
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 11

The Bluetongue (Scotland) Order 2008

PART 2

Suspicion of, and infection with, bluetongue

Notifications and initial requirements where bluetongue is suspected

9.—(1) The owner or keeper of any animal or carcase, or any person who examines or inspects any animal or carcase, who suspects that the animal or carcase is infected with bluetongue, must—

- (a) immediately notify the Divisional Veterinary Manager;
- (b) not move any animal or carcase off the premises where that animal or carcase is located; and
- (c) where there are means available for doing so, ensure that any animals located on those premises are confined indoors during any period of midge activity.

(2) Any person who analyses a sample taken from any animal or carcase and who finds evidence of antibodies to, or antigens or nucleic acids of, the bluetongue virus or any evidence of vaccination for bluetongue, must immediately notify the Divisional Veterinary Manager.

Suspect and contact premises

10.—(1) Where suspicion of bluetongue has been notified in respect of any animal or carcase, a veterinary inspector must serve a notice ('a suspect case notice') on either the occupier of, or keeper of any animal on, those premises ('the suspect premises'), or both, requiring that—

- (a) no animal enters or leaves the premises;
- (b) an inventory of all animals on the premises is made, recording, for each species—
 - (i) the number dead;
 - (ii) the number alive; and
 - (iii) the number of those alive which are infected or likely to be infected with bluetongue;
- (c) the inventory is kept up to date to take account of animals which are born or die, including details of the dates of birth and death of such animals;
- (d) all animals on the premises are confined indoors except as directed by a veterinary inspector; and
- (e) the premises and animals on them are subject to the midge control measures specified in the notice.

(2) The person making the inventory must also keep a record of it for at least two years from the date of the last entry.

(3) A veterinary inspector may serve a suspect case notice on the occupier of, or keeper of any animal at other premises ('the contact premises'), or both, in the event that the location of those

premises, their geographical situation or contacts with the suspect premises provides grounds for suspecting the possibility of contamination with bluetongue at the contact premises.

(4) A notice under paragraph (1) or (3) must not be revoked until the suspected presence of bluetongue has been ruled out by the Scottish Ministers.

Temporary control zones

11.—(1) The Scottish Ministers may declare a temporary control zone where there is reason to suspect the possibility that bluetongue is circulating in an area.

(2) When a temporary control zone has been established in England, the boundary of which extends to the border with Scotland, the Scottish Ministers may declare an associated temporary control zone in Scotland.

(3) The location and size of the temporary control zone shall be such as the Scottish Ministers consider appropriate to prevent the spread of bluetongue.

(4) The Scottish Ministers may apply such of the requirements as are referred to in article 10(1) (b) to (e) to premises within a temporary control zone as they consider appropriate.

(5) A temporary control zone ceases to exist in any area subsequently incorporated into a control zone or restricted zone.

(6) No person may move any animal, embryo, ovum or semen to or from premises in a temporary control zone except as authorised by a licence granted by the Scottish Ministers.

Notices on infection with bluetongue

12.—(1) If a veterinary inspector is satisfied that the bluetongue virus is present in any animal or at any premises ('the infected premises') the veterinary inspector may serve a notice, doing one or more of the following things, on the occupier of or keeper of any animals on the infected premises, or both—

- (a) stating that the virus is present;
- (b) suspending the requirement under article 9 to notify any further suspected cases of bluetongue on the premises to the Divisional Veterinary Manager;
- (c) removing or altering a requirement imposed by article 10 or by a notice served under that article.

(2) The veterinary inspector may also serve a notice on the occupier of any laboratory analysing samples for bluetongue, suspending the requirement under article 9 to notify the Divisional Veterinary Manager of any further evidence of bluetongue, or vaccination for bluetongue, from the infected premises.