

SCHEDULE 1

Regulation 5

Ear Tags

Application of ear tags

1.—(1) Any keeper of animals who fails to comply with the requirements of Article 4(1) [^{F1}or Article 4a(1)] of Regulation (EC) No. 1760/2000 is guilty of an offence.

(2) The period determined for the purposes of [^{F2}said Article 4a] is—

(a) in the case of a dairy animal—

(i) within 36 hours of birth for the first tag; and

(ii) within 20 days of birth for the second tag;

(b) in the case of bison, within 9 months of birth or when the animal is separated from its mother, whichever is sooner, in accordance with Articles 1 and 2 of Commission Regulation (EC) No. [^{F3}509/1999]; and

(c) in the case of any other animal, within 20 days of birth.

(3) The identification code for the purposes of Article 1(2) of Commission Regulation (EC) No. 911/2004 shall be the following information in the following order—

(a) the letters “UK”; and

(b) the number allocated by the Scottish Ministers that is unique to an animal in a herd and contains 12 digits.

[^{F4}(4) Any keeper whose animal is born on an additional holding must apply ear tags to that animal indicating the unique numeric identity either of the principal holding of that keeper or of the additional holding on which that animal was born.]

F1	Words in sch. 1 para. 1(1) substituted (27.5.2017) by The Cattle Identification (Scotland) Amendment Regulations 2017 (S.S.I. 2017/133) , regs. 1, 6(a)
F2	Words in sch. 1 para. 1(2) substituted (27.5.2017) by The Cattle Identification (Scotland) Amendment Regulations 2017 (S.S.I. 2017/133) , regs. 1, 6(b)(i)
F3	Word in sch. 1 para. 1(2) substituted (27.5.2017) by The Cattle Identification (Scotland) Amendment Regulations 2017 (S.S.I. 2017/133) , regs. 1, 6(b)(ii)
F4	Sch. 1 para. 1(4) inserted (27.5.2017) by The Cattle Identification (Scotland) Amendment Regulations 2017 (S.S.I. 2017/133) , regs. 1, 6(c)

Animals imported from third countries

2.—(1) Any keeper of an animal from a third country shall apply ear tags to that animal in accordance with Article [^{F5}4b] of Regulation (EC) No. 1760/2000.

[^{F6}(1A) The period determined for the purposes of the first subparagraph of Article 4b(2) is—

(a) within the period of 20 days beginning with the day on which the veterinary checks referred to in Article 4b(1) are completed; or

(b) before the animal leaves the holding of destination,

whichever is sooner.]

(2) Sub paragraph (1) does not apply where the holding of destination of the animal is a slaughterhouse and the requirements of [^{F7}the third subparagraph of Article 4b(1)] of Regulation (EC) No. 1760/2000 are met.

(3) Failure to comply with this paragraph is an offence.

- F5** Word in *sch. 1 para. 2(1)* substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(d)**
- F6** *Sch. 1 para. 2(1A)* inserted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(e)**
- F7** Words in *sch. 1 para. 2(2)* substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(f)**

Animals kept for cultural or historical purposes

3.—(1) Any keeper who keeps animals for cultural or historical purposes may apply to the Scottish Ministers to have the holding on which the animals are kept registered for those purposes in accordance with Article 1 of Commission Regulation (EC) No. 644/2005.

(2) If the Scottish Ministers approve a holding for those purposes the derogations in Article 2 of said Regulation apply provided that the animals are identified by means of an electronic identifier contained in a ruminal bolus.

Movement of animals

4.—(1) Subject to sub paragraph (3), any person who fails to comply with the prohibition on movement in the third indent of Article [^{F8}4a(1)] of Regulation (EC) No. 1760/2000 is guilty of an offence.

(2) Subject to sub paragraph (3), any person who moves from a holding an animal not bearing a means of identification that should have been applied in accordance with previous cattle tagging legislation is guilty of an offence.

(3) An officer of the Scottish Ministers or an inspector may issue a licence allowing an animal not bearing a means of identification applied in accordance with these Regulations or previous cattle tagging legislation to be moved from a holding to a specified holding.

- F8** Word in *sch. 1 para. 4(1)* substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(g)**

Replacement ear tags

5.—(1) In accordance with [^{F9}the first subparagraph of Article 4d,] of Regulation (EC) No. 1760/2000 no ear tag may be removed [^{F10}, modified] or replaced without the permission of the Scottish Ministers.

(2) The keeper of any animal born on or after 1st January 1998 whose ear tag has been removed or lost or become illegible shall within 28 days of ascertaining that fact apply to the animal a replacement ear tag bearing the same identification code as the ear tag that is to be replaced and—

- (a) where the ear tag that is to be replaced is a primary tag, the replacement ear tag shall be a primary tag; and
- (b) where the ear tag that is to be replaced is a secondary tag, the replacement ear tag may be a primary tag or a secondary tag.

(3) In the case of an animal born before 1st January 1998 whose ear tag has been removed or lost or become illegible—

- (a) the keeper shall within 28 days of ascertaining that fact apply to the animal—

- (i) a single ear tag; or
 - (ii) 2 ear tags applied as if in accordance with paragraph 1 and [F11 Articles 4(1) and 4a] of Regulation (EC) No. 1760/2000;
- (b) the identification code on any replacement ear tag shall be—
- (i) the same as the identification code on the ear tag to be replaced; or
 - (ii) a new identification code meeting the requirements of paragraph 1(3); and
- (c) if a different identification code is applied under sub paragraph (3)(b)(ii) the keeper shall within 14 days of the replacement ear tag being applied or before the animal is moved off the holding, whichever is the sooner—
- (i) notify the Scottish Ministers of the new identification code; and
 - (ii) send to the Scottish Ministers the identification document for the animal.

(4) This paragraph applies to replacement of ear tags applied under these Regulations, previous cattle tagging legislation or any provision giving effect to Regulation (EC) No. 820/1997[F12 2000 EUR1760 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation 1997 EUR0820 as it has effect in EU law,] or Regulation (EC) No. 1760/2000 in England and Wales, the Channel Islands, the Isle of Man, Northern Ireland or [F13 a] member State.

(5) Failure to comply with this paragraph is an offence.

- F9** Words in sch. 1 para. 5(1) substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(h)(i)**
- F10** Word in sch. 1 para. 5(1) inserted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(h)(ii)**
- F11** Words in sch. 1 para. 5(3)(a)(ii) substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(i)**
- F12** Words in sch. 1 para. 5(4) inserted (31.12.2020) by [The Animal Health \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/71\)](#), regs. 1(1)(b), **21(4)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Word in sch. 1 para. 5(4) substituted (31.12.2020) by [The Animal Health \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/71\)](#), regs. 1(1)(b), **21(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Approved ear tags

6.—(1) Any person who applies an ear tag under Regulation (EC) No. 1760/2000 or Commission Regulation (EC) No. 911/2004 other than an ear tag approved by the Scottish Ministers is guilty of an offence.

(2) Subject to sub-paragraph (3), the Scottish Ministers shall only approve ear tags that comply with Articles 1 to 3 of Commission Regulation (EC) No. 911/2004 and bear the logo specified in paragraph 12.

(3) In accordance with [F14 Article 4] of Commission Regulation (EC) No. 911/2004, the Scottish Ministers may approve ear tags of a different material or model than that specified in Articles 2 and 3 of Commission Regulation (EC) No. 911/2004 for the second of the 2 ear tags to be applied to an animal.

- F14** Words in sch. 1 para. 6(3) substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **6(j)**

Changes to legislation: There are currently no known outstanding effects for the The Cattle Identification (Scotland) Regulations 2007, SCHEDULE 1. (See end of Document for details)

Supplementary information

7. In accordance with Article 1(3) of Commission Regulation (EC) No. 911/2004, at the request of a keeper a manufacturer of approved ear tags may add a bar code to an ear tag.

Intra-Community trade

^{F15}8.

F15 Sch. 1 para. 8 omitted (31.12.2020) by virtue of The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), **21(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Storage of ear tags

9.—(1) Any person who has possession of unused ear tags issued for the purposes of Regulation (EC) No. 1760/2000 and these Regulations shall keep them in a secure place.

(2) Failure to comply with this paragraph is an offence.

Application of ear tags to other animals

10. It is an offence to apply to an animal an ear tag with an identification code that has previously been used to identify a different animal.

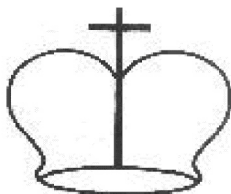
Alteration of ear tags

11. It is an offence to alter, obliterate or deface the information on any ear tag applied to an animal under these Regulations, previous cattle tagging legislation or any provision giving effect to Regulation (EC) No. 820/97^{F16}, 2000 EUR1760 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation 1997 EUR0820 as it has effect in EU law,] or Regulation (EC) No. 1760/2000 in England and Wales, the Channel Islands, the Isle of Man, Northern Ireland or ^{F17}a] member State.

F16 Words in sch. 1 para. 11 inserted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), **21(4)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
F17 Word in sch. 1 para. 11 substituted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), **21(4)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Logo for ear tags

12. The logo for ear tags is



Changes to legislation:

There are currently no known outstanding effects for the The Cattle Identification (Scotland) Regulations 2007, SCHEDULE 1.