
 STATUTORY INSTRUMENTS

1979 No. 1596 (S. 132)

ANIMALS

DISEASES OF ANIMALS

The Brucellosis (Scotland) Order 1979

Made - - - - - *4th December 1979*

Laid before Parliament *11th December 1979*

Coming into Operation *1st January 1980*

In exercise of the powers conferred upon me by sections 1, 5, 17(2), 19(7) and 85(1) of the Diseases of Animals Act 1950(a) and all other powers enabling me in that behalf, I hereby make the following order:—

Citation and commencement

1. This order, which may be cited as the Brucellosis (Scotland) Order 1979, shall apply to Scotland only and shall come into operation on 1st January 1980.

Interpretation

2.—(1) In this order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

“abortion or premature calving” means an abortion or a calving which takes place less than 271 days after a service or insemination, whether the calf is born alive or dead;

“the Act” means the Diseases of Animals Act 1950;

“the appropriate Minister” means—

(a) in relation to Scotland, the Secretary of State for Scotland;

(b) in relation to England, the Minister of Agriculture, Fisheries and Food; and

(c) in relation to Wales, the Secretary of State for Wales;

“attested area” means an area which is an attested area for purposes connected with the control of brucellosis, by virtue of an order made by the appropriate Minister under section 5 of the Act;

“brucellosis” means the disease caused by *Brucella abortus*, otherwise known as epizootic abortion or contagious abortion;

“cattle” means any bull, cow, heifer or calf but does not include any steer unless expressly so provided;

“cattle dealer” means any person whose trade or business regularly includes the selling of cattle purchased by him for the purpose of resale within 28 days, and not for the purpose of rearing, fattening or breeding;

(a) 1950 c. 36 is to be read with S.I. 1955/958 and S.I. 1971/531 and section 5 (c) was extended by section 106(3) of the Agriculture Act 1970 (c. 40).

“full term calving” means a calving which takes place 271 days or more after service or insemination, whether the calf is born alive or dead;

“licence” means any licence issued under this order and includes any permit, approval, or other form of authorisation;

“the Minister” and “the Ministry” mean respectively the Minister and the Ministry of Agriculture, Fisheries and Food;

“notice of intended slaughter” means a notice served in the form specified in the Schedule to this order, or in a form substantially to the like effect;

“premises” includes land, with or without buildings, and where any person occupies together land which comprises two or more non-adjacent areas, each of those areas shall be deemed to be separate premises for the purposes of this order;

“reactor” means any bull, cow, heifer or calf which gives rise to a reaction consistent with its being affected with brucellosis when tested for that disease either by or on behalf of the appropriate Minister or otherwise, as the case may be, provided that in the case of a test otherwise so carried out the result thereof has been reported to the appropriate Minister;

“slaughterhouse” means a slaughterhouse as defined in section 16 of the Slaughterhouses Act 1954(a);

“knacker’s yard” means a knacker’s yard as defined in section 3 of the Public Health (Scotland) Act 1897(b);

“steer” means a castrated male bovine animal aged six months or over.

Declaration of brucellosis attested area

3. Scotland is hereby declared to be an attested area for purposes connected with the control of brucellosis, the Secretary of State being satisfied that brucellosis in cattle is for practical purposes non-existent therein.

Application of the order

4.—(1) The provisions of this order shall not apply to an export quarantine station, within the meaning of section 36(1) of the Diseases of Animals Act 1950.

(2) The provisions of this order shall not apply in relation to approved premises, within the meaning of the Importation of Animals Order 1977(c), and shall apply in relation to imported animals only—

(a) from the time specified in the licence issued in respect of those animals under article 11(5) of that order; or

(b) where the existence or suspected existence of disease in any part of Great Britain makes it expedient that no such licence should be issued for the time being, from the time when those animals have completed the period of detention in quarantine required under the provisions of that order or, as the case may be, have been rested at an approved reception centre for the period so required.

(a) 1954 c. 42.

(b) 1897 c. 38; section 3 was amended by Schedule 2 of the Slaughter of Animals (Amendment) Act 1954 (c. 59).

(c) S.I. 1977/944.

Restriction of therapeutic treatment and vaccination

- 5.—(1) No person shall treat cattle for brucellosis.
- (2) No person other than—
- (a) a veterinary inspector;
 - (b) a veterinary surgeon authorised for the purpose by the Secretary of State;
 - (c) a person to whom a licence has been issued for the purpose by a veterinary inspector, employed by the Minister, and who complies with the conditions (if any) specified in such licence

shall vaccinate cattle against brucellosis.

Movement of cattle into or through Scotland

6.—(1) No cattle shall be moved into Scotland except under the authority of a licence and in accordance with the terms and conditions (if any) subject to which the licence is issued.

(2) The provisions of paragraph (1) above shall not apply, except in the case of any reactor, to the movement, otherwise than on foot, of cattle direct to a slaughterhouse or knacker's yard for the purpose of unloading and slaughter there, prior arrangements having been made therefor.

(3) When cattle are moved into Scotland in the circumstances referred to in paragraph (2) above, or when cattle are moved, otherwise than on foot, through Scotland on a journey commencing and ending outside Scotland the person in charge of such cattle shall ensure that they do not come into contact with any cattle other than cattle with which they were in contact before the journey commenced and that they are not, except in cases of emergency, unloaded while in Scotland from the vehicle by means of which they are transported otherwise than as provided for in the said paragraph (2).

(4) A licence issued for the purposes of paragraph (1) above may be either general or specific and may in either case be issued subject to such conditions as are specified therein.

(5) A general licence may be issued by the Secretary of State by the publication of the provisions thereof in such a manner and to such an extent as appear to him to be sufficient to bring the terms of the licence to the attention of those persons likely to be affected by it.

(6) A general licence issued under this article may be varied, revoked or suspended by the Secretary of State, but without prejudice to anything lawfully done pursuant to such licence before such variation, revocation or suspension takes effect, by notice thereof published, so far as practicable, in the same manner and to the same extent as the provisions of the said licence.

(7) A specific licence may be issued by a veterinary inspector, an officer of the Secretary of State or an officer of the appropriate Minister for the premises from which a proposed movement of cattle is to be commenced.

(8) This article shall not apply to cattle being moved (otherwise than on foot) directly to premises approved under Article 3 of the Exported Animals Protection Order 1964(a) and also approved in writing for the purposes of this order by a veterinary inspector or officer of the Secretary of State.

(a) S.I. 1964/704.

Restrictions on the movement of cattle within Scotland

7.—(1) A veterinary inspector or officer of the Secretary of State, may by notice in writing served at any time on the occupier of any premises prohibit the movement of cattle on to or off such premises, except under the authority of a licence or, where a licence has been issued under the preceding article, of a further licence, and in accordance with the terms and conditions (if any) subject to which such licence or further licence is issued.

(2) A notice served in accordance with the provisions of the preceding paragraph shall remain in force until withdrawn by a further notice in writing signed by a veterinary inspector or such other officer as aforesaid and served as aforesaid.

(3) For the purpose of this article, cattle includes any steer.

Control of slaughterhouses and knacker's yards

8. No slaughterhouse or knacker's yard, other than a slaughterhouse or knacker's yard which has been approved for the purpose of this order by a veterinary inspector, shall be used for the purpose of slaughtering any reactor.

Testing of cattle for brucellosis

9.—(1) The owner or other person in charge of cattle kept on any premises shall comply with all reasonable requirements of a veterinary inspector or officer of the Secretary of State with a view to facilitating the examination of any cattle by a veterinary inspector or such other officer or the application thereto of any diagnostic test for brucellosis, and in particular, shall arrange for the collection, penning and securing of any such cattle if so required.

(2) If any person fails to comply with any reasonable requirement of a veterinary inspector or such other officer as aforesaid made in accordance with the provisions of the preceding paragraph, the Secretary of State may, without prejudice to any proceedings for an offence arising out of such default, take or cause to be taken all such steps as may be necessary to facilitate the examination of such cattle or the application thereto of any diagnostic test for brucellosis and the amount of any expenses reasonably incurred by the Secretary of State for the purpose of making good the default shall (without prejudice to any proceedings which may be taken for the default) be recoverable by him as a civil debt from the person in default.

(3) Where the owner or other person in charge of cattle kept on any premises arranges for, or permits, any diagnostic test for brucellosis to be carried out on any such cattle (other than any such diagnostic test which is carried out by or on behalf of the Secretary of State) he shall, after receipt thereof, forthwith communicate the results of such test to the Secretary of State.

(4) The owner or other person in charge of cattle kept on any premises shall not do, or cause to be done, anything which is likely to affect in any way the result of any diagnostic test for brucellosis carried out, or to be carried out, on any such cattle by or on behalf of the Secretary of State.

Marking of cattle

10.—(1) If so required in writing by a veterinary inspector or officer of the Secretary of State the owner or other person in charge of cattle kept on any

premises shall mark such cattle in the manner required by the veterinary inspector or such other officer as aforesaid.

(2) A veterinary inspector or such other officer as aforesaid may paint, stamp, clip, tag, or otherwise mark cattle kept on any premises.

(3) No person shall alter, remove, obliterate or deface, or attempt to alter remove, obliterate or deface any such mark as is referred to in the foregoing provisions of this article.

Notification of abortion or premature calving

11.—(1) Where the owner or other person in charge of cattle kept on any premises has reason to believe that any abortion or premature calving has occurred among such cattle he shall forthwith—

(a) give notice of the fact to a veterinary inspector or officer of the Secretary of State; and

(b) arrange for the isolation, as far as is practicable, of the animal concerned, and its foetus or calf and placenta, from all other animals in his ownership, or under his charge.

(2) An animal to which the preceding paragraph applies shall remain in isolation and its foetus or calf and placenta shall be retained by the owner or other person in charge of the said animal, until such time as a veterinary inspector or officer of the Secretary of State requires, by notice in writing served on that person, the disposal or destruction of such foetus, or calf and placenta.

(3) A direction under the preceding paragraph may specify the manner in which and the period within which the disposal or destruction of the foetus or calf and placenta to which the direction relates shall be carried out.

Precautions against spread of infection

12.—(1) Where a veterinary inspector or officer of the Secretary of State has certified that any animal kept on any premises has reacted to a diagnostic test for brucellosis, the occupier of the premises shall, on being notified of such certification, take such steps as may be reasonably practicable to prevent the infection of cattle kept on adjoining premises by contact with cattle kept on his premises.

(2) Where a veterinary inspector or such officer as aforesaid has reason to believe that any cattle kept on any premises may be infected with brucellosis, or have been exposed to such infection, he may serve on the owner or other person in charge of such cattle or on the occupier of the premises, a notice in writing requiring him to isolate any cattle specified in the notice from any other cattle or where such an animal dies, specifying the manner of disposal or destruction of the carcase.

(3) A notice served in accordance with the provisions of the preceding paragraph may provide that any cow or heifer on the premises which is about to calve should, as far as is practicable, be isolated from all other cattle on the premises during the period of calving.

(4) Where a veterinary inspector or such other officer as aforesaid has reason to believe that any cattle kept, or formerly kept, on any premises may be infected with brucellosis he may—

- (a) by notice in writing served on the owner or other person in charge of such cattle, or on the occupier of the premises, require him—
- (i) to arrange for the isolation of any animal or animals which may be specified in the notice on any part or parts of the premises so specified;
 - (ii) to ensure that any part or parts of the premises specified in the notice shall not be used by any animal on the premises, or by such animal or animals as may be so specified;
 - (iii) within a period specified in the notice, to cleanse and disinfect such part or parts of the premises as may be so specified, in the manner (if any) indicated in the notice;
 - (iv) to treat and store manure or slurry from any place which has been used by such cattle and to restrict the spreading of such manure or the spraying of such slurry in accordance with the requirements of the notice;
 - (v) to burn, disinfect and bury, or destroy any straw, litter or other matter which has or might have come into contact with such cattle or with the foetus or calf and the placenta of such cattle, in accordance with the requirements of the notice.
- (b) by notice in writing served on the occupier of the premises require him to arrange for the cleansing and disinfection of any vehicle, plant or equipment before it leaves the premises.

(5) Where a veterinary inspector or such other officer as aforesaid has reason to believe that any cattle present at, or which have been present at, any slaughterhouse, knacker's yard or any other premises which are used for any show, exhibition, market, sale or fair, may be infected with brucellosis, he may serve on the occupier of such slaughterhouse, knacker's yard or other premises a notice in writing prescribing the manner in which any manure, slurry, or other animal waste, straw, litter or other matter which has or might have come into contact with such cattle shall be disposed of.

Notification of full-time calvings in herds affected with brucellosis

13. Where an animal kept, or formerly kept, on any premises has reacted to a diagnostic test for brucellosis, or where a veterinary inspector or officer of the Secretary of State has reason to believe that brucellosis infection exists on such premises, he may serve on the owner or other person in charge of cattle thereon a notice in writing—

- (a) requiring him to notify the Secretary of State, within such period as may be specified therein, of any full-term calving which may occur among such cattle;
- (b) specifying the manner in which, and the period within which the disposal or destruction of any placenta relating to such calving and, if it dies at or after birth, the calf, shall be carried out.

Execution of requirements

14. Any person on whom a notice is served under the provisions of articles 11 to 13 shall carry out the requirements thereof at his own expense and if he fails to comply with any of the said requirements the Secretary of State may, without prejudice to any proceedings for an offence arising out of such default,

carry out, or cause to be carried out, the work therein specified, and the amount of any expenses reasonably incurred by the Secretary of State for the purpose of making good the default shall (without prejudice to any proceedings which may be taken for the default) be recoverable by him as a civil debt from the person in default.

Control of milk and milk products

15.—(1) No milk or dairy by-product (other than milk or a dairy by-product produced by an accredited herd) shall be brought on to any premises on which any cattle are kept, for the purpose of processing or bottling on such premises, or of feeding to animals thereon, unless such milk or dairy by-product has been—

- (a) converted into powdered form, boiled or otherwise heat treated; or
- (b) brought on to the premises under the authority of a licence issued by a veterinary inspector or officer of the Secretary of State, and in accordance with the terms and conditions (if any) subject to which the licence is issued.

(2) Notwithstanding the provisions of the preceding paragraph, where a veterinary inspector or officer of the Secretary of State has reason to believe that any milk or dairy by-product produced by an accredited herd may be infected with brucellosis he may serve on the occupier of any such premises a notice in writing prohibiting any such milk or dairy by-product from being brought on to such premises.

(3) No milk from a reactor or from any other animal otherwise considered by a veterinary inspector to be infected with brucellosis kept on any premises shall be fed to other animals on the same premises unless such milk has been heat treated.

(4) For the purpose of this article—

(a) “accredited herd” means a herd of cattle in Scotland, or a herd of cattle elsewhere in Great Britain which, to the satisfaction of the appropriate Minister either—

- (i) has been found to be free from brucellosis by means of a series of diagnostic tests carried out by him or on his behalf; or
- (ii) has been wholly constituted by the transfer of animals from other accredited herds in Great Britain or from such similar herds outside Great Britain as the appropriate Minister may either generally, or in any special case, allow; and

(b) “heat treated” means pasteurised, sterilised or ultra heat treated.

Manure, slurry, etc.

16. No manure, slurry, slaughterhouse, knacker’s yard or other animal waste shall be brought on to any premises on which cattle are kept, except under the authority of a licence issued by a veterinary inspector or officer of the Secretary of State and in accordance with the terms and conditions (if any) subject to which the licence is issued.

Restrictions on use of semen

17. A veterinary inspector or officer of the Secretary of State may, by notice in writing served on the owner or other person in charge of cattle kept

on any premises prohibit the use of semen among such cattle, or restrict its use to the extent specified in the notice.

Shows, markets, exhibitions, etc.

18.—(1) No premises shall be used in connection with the holding of any show, exhibition, market, sale or fair at which cattle are to be present except under the authority of a licence and in accordance with the terms and conditions (if any) subject to which the licence is issued.

(2) A licence issued for the purposes of paragraph (1) above may be either general or specific, and may in either case be issued subject to such conditions as are specified therein.

(3) A general licence may be issued by the Secretary of State by the publication of the provisions thereof in such manner and to such an extent as appear to him to be sufficient to bring the terms of the licence to the attention of those persons likely to be affected by it.

(4) A general licence issued under this article may be varied, revoked or suspended by the Secretary of State, but without prejudice to anything lawfully done pursuant to such licence before such variation, revocation or suspension takes effect, by notice thereof published, as far as practicable, in the same manner and to the same extent as the provisions of the said licence.

(5) A specific licence may be issued by a veterinary inspector or an officer of the Secretary of State.

19.—(1) Where a veterinary inspector or officer of the Secretary of State has reason to suspect that any animal on any premises at which a show, exhibition, market, sale or fair is being held, is infected with, or has been exposed to the infection of brucellosis, he may require that animal to be removed from those premises, and (as the owner or other person in charge of the animal may elect) taken either—

- (a) to a slaughterhouse or knacker's yard for immediate slaughter; or
- (b) back to the premises from which the animal was brought to the show, exhibition, market, sale or fair; or
- (c) to such premises as may be approved by him for the purpose.

(2) An animal shall only be removed in accordance with the provisions of sub-paragraphs (b) or (c) of the preceding paragraph on condition that it is immediately put into isolation for a period to be terminated by a notice in writing served on the owner or other person in charge of the said animal by a veterinary inspector or officer of the Secretary of State.

Control of premises used by cattle dealers

20. No premises shall be used by a cattle dealer for the keeping of cattle in connection with his business as a dealer, other than premises which have been approved for the purpose by a veterinary inspector or officer of the Secretary of State.

Animals other than cattle

21. A veterinary inspector or officer of the Secretary of State may, by notice in writing served on the owner or other person in charge of cattle kept on any premises or on the occupier of any premises, require him to take such

steps as may be specified in the notice to ensure that such cattle do not come into contact with any other animals on the premises.

Power to slaughter on account of brucellosis

22. Section 17 of the Act (which enables the Secretary of State to slaughter animals on account of disease, on payment of compensation) shall apply to brucellosis.

Notice of intended slaughter

23.—(1) Where the Secretary of State proposes to cause any animal kept on any premises to be slaughtered under the powers conferred by section 17 of the Act in its application to brucellosis, a veterinary inspector may serve a notice of intended slaughter on the owner or other person in charge of the animal informing him of the proposed slaughter and requiring him to detain the animal pending its slaughter (or pending its surrender and removal for such slaughter) on such part of the premises as is specified in the notice and to isolate it as far as practicable from such other animals as are so specified.

(2) The person on whom such a notice has been served—

(a) shall comply with the notice; and

(b) shall not move the animal, or cause or permit it to be moved, off the part of the premises on which it is required to be detained, except under the authority of a licence issued by a veterinary inspector or officer of the Secretary of State.

Assistance in securing animals

24.—(1) Where the Secretary of State proposes to cause any animal kept on any premises to be slaughtered under the powers conferred by section 17 of the Act in its application to brucellosis, the owner or other person in charge of the animal shall comply with all reasonable requirements of a veterinary inspector or officer of the Secretary of State as to the collection, penning and securing of the animal for identification and inspection in connection with the ascertainment of its value and as to the collection of the animal for removal for slaughter.

(2) If the owner or other person in charge of any animal fails to comply with such a requirement as is mentioned in paragraph (1) above, the Secretary of State may carry out the requirement, without prejudice to any proceedings for an offence arising out of the default and may on demand recover from the person in default as a civil debt the reasonable expense of so doing.

(3) Nothing in this article shall affect the powers of entry and other powers conferred by sections 6 and 73 of the Act.

Production of licences and unauthorised movement of cattle

25.—(1) The person in charge of any cattle being moved into or within Scotland, or on to any premises in Scotland shall, on demand made under this order by a veterinary inspector or officer of the Secretary of State, or by an inspector of a local authority or a police constable, furnish his name and address and, where appropriate, that of his employer and shall either—

(a) produce a licence issued under the provisions of this order (other than a general licence issued in accordance with article 6(5)) and allow a copy thereof or extract therefrom to be taken, or

- (b) give such of the following particulars as may be required—
- (i) the name and address of the owner of the cattle;
 - (ii) the location of the premises from which the cattle have been moved;
 - (iii) the date and time when the movement commenced;
 - (iv) the intended destination;
 - (v) the route being followed;
 - (vi) the number of cattle and in the case of cattle being moved under the provisions of a general licence issued in accordance with article 6(5) their identification marks.

(2) Where it appears to an inspector of the local authority or a police constable, on receiving the particulars demanded under the preceding paragraph, that the movement of cattle is one for which, under any provision of this order, a licence (other than a general licence issued in accordance with article 6(5)) is required and no such licence which authorises the movement in question has been produced, he shall, without prejudice to any proceedings for a contravention of this order, allow the cattle to return to the place from which they came or to continue to their intended destination or to remain on the premises where they then are as the owner or other person in charge elects, and he shall immediately report the circumstances to a veterinary inspector; provided that no cattle shall be allowed to enter, or stay on, as the case may be, premises licensed under article 18 of this order without the written authority of a veterinary inspector or officer of the Secretary of State.

(3) Where it appears to a veterinary inspector or officer of the Secretary of State as a result of information received under paragraphs (1) or (2) above, that a movement of cattle has occurred, or is occurring, for which a licence is required under any provision of this order and no such licence has been, or should be, issued he may, without prejudice to any proceedings for a contravention of this order, require the cattle (unless the owner or other person in charge is already returning them to the place from which they were brought) to be taken, as that person may elect, either—

- (a) to a slaughterhouse or knacker's yard for immediate slaughter; or
- (b) back to the premises from which they were brought; or
- (c) to such premises as may be approved by him for the purpose, where the cattle shall be put into isolation for a period to be terminated by a notice in writing served on the owner or other person in charge of the said animal by a veterinary inspector or officer of the Secretary of State.

(4) If the owner or other person in charge of cattle fails to comply with such a requirement as is mentioned in paragraph (3) above, the Secretary of State may carry out the requirement, without prejudice to any proceedings for an offence arising out of the default, and may on demand recover from the owner as a civil debt the reasonable expense of so doing.

- (5) For the purpose of this article 'cattle' may include any steer.

Supplementary provisions as to approvals

26.—(1) Any authority or approval given under any of the provisions of this order may be given subject to compliance by the owner or person in charge of any animals or the owner or occupier of any premises or slaughterhouse or yard to which it relates with such conditions as may be specified in the authority or approval.

(2) Such authority or approval may by notice in writing served on such owner, or person in charge or occupier be withdrawn or varied at any time by a veterinary inspector or an officer of the Secretary of State but without prejudice to anything lawfully done pursuant to such authority or approval before such withdrawal or variation takes effect.

Offences

27. The contravention of any provision of this order, or of any notice served or licence issued thereunder, or the failure to comply with any conditions of any such notice or licence, or the causing or permitting of any such contravention or non-compliance, or the use of any premises contrary to articles 18 or 20 of this order, or contrary to any condition subject to which such premises are approved, or the use of any slaughterhouse or knacker's yard contrary to article 8 of this order, shall be an offence against the Diseases of Animals Act 1950.

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

Revocation and savings in part of existing orders

29.—(1) The Brucellosis (Scotland) Order 1978(a) and the Brucellosis (Scotland) Amendment Order 1979(b) are hereby revoked.

(2) Nothing in this revocation shall affect any movement of cattle or approval or any other thing done under any provision of any order revoked by this order and every such approval shall continue in force until withdrawn by a veterinary inspector or by an officer of the Secretary of State.

George Younger,

One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.

4th December 1979.

(a) S.I. 1978/1875.

(b) S.I. 1979/789.

Articles 2(1) and 23

SCHEDULE

Diseases of Animals Act 1950

DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND

THE BRUCELLOSIS (SCOTLAND) ORDER 1979

Notice of Intended Slaughter

To Herd Ref. No.
of
.....
.....

I, the undersigned, being a Veterinary Inspector appointed by the Minister of Agriculture, Fisheries and Food, hereby give notice that the Secretary of State proposes to cause the following cattle to be slaughtered with all convenient speed under the powers conferred by section 17 of the above Act in its application to brucellosis, namely:

(a) affected animals and reactors (see Note 2 below)

kept at
.....

(b) other animals (see Note 2 below)

kept at
.....

I require you, pending such slaughter (or pending surrender and removal for such slaughter), to detain the animal(s) specified above in

.....
being part of the premises where it is/they are now kept, and to keep it/them isolated as far as practicable from other cattle.

Dated 19.....

Signed
Veterinary Inspector of the Ministry of Agriculture, Fisheries and Food.

NOTE 1: In accordance with article 12(1) of the Brucellosis (Scotland) Order 1979 (S.I. 1979/1596) you are required to take such steps as may be reasonably practicable to prevent the infection of cattle kept on adjoining premises by contact with cattle kept on your premises.

NOTE 2: The Brucellosis and Tuberculosis Compensation (Scotland) Order 1978 (S.I. 1978/1485) defines affected animals and reactors and fixes rates of compensation for them and for other cattle which are slaughtered as a result of being exposed to the infection of brucellosis.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes the Brucellosis (Scotland) Order 1978 as amended, and re-enacts its provisions with a number of significant changes.

Under section 5 of the Diseases of Animals Act 1950, as extended, in relation to brucellosis, by section 106(3) of the Agriculture Act 1970, the Secretary of State may make an Order in respect of Scotland declaring an area to be an attested area for purposes connected with the control of that disease if he is satisfied that that disease of cattle is for practical purposes non-existent therein; and he may impose in an attested area such other prohibitions and requirements as he may consider desirable for the purpose of eradicating the disease.

As from 1st January 1980 the Grampian Region and the Districts of Angus and the City of Dundee will become attested areas and accordingly in this Order the whole of Scotland is declared to be one brucellosis attested area. This change registers the conclusion of the main effort to rid Scotland of brucellosis in cattle.

The risk of the reintroduction and spreading of the disease however remains and therefore the Order includes provisions relating to such matters as restrictions on vaccination, testing of cattle for brucellosis, notification of abortions or premature calvings, precautions against the spread of infection, the control of slaughterhouses, shows, markets and dealers' premises, and power to require the compulsory slaughter of cattle on account of brucellosis. Controls on the normal movement of cattle have however been relaxed and cattle may be moved between premises, including market and dealers' premises, within Scotland without a licence. Movement of cattle into Scotland remains subject to control although article 6(5) allows for the issue of licences of a general nature to permit the gradual relaxation of these controls as eradication of brucellosis proceeds in England and Wales.

In view of these relaxations and the increase in the unlicensed movement of cattle which will follow, the Order provides powers which increase the effectiveness of surveillance so as to prevent slackness or abuse of the relaxations and the consequent risk of reintroducing and spreading the disease. Veterinary inspectors and other officers of the Secretary of State, local authority inspectors and the police will be empowered to require from the person in charge of cattle on the move, if a movement licence cannot be produced, details of the movement in question so as to determine whether a movement licence is necessary or not. Veterinary inspectors and other officers of the Secretary of State are empowered (without prejudice to any possible proceedings for an offence under the Diseases of Animals Act 1950) when an irregular movement is brought to light to require the cattle to be returned to the place they came from, or slaughtered without compensation, or put into isolation until further notice on suitable premises, as the owner or person in charge of the cattle may elect.

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