
WELSH STATUTORY INSTRUMENTS

2024 No. 753

The Bovine Viral Diarrhoea (Wales) Order 2024

PART 6

Movement restrictions and isolation of persistently infected animals

Restrictions on movement where a herd has a collective BVD status of not negative

38.—(1) Subject to paragraph (2), a keeper must not move a bovine animal off a holding if the animal is part of a bovine herd which has a collective BVD status of not negative.

(2) Paragraph (1) does not apply if—

- (a) the animal is being moved to slaughter,
- (b) the movement is to a place for veterinary treatment, provided the animal is returned direct to its premises of origin after the treatment, is killed or goes direct to slaughter, or
- (c) the movement is under licence granted by a veterinary inspector or the Welsh Ministers.

Restrictions on movement where an animal has an individual BVD status of positive

39.—(1) Subject to paragraph (2), a keeper must not move a bovine animal off a holding if the animal has an individual BVD status of positive.

(2) Paragraph (1) does not apply if—

- (a) the animal is being moved to slaughter,
- (b) the movement is to a place for veterinary treatment, provided the animal is returned direct to its premises of origin after the treatment, is killed or goes direct to slaughter,
- (c) the movement is under licence granted by a veterinary inspector or the Welsh Ministers, or
- (d) the animal has an individual BVD status of negative following a pre-movement test under article 40.

Pre-movement testing

40.—(1) This article applies to every bovine animal in a herd where that herd has a collective BVD status of not negative.

(2) Where the animal is to be moved off the holding, the keeper must, no more than 30 days prior to the movement—

- (a) arrange for an approved veterinary surgeon, or person under the supervision of an approved veterinary surgeon, to take an ear tag sample of tissue in accordance with article 13, or
- (b) arrange for an approved veterinary surgeon, or person under the supervision of an approved veterinary surgeon, to take a sample of blood,

from the animal for testing by an approved laboratory.

(3) Paragraph (2) does not apply if the animal is moved to slaughter or the movement is under licence granted by a veterinary inspector or the Welsh Ministers.

(4) On receipt of a sample taken under paragraph (2), the operator of the laboratory must—

- (a) test the sample for the presence of BVDV, and
- (b) determine whether or not BVDV is present in the sample.

(5) The operator of the approved laboratory must by notice inform the keeper, the Welsh Ministers and the veterinary surgeon of the result of the test and—

- (a) where BVDV is not present in the sample, the animal has an individual BVD status of negative, or
- (b) where BVDV is present in the sample, the animal has an individual BVD status of positive.

(6) Any bovine animal which has an individual BVD status of positive under paragraph (5)(b) may not be moved off the holding and is subject to the measures in articles 32 and 39 of this Order.

(7) Any bovine animal which has an individual BVD status of negative under paragraph (5)(a) may be moved off the holding.

(8) Where a bovine animal is to be moved from its current holding to another holding, the keeper of the animal must inform the keeper at the holding of destination of the result of the test under paragraph (5) no more than 3 days before moving the animal.

Post-movement testing of animals without a known individual BVD status from herds outside of Wales

41.—(1) This article applies to bovine animals from outside of Wales which are moved onto a holding in Wales and have no individual BVD status.

(2) Where this article applies, a keeper must, no more than 20 days post-movement onto the holding—

- (a) arrange for an approved veterinary surgeon, or person under the supervision of an approved veterinary surgeon, to take an ear tag sample of tissue in accordance with article 13, or
- (b) arrange for an approved veterinary surgeon, or person under the supervision of an approved veterinary surgeon, to take a sample of blood,

from the animal for testing by an approved laboratory.

(3) On receipt of a sample taken under paragraph (2), the operator of the laboratory must—

- (a) test the sample for the presence of BVDV, and
- (b) determine whether or not BVDV is present in the sample.

(4) The operator of the approved laboratory must by notice, inform the keeper, the Welsh Ministers and the veterinary surgeon of the result of the test and—

- (a) where BVDV is not present in the sample, the animal has an individual BVD status of negative, or
- (b) where BVDV is present in the sample, the animal has an individual BVD status of positive.

(5) Any bovine animal which has an individual BVD status of positive must not be moved off the holding and is subject to the measures in articles 32 and 39 of this Order.

(6) Where this article applies, any pregnant bovine animal moved onto a holding must be kept isolated from other bovine animals until it—

- (a) has calved, or
- (b) has an individual BVD status of negative under paragraph (4)(a).

Restrictions on the movement of animals where sampling obligations are not met

42.—(1) This article applies to the keeper of a bovine herd or bovine animal if, by the date of the most recent compliance deadline (set in accordance with article 26), the keeper has failed to comply with any of their obligations in articles 25, 29 or 32 (in this article “the applicable obligations”).

(2) Where paragraph (1) applies, the herd has a collective BVD status of not negative.

(3) The keeper must not, during the relevant period, move (or arrange to move) any bovine animal from the holding on which it is kept unless—

- (a) the animal is being moved to slaughter,
- (b) the movement is under a licence granted by a veterinary inspector or the Welsh Ministers, or
- (c) an approved veterinary surgeon reasonably considers that further action or investigation has been carried out which confirms that BVDV is not or is no longer present in the animal and has by notice informed the keeper and the Welsh Ministers of that fact.

(4) In paragraph (3), “the relevant period” is the period—

- (a) beginning with the date of the most recent compliance deadline, and
- (b) ending on the date on which the keeper has—
 - (i) complied with all of the applicable obligations, and
 - (ii) received a notification in respect of the samples tested in accordance with those obligations.

Isolation of bovine animals which are persistently infected

43.—(1) This article applies to a bovine herd which contains one or more bovine animals with an individual BVD status of persistently infected in accordance with article 34(b).

(2) Subject to paragraph (4), the keeper must separate all the bovine animals with an individual BVD status of persistently infected from the rest of the herd and house them in one or more groups (each a “BVD PI group”) in accordance with the conditions in paragraph (3).

(3) The conditions of this paragraph are—

- (a) that the keeper must not move the animals off the holding, and
- (b) that the animals are housed indoors and in a manner consistent with good practice which—
 - (i) prevents physical contact with, and
 - (ii) does not give rise to any appreciable risk of transferring BVDV to, any bovine animal that is not part of a BVD PI group.

(4) Paragraph (2) does not apply where the animal is being—

- (a) moved to slaughter,
- (b) moved to a place for veterinary treatment, provided that the animal is returned direct to its premises of origin after the treatment, is killed or goes direct to slaughter, or
- (c) moved under a licence granted by a veterinary inspector or the Welsh Ministers.

(5) A bovine animal does not cease to be part of a bovine herd by virtue of its separation under this article.

Meaning of “moved to slaughter”

44.—(1) In this Part, where any bovine animal is “moved to slaughter” this means that the animal is being moved under the conditions specified in paragraph (2).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (2) The conditions are that the animal is being moved—
 - (a) directly to slaughter, and
 - (b) under arrangements which do not give rise to any appreciable risk of infection with BVDV to any other bovine animal (except a bovine animal which is also being moved to slaughter).