
EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Tuberculosis (England) Order 2007 (S.I. 2007/740) and two related amendment Orders, and remakes as a consolidated Order with some changes.

Article 1(3) provides that the Order is to cease to have effect seven years after it comes into force.

The principal changes are set out below.

In article 7 there is an additional provision to ensure that milk from suspect cows is not fed to other mammals without first being treated.

Article 10 provides a power for the Secretary of State to publish location details of premises where the herd has lost its tuberculosis-free status in accordance with Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine (OJ No L121, 29.7.1964, p 1977).

In article 16(1), a veterinary inspector may by notice require the occupier of premises where tuberculosis has been identified to carry out specified actions to prevent the spread of the disease as well as the veterinary inspector being able to serve such a notice on the keeper of affected or suspected animals. New measures can be required by the article 16(1) notice to prevent untreated milk being fed to mammals and to ensure that milk from restricted herds is not mixed with milk from unrestricted herds. Breach of notice provisions can now result in the Secretary of State delaying the lifting of disease restrictions from premises.

Article 26 requires the Secretary of State to review the operation and effect of this Order and publish a report within five years after it comes into force and within every five years after that. Following a review it will fall to the Secretary of State to consider whether the Order should remain as it is, or be revoked or be amended. A further instrument would be needed to revoke the Order or to amend it.

In the Schedule the rule regarding permitted movement without pre-movement testing to and from premises within a sole occupancy group has been removed.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available on the Defra website at www.gov.uk/defra, and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.