

Section nine of the Milk Act (Northern Ireland), 1950, and of any other power enabling it in that behalf, hereby makes the following Regulations, that is to say:

Short Title and Commencement

1. These Regulations may be cited as the Milk (Amendment No. 4) Regulations (Northern Ireland), 1962, and shall come into effect on the first day of January, 1963.

Interpretation

2. "herd" has the meaning assigned to it by the Brucellosis Order (Northern Ireland), 1962(a).

Revocation

3. The Milk (Amendment No. 2) Regulations (Northern Ireland), 1959(b), are hereby revoked as from the commencement of this Regulation.

Control of Brucellosis

4. The Milk Regulations (Northern Ireland), 1951(c), shall be amended as follows:

For Regulation 22 thereof the following Regulation shall be substituted:

"22. All the milk produced for sale by a Grade A (T.T.) licence holder, from a herd in respect of which no valid Brucellosis Certificate issued by the Ministry in accordance with the Brucellosis Order (Northern Ireland), 1962, is in existence, shall be sent for pasteurisation."

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 7th day of December, nineteen hundred and sixty-two.

(L.S.)

W. A. V. Sanderson,
Assistant Secretary.

1962. No. 225

[NC]

DISEASES OF ANIMALS

Brucellosis

ORDER, DATED 7TH DECEMBER, 1962, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND), 1958(d).

The Ministry of Agriculture in exercise of the powers conferred on it by section fifty-three of the Diseases of Animals Act (Northern Ireland), 1958, and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and Commencement

1. This Order which may be cited as the Brucellosis Order (Northern Ireland), 1962, shall come into operation on the 1st day of January, 1963.

(a) S.R. & O. (N.I.) 1962, No. 225.
(b) S.R. & O. (N.I.) 1959, No. 68.

(c) S.R. & O. (N.I.) 1951, No. 189.
(d) 1958. c. 13.

Interpretation

2. In this Order—

“animal” means a bovine animal;

“herd” means one or more animals in the same ownership;

“approved disinfectant” means a five per cent. solution of standard phenol or any other disinfectant approved by the Ministry for the purposes of the Animals Disinfection (Northern Ireland) Order, 1927, Amendment Order, 1931(a);

“Brucellosis (Certified) Herd” means a herd of which particulars are currently entered in the Brucellosis Register kept by the Ministry;

“Brucellosis (Eradication) Herd” means a herd, not being a Brucellosis (Certified) Herd, in respect of which an application for registration in the Brucellosis Register has been made, and which is the subject of official tests for the presence of brucella infection;

“Ministry” means the Ministry of Agriculture;

“reactor” means an animal which has given such reaction to a brucellosis test as shall give the Ministry reason to believe that the animal is infected with brucellosis.

Application for registration of a herd in the Brucellosis Register

3.—(1) Where an owner of a herd—

(a) applies to the Ministry for the registration of his herd in the Brucellosis Register;

(b) produces prima facie evidence of the herd's freedom from brucellosis; and

(c) gives a written undertaking to the Ministry that he will observe the obligations imposed on him by this Order,

the Ministry may, if it is satisfied that the management of the herd and the conditions under which the herd is kept are suitable for the maintenance of a Brucellosis (Certified) Herd, carry out the official tests hereinafter described.

(2) Prima facie evidence of the herd's freedom from brucellosis shall be a certificate of a veterinary surgeon or veterinary inspector to the effect that all animals in calf, all female animals aged 18 months or more, and all bulls aged one year or more were tested for the presence of brucella infection within the eight weeks immediately prior to the date on which such application was received by the Ministry and that no such animal was found to be a reactor.

(3) For the purpose of paragraph (2), tests shall be by means of samples taken by the veterinary surgeon or veterinary inspector from each animal, from as many of the following sources as may be required—

Females—blood, milk and vaginal mucus.

Males —blood and semen.

Such samples shall be sent for testing to the Veterinary Research Laboratory of the Ministry or other laboratory approved by the Ministry.

Official tests

4.—(1) An official test for the presence of brucella infection shall consist of a test carried out by the Ministry on all or any animals in the herd, in respect of female animals, on samples of blood and/or milk and/or vaginal mucus or,

(a) S.R. & O. (N.I.) 1931, No. 15.

in respect of male animals, on samples of blood and/or semen taken from each animal by an officer of the Ministry.

(2) The Ministry may, in respect of any application for the registration of a herd in the Brucellosis Register, carry out official tests not exceeding four in number, and may discontinue testing under this Order if the owner of the herd has failed to observe any obligation imposed on him by this Order, or has failed to comply with the terms of the Brucellosis Control Order (Northern Ireland), 1962(a), or has elected to serve on the Ministry the Notice of Intention to Retain Reactors referred to in Article 10 of the said Order.

Brucellosis Register

5.—(1) The Ministry shall keep a register, herein described as the Brucellosis Register, of all herds in which no reactor has been revealed by either of two successive official tests and may, at its discretion, include in such register particulars of any herd which has been wholly constituted by the transfer of animals from herds registered as aforesaid and which, furthermore, has passed one official test after the date on which the herd was so constituted. Provided that in certain circumstances the Ministry may not require that an official test be carried out in such a herd.

(2) The owner of any herd registered in the Brucellosis Register shall comply with the rules specified in the First Schedule.

(3) An entry in the Brucellosis Register relating to any herd may be cancelled—

(a) if, in the opinion of the Ministry, the owner of the herd fails to observe any obligation imposed on him by this Order or fails to comply with the provisions of the Brucellosis Control Order (Northern Ireland), 1962, or

(b) at the request of the owner of the herd.

(4) (a) The Ministry may carry out official tests in respect of any herd registered in the Brucellosis Register and where any reactor is found in any herd as the result of an official test, the Ministry shall proceed to slaughter or cause to be slaughtered such reactor in accordance with the provisions of Article 4 of the Brucellosis Control Order (Northern Ireland), 1962.

(b) If the owner of the herd elects to serve on the Ministry the Notice of Intention to Retain Reactors referred to in Article 10 of the Brucellosis Control Order (Northern Ireland), 1962, the Ministry will cancel the herdowner's entry in the Register.

Issue of a Brucellosis Certificate

6. The Ministry shall issue a certificate of registration to the owner of each herd registered in the Brucellosis Register. Such certificate, herein described as a Brucellosis Certificate, shall be valid for so long as the herd is registered in the Brucellosis Register and shall be sufficient for the purposes of the Milk (Amendment No. 4) Regulations (Northern Ireland), 1962(b).

Re-application for registration

7. Where, on application having been made for the registration of a herd in the Brucellosis Register, the herd is not so registered, or where the registration of a herd in the Brucellosis Register has been cancelled under the

(a) S.R. & O. (N.I.) 1962, No. 222.

(b) S.R. & O. (N.I.) 1962, No. 224.

provisions of paragraph (3) of Article 5, the herd may be admitted, or re-admitted to the Brucellosis Register provided that—

- (a) an application is made and is accompanied by the evidence required to be produced under sub-paragraph (b) of paragraph (1) of Article 3 and by the undertaking required to be given under sub-paragraph (c) of paragraph (1) of Article 3;
- (b) the Ministry is satisfied that the management of the herd and the conditions under which the herd is kept are suitable for the maintenance of a Brucellosis (Certified) Herd; and
- (c) no reactors are revealed in the herd by the first two official tests carried out by the Ministry after the receipt of application.

Movement of cattle

8.—(1) Except under the authority of a permit issued by an officer of the Ministry and in accordance with the conditions of such permit as specified in the Second Schedule, an animal shall not be moved—

- (a) on to any farm on which a Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd is maintained; or
- (b) to any place where it is to be accommodated in premises being used, with the approval of the Ministry, for the exhibition or sale of animals from Brucellosis (Certified) Herds.

(2) The provisions of this Article shall not apply to castrated male animals.

Ministry not liable for loss sustained by owner

9. The Ministry shall not be held liable for any loss sustained by the owner or other person as the result of the death, injury or illness of any animal caused or alleged to have been caused through the carrying out of an official test.

Saving

10. Notwithstanding anything contained in this Order, the Ministry may decline to accept and proceed upon any application received under this Order from an owner of any herd.

Power of entry, etc.

11. The owner of a Brucellosis (Certified) Herd or Brucellosis (Eradication) Herd shall give all reasonable facilities for the entry of a veterinary inspector or other officer of the Ministry on to his farm and premises for the purpose of examining such farm and premises, the animals thereon, the records required to be kept and permits issued under this Order, and for the official testing of animals. The owner shall furnish to the veterinary inspector or other officer all such information as may reasonably be required for the purposes of the Order.

Revocation

12. The Brucellosis Order (Northern Ireland), 1960(a), is hereby revoked from the commencement of this Order.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 7th day of December, nineteen hundred and sixty-two.

(L.S.)

W. A. V. Sanderson,
Assistant Secretary.

FIRST SCHEDULE

RULES TO BE OBSERVED BY THE OWNERS OF BRUCELLOSIS (CERTIFIED)
HERDS AND BRUCELLOSIS (ERADICATION) HERDS*Keeping of Records*

1. As from the date on which he applies for the registration of his herd in the Brucellosis Register, the owner of a Brucellosis (Certified) Herd or Brucellosis (Eradication) Herd shall, in addition to maintaining the record of every animal in his herd as required by the Movement of Animals (Records) Order (Northern Ireland), 1962(a), keep a record of the date on which any animal was vaccinated with anti-abortion vaccine approved by the Ministry.

Marking of animals

2. Every animal in a Brucellosis (Certified) Herd or Brucellosis (Eradication) Herd shall be marked by the owner in a manner approved by the Ministry.

Fences

3. The fences dividing the farm specified in the application form from adjoining land shall be maintained, to the satisfaction of the Ministry, in such condition as to prevent the infection of the herd by cattle on the adjoining land.

Use of milk for feeding to animals

4.—(1) Milk or dairy by-products shall not be brought, for feeding to bovine or other animals, on to a farm where a Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd is maintained except when the milk or dairy by-product—

- (a) comes direct from a farm where a Brucellosis (Certified) Herd is maintained; or
- (b) has been converted into powder form; or
- (c) is boiled or pasteurised before use for feeding purposes.

(2) For the purposes of this rule, "pasteurised" means retained at a temperature of not less than 145° Fahrenheit and not more than 150° Fahrenheit for at least thirty minutes or at a temperature of not less than 162° Fahrenheit for at least fifteen seconds.

Abortion

5. In the event of any animal in a herd aborting, the owner shall with all practicable speed notify the Ministry of the circumstances.

SECOND SCHEDULE

CONDITIONS WHICH MAY BE INCLUDED IN PERMITS RELATING TO THE MOVEMENT
OF ANIMALS TO BRUCELLOSIS (CERTIFIED) HERDS OR TO BRUCELLOSIS
(ERADICATION) HERDS OR TO APPROVED EXHIBITIONS OR SALES

1. Where an animal is moved direct to a Brucellosis (Certified) Herd or to a Brucellosis (Eradication) Herd from—

- (a) a Brucellosis (Certified) Herd, or
- (b) a place of exhibition or sale where accommodation is reserved and approved by the Ministry for the exposure of animals from Brucellosis (Certified) Herds,

(a) S.R. & O. (N.I.) 1962, No. 100.

a permit issued by the Ministry authorising such movement may contain the following conditions:—

- (i) the animal, during the course of movement, shall not be allowed or caused to come into contact with any other animal which is not also being moved under the authority of a permit issued under this Order;
- (ii) any road vehicle used for the conveyance of such animal shall, immediately before its use for that purpose, have been cleansed and disinfected as follows:—

the floor, roof and sides of the inside of the vehicle and all other parts of the vehicle with which the animal to be conveyed or any fodder, litter or other matter may come in contact, shall have been scraped and swept and the scrapings and sweepings and all dung, sawdust, litter and other matter shall have been removed, and thereafter all such parts of the vehicle shall have been thoroughly washed, scrubbed or scoured with water and disinfected by being thoroughly coated or washed with an approved disinfectant;

- (iii) any rail vehicle used for the conveyance of such animal shall, since it was last used for the conveyance of animals, have been cleansed and disinfected in accordance with Article 24 of the Transit of Animals (Northern Ireland), Order, 1927(a), and shall, in addition, have been further disinfected by coating or washing the floor, roof and sides of the inside of the vehicle with an approved disinfectant immediately prior to the loading of the animal in the vehicle;
- (iv) water, if required by an animal during transit, shall be supplied in a clean bucket from a tap and not from a water trough or other source of supply to which livestock may have direct access;
- (v) any other condition which may reasonably be required by the Ministry.

2.—(1) Where an animal over three months of age is moved to a Brucellosis (Certified) Herd or to a Brucellosis (Eradication) Herd from premises other than those specified in paragraph 1(a) or (b), a permit issued by the Ministry authorising such movement shall contain the conditions set out in paragraph 1 and shall furthermore require that—

- (a) the animal be isolated on arrival on the purchaser's premises and tested for brucellosis by a veterinary surgeon within fourteen days of the said arrival;
- (b) the animal shall be retained thereafter in isolation until check-tested by a veterinary inspector after a period of not less than two months. Provided that in the case of an animal purchased in calf, isolation shall be continued until the animal has calved and been check-tested by a veterinary inspector;
- (c) the veterinary surgeon's certificate showing the result of his test, under (a) above, be forwarded by the owner of the animal to the Ministry within seven days of the completion of such test; and that
- (d) the animal shall not join the Brucellosis (Certified) Herd or Brucellosis (Eradication) Herd, unless both the veterinary surgeon's certificate, required under (a) above and the Ministry's check-test under (b) above, show that there is no evidence of brucellosis in the animal.

The requirements under (a) and (c) above may be waived where an animal has been tested for brucellosis by a veterinary surgeon or veterinary inspector