
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 78

The Bovine Viral Diarrhoea (Scotland) Order 2012

PART 4

**CALVES BORN OTHER THAN INTO BREEDING
HERDS OR TO A BREEDING ANIMAL**

Qualifying calves

15.—(1) The keeper of a qualifying calf must, at the keeper's expense and unless the keeper has a reasonable excuse, comply with paragraph (2).

(2) The keeper of the qualifying calf must—

(a) before the calf is 40 days old take (or arrange to have taken)—

- (i) an ear tag sample of tissue taken in accordance with paragraph (3); or
- (ii) a sample of blood; and

(b) in accordance with paragraph (4), submit (or arrange to have submitted) the sample to an approved laboratory with which arrangements have been made for testing for the presence of BVDV.

(3) An ear tag sample of tissue is taken in accordance with this paragraph if—

- (a) the tag used when the sample is collected is an ear tag applied under the 2007 Regulations; or
- (b) the tag and the vessel for collecting the sample have an identical, pre-printed, identification number; and, where ear tags have been applied to the calf, that identification number is notified along with the calf's ear tag number required by paragraph (4)(b)(iv) when the sample is submitted.

(4) A sample is submitted in accordance with this paragraph if—

- (a) it is submitted in accordance with such requirements as to storage, handling and timing as are indicated to be necessary for the effective testing of the sample by the operator of the laboratory to which the sample is to be submitted or, as the case may be, the instructions accompanying the kit used to take the sample; and
- (b) it is accompanied by a notice containing the following information—
 - (i) the keeper's name and address;
 - (ii) the date the sample was taken;
 - (iii) the CPH number for the Holding on which the calf is kept;
 - (iv) where applied, the ear tag numbers from ear tags applied to the calf under the 2007 Regulations; and
 - (v) any other information reasonably requested by the laboratory.

(5) Anything done by a previous keeper for the purposes of complying with paragraph (2) may, if the current keeper so elects, be relied on by the current keeper for the purpose of determining compliance with that paragraph.

(6) No person may move a qualifying calf from the Holding on which it is born before a sample has been taken from it under paragraph (2), unless the movement is necessary for securing the welfare of the calf.

Duties of operators of approved laboratories – qualifying calves

16. Where the keeper of a qualifying calf has in accordance with article 15(2)(b) arranged for the testing of a sample by an approved laboratory and the sample has been submitted to the laboratory the operator of the laboratory must, unless the operator has a reasonable excuse—

- (a) test the sample submitted for the presence of BVDV;
- (b) by notice inform the keeper of the results of the test, clearly indicating to the keeper whether the result is positive or negative for the presence of BVDV; and
- (c) by notice inform the Scottish Ministers within 40 days of testing the sample under paragraph (a) of—
 - (i) the keeper’s name and address;
 - (ii) the date the sample was taken;
 - (iii) the date the sample was tested;
 - (iv) the result of the test;
 - (v) the CPH number for the Holding on which the calf is kept; and
 - (vi) where applied, the ear tag numbers from ear tags applied to the calf under the 2007 Regulations.