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SCOTTISH STATUTORY INSTRUMENTS

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**2001 No. 159**

**ANIMALS**

**ANIMAL HEALTH**

**The Foot-and-Mouth Disease (Scotland) (Declaratory and Controlled Area) Amendment (No. 4) Order 2001**

*Made* - - - - *20th April 2001*

*Coming into force* - - *21st April 2001*

The Scottish Ministers, in exercise of the powers conferred by articles 17(1) and 30(1) of the Foot-and-Mouth Disease Order 1983(1) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

**1.** This Order may be cited as the Foot-and-Mouth Disease (Scotland) (Declaratory and Controlled Area) Amendment (No. 4) Order 2001 and shall come into force on 21st April 2001.

**Amendment of the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001**

**2.—(1)** The Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001(2) is amended in accordance with this article.

(2) After article 4(14) there is inserted—

“(15) The owner or person in charge of any animal on common or unenclosed land shall not move the animal from that land unless instructed to do so by a notice from a veterinary inspector.”

(3) In the wording in bold type above Part II of the licence specified in Schedule 1 for “5 DAYS” there is substituted “7 DAYS”.

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(1) S.I.1983/1950, as amended by S.I. 1993/3119, S.I. 1995/2922 and, as regards Scotland, by S.S.I. 2001/52, 55 and 101. See article 3(1) for the definition of “the Minister”. The functions of “the Minister”, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).

(2) S.S.I. 2001/111, as amended by S.S.I. 2001/131.

### **Amendment of the Foot-and-Mouth Disease Declaratory (Scotland) Orders 2001**

3.—(1) The Orders referred to in paragraph (2) are amended in accordance with paragraphs (3) to (5) of this article.

(2) The Orders referred to in paragraph (1) are—

- (a) the Foot-and-Mouth Disease (Scotland) Declaratory (No. 3) Order 2001<sup>(3)</sup>; and
- (b) the Foot-and-Mouth Disease (Scotland) Declaratory (No. 4) Order 2001<sup>(4)</sup>.

(3) In paragraph 2 of Schedule 2 of each of the foresaid Orders, there is inserted—

- “(ba) An inspector may, by licence issued in the form set out in Schedule 2A to this Order, permit, for the purposes of slaughter, the movement within an infected area of animals direct to a slaughterhouse approved by the Scottish Ministers to slaughter animals moved by licence issued under this paragraph.
- (bb) A veterinary inspector may, by licence, permit, for the purposes of slaughter, the movement out of an infected area of animals direct to a slaughterhouse approved by the Scottish Ministers to slaughter animals moved by licence issued under this paragraph.
- (bc) For the purposes of this paragraph, licences or approvals issued in England or Wales operate as if granted in Scotland.
- (bd) Where an animal is moved to a slaughterhouse under this paragraph, the occupier of the slaughterhouse shall ensure that the animal is slaughtered at those premises in accordance with any condition relating to slaughter specified in the licence and in any event within 24 hours of arrival there.
- (be) The person in charge of the vehicle in which animals are moved under this paragraph shall ensure that it is thoroughly cleansed and disinfected in accordance with the requirements of paragraph 3 of Schedule 2B to this Order as soon as possible after the animals have been unloaded and, in any case, before the vehicle is moved from the delivery premises.
- (bf) The occupier of premises to which animals are moved under this paragraph shall—
- (i) ensure that the occupier or the occupier’s representative is given the licence under which they have been moved before allowing the animals to be unloaded from the vehicle on which they have been transported;
  - (ii) forward that licence without delay to the local authority responsible for the area in which those premises are situated and, in the case of a slaughterhouse, provide a copy to the official veterinary surgeon appointed for those premises;
  - (iii) retain a copy of that licence for a period of 6 months and produce it upon request for inspection by an inspector;
  - (iv) provide adequate facilities, equipment and materials for the cleansing and disinfection of the vehicle that delivered the animals to the premises in accordance with this paragraph.”

(4) After Schedule 2 of each of the foresaid Orders there is inserted the Schedule 2A and Schedule 2B set out in the Schedule to this Order.

(5) At the end of sub-paragraph (i) of Schedule 2 of each of the foresaid Orders, there is inserted—

“;

- (j) The owner or person in charge of an animal shall take all such steps as may be necessary to prevent it from straying from the premises on which it is kept;

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(3) S.S.I. 2001/153.

(4) S.S.I. 2001/157.

- (k) If an inspector finds a stray or feral animal, that inspector may detain it, and if the owner cannot be ascertained after reasonable enquiries, the animal may be destroyed by the inspector.”.

Pentland House,  
Edinburgh  
20th April 2001

*DAVID R DICKSON*  
A member of the staff of the Scottish Ministers

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SCHEDULE

Article 3(4)

SCHEDULES 2A AND 2B AS INSERTED BY THIS ORDER

“SCHEDULE 2A

Article 2, paragraph 2(ba) of Schedule 2

ANIMAL HEALTH ACT 1981

FOOT-AND-MOUTH DISEASE ORDER 1983 LICENCE FOR THE MOVEMENT OF ANIMALS TO SLAUGHTER

PART 1

1. AUTHORISATION

I, the undersigned,

being an \*Inspector of the Scottish Ministers \*Inspector of the Local Authority for the ..... of ..... (\*delete as appropriate)

by this licence granted under the above Order hereby authorise the movement of the animals described in column 2 below to the place of destination specified in column 4 below, subject to the conditions set out below.

1	2	3	4
		FROM	TO
<i>(Insert name and address of the person to whom this licence is granted)</i>	<i>is hereby licensed to move (insert number and description of animals (including ear tag number if applied) to be moved)</i>	<i>(Insert full address of premises including holding number from which the animals are to be moved (if different from 1))</i>	<i>(Insert full address of premises to which the animals are to be moved)</i>

Specified	Route
.....	.....
.....	.....

The animals to which this licence relates must be slaughtered within ..... hours (specify time, which shall be a number of hours not more than 24) of arrival there.

This licence is granted subject to the conditions set out below. Failure to comply with such conditions may render a person liable to prosecution and heavy penalties on conviction. Your attention is also drawn to the Note below.

Part III of this licence must be completed within 5 days including the day of issue of this licence.

This licence may be revoked at any time by a Notice served by an Inspector on the person to whom it was granted.

Signed .....

Dated .....

Official Address .....

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## 2. CONDITIONS OF LICENCE

1 Before being moved, animals to which this licence relates shall be marked as follows:-

**CATTLE** (including water buffalo and bison). A broad arrow, 15 cm long, clipped on left hindquarter, and hair clipped off end of tail.

**SHEEP AND GOATS**: A single red stripe, 30 cm long and 2 cm wide, painted with adhesive composition, or in such manner that it will remain legible for the entire length of the journey, down the centre of the sheep's or the goat's back.

**PIGS AND WILD BOAR**: A single red stripe, 30 cm long and 2 cm wide, painted with adhesive composition, or in such manner that it will remain legible for the entire length of the journey, down the centre of the pig's or the wild boar's back.

**DEER**: A single red stripe, 60 cm long and at least 5 cm wide, painted with adhesive composition, or in such manner that it will remain legible for the entire length of the journey, down the centre of the deer's back.

2. A veterinary inspection must be carried out by a Local Veterinary Inspector (LVI) not more than 24 hours prior to the start of the licensed movement. The LVI will inspect all the animals to be moved (which must be marked as at Condition 1) and those in contact with them as well as other susceptible animals, other than those on remote grazings, for signs of Foot-and-Mouth Disease. The LVI must complete a written declaration at Part II of the licence.

3. Where no time period is specified for the completion of this licence, it shall be completed within 5 days or such shorter period as may be specified by an inspector.

4. Where no time limit is specified for the slaughter of the animals, they shall be slaughtered within 24 hours of arrival at the slaughterhouse or such shorter period as may be specified by an inspector.

5. The animals to which this licence relates shall-

- (a) while being moved, be kept separate from any animal not being moved under this licence;
- (b) be moved only by the most direct route available to the place of destination specified in the licence;
- (c) be moved so as not to leave the infected area (a specified route must be inserted overleaf). The route taken and the place of destination chosen must not be such as to require a scheduled stop; and
- (d) be accompanied throughout their movement by this licence which shall be handed to the operator of the premises to which they are delivered (or the representative of that operator) before the animals are unloaded.

6. The Declaration in Part III of this licence shall be completed on the day the animals are moved but before the animals leave the premises.

7. Where an animal is moved to a slaughterhouse under the authority of a licence granted by an inspector, it shall be slaughtered there in accordance with any condition relating to slaughter specified in this licence.

8. The vehicle transporting the animals to the slaughterhouse or collecting centre shall be thoroughly cleansed and disinfected before leaving these premises in accordance with the requirements of Schedule 2 to the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001 (S.S.I. 2001/111), which Order varies the provisions of Part IV of the Foot-and-Mouth Disease Order 1983 (S.I. 1983/1950).

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NOTE:

Any person involved in the movement or slaughter of animals under Part III of the Foot-and-Mouth Disease Order 1983 (as amended) must comply with any provisions of the following legislation applicable to them:

- The Welfare of Animals (Transport) Order 1997 (as amended)
- The Transport of Animals (Cleansing and Disinfection) (Scotland) Order 2000
- The Welfare of Farmed Animals (Scotland) Regulations 2000
- The Diseases of Animals (Approved Disinfectants) Order 1978 (as amended)
- The Cattle Identification Regulations 1998 (as amended)
- The Cattle (Identification of Older Animals) (Scotland) Regulations 2001
- The Pigs Records, Identification and Movement Order 1995
- The Sheep and Goats Identification (Scotland) Regulations 2000.

This licence shall be produced on demand to an inspector or other officer of the Scottish Ministers or local authority or to a constable, who may take a copy thereof or an extract therefrom, and may also require the person in charge of the animals to which this licence relates to furnish the name and address of that person.

**THIS LICENCE IS VALID FOR A PERIOD OF 5 DAYS FROM THE DATE OF ISSUE (OR SUCH SHORTER PERIOD AS MAY BE SPECIFIED BY AN INSPECTOR). HOWEVER, IT CANNOT BE USED UNTIL THE OWNER/ KEEPER DECLARATION HAS BEEN SIGNED AND THE MOVEMENT MUST BE COMPLETED ON THE DAY THE DECLARATION IS SIGNED**

**FAILURE TO COMPLY WITH ANY OF THESE PROVISIONS MAY RENDER A PERSON LIABLE TO PROSECUTION AND HEAVY PENALTIES ON CONVICTION.**

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**PART II**

**DECLARATION BY A LOCAL VETERINARY INSPECTOR**

Name and address of owner/keeper.

Premises where animals are located:

I have inspected the animals to be moved under this licence, those in contact with them and all other susceptible animals on the holding, with the exception of remote grazings. They show no clinical signs of Foot-and-Mouth disease and those to be moved are fit for the intended journey.

*Official stamp:*

Signed.....RCVS

Print Name.....

Local Veterinary Inspector

Date of inspection, ..../.....

Time of inspection.....

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PART III

OWNER/KEEPER DECLARATION

(This Part must be completed by the owner or keeper of the animals on the day they are to be moved but before they leave the premises on which they are kept)

I ..... (full name of owner or keeper of animals to be moved)

of ..... (address of owner or keeper)

declare that

- 1. The movement will begin no later than 24 hours from the certification at Part II of the licence.
- 2. I have made arrangements with the approved slaughterhouse (delete as appropriate) for the animals to be received there today, the ..... day of.... . .... 2001.
- 3. (Other than for collecting centres) The last date on which any animals were moved on to the premises from which the animals to be moved under this licence are kept was.....(insert date)

Signed

.....

Print Name

.....

(\*Owner;\*keeper) (\*delete as appropriate).

Dated

...../.....

SCHEDULE 2B

Article 2, paragraph 2(be) of Schedule 2

CLEANSING AND DISINFECTION OF MEANS OF TRANSPORT

Level of cleansing and disinfection

- 1. All cleansing and disinfection shall be carried out so as to reduce so far as reasonably practicable the risk of transmission of disease.

### **Parts of the means of transport required to be cleansed**

- 2.—(1) In the case of animals not transported in a container—
- (a) whether or not they are soiled, all the inside surfaces of those parts of the means of transport in which the animals are transported, and all parts of the means of transport to which the animals may have had access during the journey, shall be cleansed; and
  - (b) the following shall be cleansed if they are soiled:—
    - (i) any detachable fittings not used during the journey;
    - (ii) any other part of the means of transport;
    - (iii) any equipment carried during the journey for use with the animals.
- (2) In the case of animals transported in a container, the interior of the container shall be cleansed whether or not it is soiled, and the exterior of the container and any parts of the means of transport carrying the container shall be cleansed if they are soiled.

### **Method of cleansing**

3. Cleansing shall be by removing any feedingstuffs to which the animals have had access, bedding, excreta and other material of animal origin, mud and other contaminants using any appropriate means, and then cleaning with water, steam or where appropriate chemicals or chemical compounds (or, if necessary, any combination of these) until free of dirt.

### **Disinfection after cleansing**

4. Everything required to be cleansed under this Order shall be disinfected after cleansing has been completed, using a disinfectant approved under the Diseases of Animals (Approved Disinfectants) Order 1978<sup>(5)</sup> and listed as being suitable for the control of Foot-and-Mouth Disease—
- (a) at the concentration required under that Order for “General Orders”; or
  - (b) where no concentration is specified for “General Orders”, at the concentration required for “Foot-and-Mouth Disease Orders”.

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001. The Order prevents the owner or person in charge of an animal in a Controlled Area from moving an animal on unenclosed land without notice from a veterinary inspector.

The Order amends the licence for movement to slaughter in connection with the maximum number of days within which movement must be completed.

The Order also amends the Foot-and-Mouth Disease (Scotland) Declaratory (No. 3) Order 2001 and the Foot-and-Mouth Disease (Scotland) Declaratory (No. 4) Order 2001. It amends these Orders so

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<sup>(5)</sup> S.I. 1978/32 as amended by S.I. 1999/919 and as further amended in relation to Scotland only by S.S.I. 2001/45 and S.S.I. 2000/51

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as to allow the licensing of movement from an infected area to slaughter, under a licence in the form prescribed, and makes further provision in that regard.

The Order also makes provision in relation to stray or feral animals.