

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) and (2) of Regulation (EC) No. 1760/2000 is guilty of an offence.

(2) The period determined for the purposes of said Article 4(2) 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. 509/199; 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.

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 4(3) of Regulation (EC) No. 1760/2000.

(2) Sub paragraph (1) does not apply where the holding of destination of the animal is a slaughterhouse and the requirements of indent 2 of Article 4(3) of Regulation (EC) No. 1760/2000 are met.

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

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 4(2) 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.

Replacement ear tags

5.—(1) In accordance with Article 4(5) of Regulation (EC) No. 1760/2000 no ear tag may be removed 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 Article 4(1) 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 or Regulation (EC) No. 1760/2000 in England and Wales, the Channel Islands, the Isle of Man, Northern Ireland or another member State.

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

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 Article 4(1) 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.

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

8.—(1) No person shall consign an animal for intra-Community trade unless it bears 2 ear tags applied as if in accordance with paragraph 1 and Article 4(1) of Regulation (EC) No. 1760/2000.

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

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 or Regulation (EC) No. 1760/2000 in England and Wales, the Channel Islands, the Isle of Man, Northern Ireland or another member State.

Logo for ear tags



12. The logo for ear tags is