

SCHEDULE 5

Regulation 5

CONTROL AND ERADICATION OF TSE IN ANIMALS OTHER THAN BOVINE, OVINE OR CAPRINE ANIMALS

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Notification

1.—(1) For the purposes of Article 11 of the Community TSE Regulation, any person who has in their possession or under their charge any animal that is not bovine, ovine or caprine that is suspected of being affected by a TSE must immediately notify the Department and detain it on the premises until it has been examined by a veterinary inspector.

(2) Any veterinary surgeon who examines or inspects any such animal must, with all practical speed, notify the Department.

(3) Any person (other than the Department) who examines the body of any animal that is not bovine, ovine or caprine, or any part of it, in a laboratory and who reasonably suspects the presence of a TSE must immediately notify the Department, and retain the body and any parts of it until a veterinary inspector has authorised disposal.

(4) Failure to comply with this paragraph is an offence.

Restriction of a notified animal

2.—(1) If notification of a suspected animal that is not bovine, ovine or caprine is given to the Department under paragraph 1, an inspector may serve a notice prohibiting the movement of that animal from the premises on which it was detained, pending determination by an inspector of whether or not it is suspected of being affected with a TSE.

(2) Movements of animals restricted under this paragraph are only permitted in accordance with regulation 16.

Slaughter of a suspect animal

3.—(1) For the purposes of paragraphs (1) and (2) of Article 12 of the Community TSE Regulation, if a veterinary inspector suspects that an animal that is not bovine, ovine or caprine is affected with a TSE, the veterinary inspector may either—

- (a) kill it immediately on the premises on which it was kept;
- (b) serve a notice prohibiting the animal from being moved from the premises until it has been killed; or

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(c) serve a notice directing the owner to consign it to other premises for killing and prohibiting movement other than in accordance with that direction.

(2) If the animal is killed on any premises in accordance with this paragraph, it is an offence to remove the body from the premises or dispose of it except in accordance with a written direction from an inspector.

Compensation for an animal that is not bovine, ovine or caprine slaughtered as a suspect animal

4.—(1) The Department may pay compensation where an animal that is not bovine, ovine or caprine is killed under paragraph 3.

(2) The compensation is the market value of the animal at the time it is killed, determined in accordance with the procedure in regulation 11.

Retention of products and disposal

5.—(1) In relation to a deer selected for sampling as part of the survey required by Article 3(1) of Commission Decision [2007/182/EC](#) on a survey for chronic wasting disease in cervids⁽¹⁾, the occupier of a slaughterhouse, hide market or tannery must—

- (a) for the purposes of point 1 of Annex III of Commission Decision [2007/182/EC](#), retain the carcase and all parts of the body (including the blood and the hide) pending receipt of the test result; and
- (b) in the event of a positive result, immediately dispose of the carcase and all parts of the body (including the blood and the hide) in accordance with point 4 of that Annex.

(2) Any person who fails to comply with sub-paragraph (1) is guilty of an offence.

(1) O.J. No. L 84, 24.3.2007, p.37