme prescribed by the Welsh Ministers;