
STATUTORY INSTRUMENTS

1974 No. 1151

ANIMALS

DISEASES OF ANIMALS

**The Brucellosis (Eradication Areas) (England and Wales)
Order 1974**

Made - - - -

5th July 1974

Coming into Operation

29th July 1974

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 5 of the Diseases of Animals Act 1950(a), as read with the Diseases of Animals (Extension of Definitions) Order 1971(b), and as extended by section 106(3) of the Agriculture Act 1970(c), and of all his other enabling powers, hereby orders as follows:—

Citation and commencement

1. This order may be cited as the Brucellosis (Eradication Areas) (England and Wales) Order 1974, and shall come into operation on 29th July 1974.

Interpretation

2.—(1) In this order, unless the context otherwise requires—

“the Minister” means the Minister of Agriculture, Fisheries and Food;

“veterinary inspector” means a veterinary inspector appointed by the Minister.

(2) The Interpretation Act 1889(d) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Declaration of brucellosis eradication areas

3. The areas respectively described in the Schedule hereto, being areas as respects which the Minister is satisfied in each case that a substantial majority of the cattle therein are free from brucellosis, are hereby declared to be eradication areas for purposes connected with the control of brucellosis, and shall be known for such purposes by the names by which they are referred to in the said Schedule.

(a) 1950 c. 36.
(c) 1970 c. 40.

(b) S.I. 1971/531 (1971 I, p. 1530).
(d) 1889 c. 63.

Restrictions on vaccination

4. No cattle shall be vaccinated against brucellosis in an area declared by this order to be an eradication area, except—

- (a) by an officer of the Minister or a person acting on the Minister's behalf; or
- (b) where a licence has been issued for the purpose by a veterinary inspector, and the vaccination is carried out in accordance with the terms and conditions (if any) of the licence.

Application of the Brucellosis (Area Eradication) (England and Wales) Order 1971, as amended

5.—(1) Subject to the following provisions of this Article, the provisions of the Brucellosis (Area Eradication) (England and Wales) Order 1971(a), as amended (b), shall apply to, and have effect in, the said areas as from 1st November 1975.

(2) Article 4 (movement of cattle into or through eradication areas or attested areas) and Article 5 (movement of cattle within an eradication area or attested area) of the said order shall not apply to cattle being moved direct to any premises within the areas which are for the purposes of this order approved from time to time by a veterinary inspector for the temporary accommodation of cattle immediately before their exportation from Great Britain.

(3) Any such approval as is referred to in the preceding paragraph may be given subject to compliance by the owner or occupier of the premises to which it relates with such conditions as may be specified therein, and may, by notice in writing, be withdrawn or varied at any time, but without prejudice to anything lawfully done pursuant to the approval before such withdrawal or variation took effect.

Offences

6. Any person who vaccinates cattle, or causes or permits cattle to be vaccinated, in contravention of Article 4 of this order, or who fails to comply with a condition of a licence granted thereunder, or with a condition subject to which premises are approved under paragraph (3) of the preceding Article, commits an offence against the Diseases of Animals Act 1950.

Enforcement

7. This order shall, except where otherwise expressly provided, be enforced by the local authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 5th July 1974.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

(a) S.I. 1971/1717 (1971 III, p. 4673).

(b) S.I. 1972/1173 (1972 II, p. 3486).

SCHEDULE

Article 3

NORTH WEST ENGLAND No. 3 ERADICATION AREA

An area comprising:—

So much of the county of Cumbria as lies outside the North West England No. 1 Eradication Area.

BEDFORDSHIRE, HERTFORDSHIRE AND NORTH EAST LONDON ERADICATION AREA

An area comprising:—

The counties of Bedfordshire and Hertfordshire.

In the county of Greater London

The London boroughs of Barnet, Enfield, Haringey, Camden, Islington, Hackney, Tower Hamlets, City of Westminster, Waltham Forest, Redbridge, Havering, Barking, Newham, the City of London, the Inner Temple and the Middle Temple.

SOUTH WEST ENGLAND No. 1 ERADICATION AREA

An area comprising:—

In the county of Devon

The district of East Devon.

In the district of Tiverton

The parishes to the east of and including Newton St. Cyres, Shobrooke, Upton Hellions, Crediton Town, Sandford, Morchard Bishop, Lapford and Chawleigh.

In the district of North Devon

So much of the district as lies to the east of the River Taw, excluding the parish of Barnstaple.

In the county of Somerset

The district of West Somerset excluding the parishes of Holford, Stogursey and Strington.

In the district of Taunton Deane.

The parishes of Chipstable, Wiveliscombe and Wiveliscombe Without.

WALES No. 7 ERADICATION AREA

An area comprising:—

In the county of Clwyd

The district of Colwyn.

In the district of Glyndwr

The communities of Aberwheeler, Denbigh, Llandyrnog, Nantglyn, Llanrhaeadr-yng-Nghinmerch, Llanynys Rural, Llangynhafal, Llanbedr, Llanferres, Gyffylliog, Llanfwrog Rural, Ruthin, Efenechtyd, Chirk, Llanfair Dyffryn Clwyd, Llanarmon-yn-Ial, Llandegla, Clocaenog, Derwen, Llanelidan, Bryn-eglwys, Llantysilio, Llangollen Rural, Llangollen, Llansantffraid Glynceiriog, Glyntraian, Llanarmon Dyffryn Ceiriog, Llangadwaladr, Llanrhaeadr yn Mochnant, Llanarmon Mynydd Mawr, Llansilin and Llangedwyn.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Under section 5 of the Diseases of Animals Act 1950, the Minister of Agriculture, Fisheries and Food may make orders declaring an area to be an eradication area for purposes connected with the control of any disease of cattle if he is satisfied that a substantial majority of the cattle therein are free from that disease. Under the same section, as amended by section 106(3) of the Agriculture Act 1970, the Minister may make orders imposing such prohibitions or requirements with respect to cattle in eradication areas as he may consider necessary or desirable for the purpose of eradicating brucellosis.

The present order declares three further areas in England and one area in Wales to be eradication areas, and prohibits the vaccination against brucellosis of cattle in those areas, unless undertaken on behalf of the Minister, or under a licence issued by a veterinary inspector employed by him. The four areas concerned are:—

- (1) the remainder of the county of Cumbria;
- (2) the counties of Bedfordshire and Hertfordshire together with the cities of London and Westminster and the north east part of Greater London;
- (3) parts of the counties of Devon and Somerset;
- (4) parts of the county of Clwyd.

The order also provides that the provisions of the Brucellosis (Area Eradication) (England and Wales) Order 1971, as amended, shall come into effect in these areas as from 1st November 1975.