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STATUTORY RULES OF NORTHERN IRELAND

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**2004 No. 361**

**Brucellosis Control Order (Northern Ireland) 2004**

**PART IV**

**CONTROL OF DISEASE**

**Power to take samples**

6. The Department may examine any animal, take such samples and apply such tests as it considers necessary for the purpose of controlling disease.

**Detention and movement of animals**

7. Where the Department knows or suspects that an animal on any holding has been moved or dealt with otherwise than in accordance with this Order or the Scheme, as the case may be, it may by notice –

- (a) require the keeper to –
  - (i) detain the animal on a specified area of the holding and isolate it from other animals;
  - (ii) have a sample from the animal, and if required any other animal on the holding, subjected to an official test, at his own expense and within such time limit as shall be specified in the notice;
- (b) prohibit the movement of any animal to or from the holding except under and in accordance with the conditions of a licence issued by the Department.

**Restrictions**

- 8.—(1) The Department may serve a notice on a herd keeper where –
- (a) it suspects that disease may exist or may within 56 days have existed on the holding on which the herd is normally kept;
  - (b) a reactor has been found in the herd as a result of an official test;
  - (c) a reactor in another herd had access to the herd;
  - (d) a reactor in another herd was moved from the herd;
  - (e) an animal in the herd has been exposed to the possibility of infection with disease by contact with a reactor;
  - (f) a sample of milk from the herd when tested for the presence of brucella infection by the Department has given such result as to cause the Department to suspect that an animal in the herd is infected with disease;
  - (g) an animal in the herd has had an abortion and has not been cleared by an official test;
  - (h) an animal in the herd has given an inconclusive result to an official test; or

- (i) animals in the herd have been compulsorily slaughtered under Article 15 as animals which have been exposed to a significant risk of infection with disease.
- (2) A notice under paragraph (1) may –
  - (a) prohibit the movement to or from the holding on which the herd is kept of any animal except under and in accordance with the conditions of a licence issued by the Department;
  - (b) require the herd keeper to isolate any animal from other animals;
  - (c) require the herd keeper to isolate in a house or building or otherwise under cover, any in-calf animal in the herd immediately before it calves and to keep such animal and any calf it produces in isolation from other animals until it has given a negative reaction to an official test after calving and he has been informed by the Department in writing that it and the calf can join the herd;
  - (d) require the herd keeper to detain any animal in his herd on a specified area of the holding on which the herd is kept;
  - (e) require the herd keeper, when any animal in his herd calves, to notify a Divisional Veterinary Office within 24 hours;
  - (f) require the herd keeper to treat, store, dispose of or use slurry or manure in accordance with such conditions and in such manner as may be specified in the notice;
  - (g) require the herd keeper, in the case of a holding on which there is a reactor, to ensure that notices, in a form approved by an inspector, are displayed prominently at all entrances to and exits from the holding drawing attention to the existence of disease;
  - (h) require the herd keeper, if he acquires a holding after the date of the notice, to inform a Divisional Veterinary Office in writing within 7 days of the date of such acquisition and to give such details in relation to the acquisition as may be specified in the notice;
  - (i) prohibit the movement of any animal on to a holding to which sub-paragraph (h) applies except under and in accordance with the conditions of a licence issued by the Department;
  - (j) require the herd keeper, prior to the disposal of his holding or any part thereof by way of sale, grant, lease, exchange, surrender, licence, letting in conacre, or otherwise, to inform the Department in writing of such disposal and the area and location of the holding disposed of and, unless the holding disposed of was held by him as a licensee in conacre or under a lease which has terminated, to inform the Department, within 7 days, of such disposal and the name and address of the person to whom he has disposed of his holding or any part thereof;
  - (k) prohibit the feeding of milk from affected animals to livestock on the same holding unless such milk is treated in accordance with the terms of the notice.

### **Temporary control area**

9.—(1) Where the Department knows or suspects that there is a serious risk of the spread of disease it may, by notice, declare the establishment of an area to be known as a “temporary control area”.

(2) The location and size of the temporary control area shall be such as the Department considers necessary to prevent the spread of disease.

- (3) Where a temporary control area has been established, a person –
  - (a) shall not move any animal onto or off a holding in the area or move any animal into or out of the area except under and in accordance with the conditions of a licence issued by the Department; and
  - (b) shall, if required to do so by an inspector, detain any animal, located on a holding within the area, on a specified part of the holding.

(4) Any holding which is partly inside and partly outside a temporary control area shall be deemed to be wholly inside that area.

#### **Contact with animals on adjoining land**

**10.**—(1) The keeper of a herd shall maintain the fences dividing his holding from adjoining land in such condition as to prevent –

- (a) contact of his herd with animals on adjoining land; and
- (b) his herd from straying from the holding.

(2) Where a reactor is found in any herd, the keeper of the herd shall take all practical precautions to prevent the infection of any animals kept on the adjoining land by contact with animals on his holding.

#### **Prohibition on grazing**

**11.**—(1) The Department may, by notice, prohibit for a period of up to 6 months, any person who keeps animals on a holding from using for grazing by animals, other than steers, all or any part of the holding to which this Article applies.

(2) This Article applies to any holding that includes land which, during the previous 6 months, has been part of a holding on which there has been, during that period, a reactor or any animal slaughtered as a result of being in contact with a reactor.

#### **Use of milk for feeding to animals**

**12.**—(1) A person shall not bring onto any holding on which a herd is kept, any milk or dairy by-products for feeding to livestock kept on the holding except when the milk or dairy by-product –

- (a) comes direct from a holding which is not the subject of a notice under Article 7 or 8(1);
- (b) has been converted into powder form; or
- (c) has been boiled or pasteurised.

(2) For the purpose of this paragraph, “pasteurised” means retained at a temperature of not less than 145° Fahrenheit and not more than 150° Fahrenheit for at least 30 minutes or at a temperature of not less than 162° Fahrenheit for at least 15 seconds.

#### **Cleansing and disinfection generally**

**13.**—(1) The Department may serve on the owner or occupier of any holding on which there is, or has within 56 days been, an affected or suspected animal or any animal which may have been exposed to the possibility of brucella infection or the carcass of such an animal, a notice requiring him to –

- (a) cleanse and disinfect, at his own expense, and in such manner and within such period as may be specified in the notice –
  - (i) all or any part of his holding, and
  - (ii) any equipment, appliance, utensil or other thing used in connection with any such animal or carcass;
- (b) soak any litter in an approved disinfectant and destroy such litter in the manner specified in the notice;
- (c) dispose of washings from cleansing and disinfection carried out under sub-paragraph (a) in the manner specified in the notice;

(d) provide footbaths containing an approved disinfectant at all entrances to and exits from the holding.

(2) In this Article “washings” means any material, disinfectant or water remaining after the cleansing and disinfection has been carried out.

#### **Cleansing and disinfection of vehicles**

**14.** The Department may, by notice served on the owner or person in charge of any vehicle which is used for the movement or removal of –

- (a) any diseased or suspected animal or carcase; or
- (b) any animal, carcase, litter or dung which is or has been in contact with a diseased or suspected animal or carcase,

require him, in such manner and within such period as may be specified in the notice, to cleanse and disinfect with an approved disinfectant that vehicle and any equipment, utensil, appliance or other thing used in connection with that carriage.