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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 232**

**The Brucellosis (Scotland) Order 2009**

**PART 4**

Prevention of spread of infection

**Precautions against the spread of infection**

**13.**—(1) Where a veterinary inspector has certified that any bovine animal kept on any premises has reacted to a diagnostic test for brucellosis, the occupier of the premises must, on being given notice of the certification, take all reasonable steps to prevent the infection of bovine animals kept on adjoining premises by contact with bovine animals and steers kept on that occupier's premises.

(2) Where a veterinary inspector has certified that any bovine animal kept on any premises has reacted to a diagnostic test for brucellosis, or the veterinary inspector reasonably believes it is infected with that disease, the veterinary inspector may serve a notice on the owner or occupier of the premises requiring that person to ensure that milk from such animals is not fed to other animals on the same or any other premises unless it has been pasteurised, sterilised or ultra-heat treated.

(3) Where a veterinary inspector reasonably believes that any bovine animal kept or formerly kept on any premises is infected with brucellosis, or has been exposed to the risk of infection by that disease, the veterinary inspector may serve a notice on the owner or keeper of that animal requiring that person to—

- (a) arrange for the isolation of any animal or animals which may be specified in the notice on any part or parts of the premises so specified;
- (b) ensure that any part or parts of the premises specified in the notice are not be used by any animals on the premises, or by such animals as may be specified;
- (c) cleanse and disinfect with an approved disinfectant at that person's own expense such part or parts of the premises as may be specified in the notice, or any vehicle, plant or equipment before it leaves the premises;
- (d) treat and store manure or slurry from any place which has been used by such an animal and to restrict the spreading of manure or the spraying of such slurry in accordance with the requirements of the notice;
- (e) burn, disinfect, bury or destroy any straw, litter or other matter which has, or might have, come into contact with such animal or its foetus, or calf and placenta, in accordance with the terms specified in the notice.

(4) A notice served in accordance with paragraph (3) may require the person upon whom it is served to ensure that any cow or heifer on the premises which is about to calve is isolated as far as practicable from all other bovine animals on the premises during the period of calving.

(5) Where a veterinary inspector reasonably believes that any bovine animal which is present at, or has been present at any slaughterhouse or other premises used for a show or exhibition, market, sale or fair is infected with brucellosis, the veterinary inspector may serve a notice on the owner or occupier of such slaughterhouse or premises, prescribing the manner in which any manure, slurry or

other animal waste, straw, litter or other matter which has come into contact with any such animal, is disposed of.

(6) If any person on whom a notice under this article is served fails to comply with it, the veterinary inspector may, without prejudice to any proceedings for an offence arising out of such default, carry out or cause to be carried out the requirements of the notice, and any expenses incurred by the veterinary inspector are recoverable by the Scottish Ministers from the person in default.

(7) In this article, “approved disinfectant” means a disinfectant approved under the Diseases of Animals (Approved Disinfectants) (Scotland) Order 2008 <sup>M1</sup> as being approved for the time being against brucellosis.

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**Marginal Citations**

**M1** [S.S.I. 2008/219](#).

**Shows, exhibitions and markets**

**14.**—(1) Where a veterinary inspector reasonably believes that any bovine animal on any premises at which a show, exhibition, market, sale or fair is being held, is infected with, or has been exposed to the risk of infection with brucellosis, the veterinary inspector may require the animal to be removed from those premises, and the owner or keeper of such animal may choose to take it—

- (a) to a slaughterhouse for immediate slaughter for which no compensation will be payable;
- (b) back to the premises from which the animal was brought to the show, exhibition, market, sale or fair; or
- (c) to such other premises as the veterinary inspector may direct.

(2) A bovine animal may only be removed under sub-paragraphs (b) and (c) of paragraph (1) on condition that it is immediately put into isolation for a period to be terminated by a notice served by a veterinary inspector on the owner or keeper of the animal.

**Control of infection from other animals**

**15.**—(1) Where a veterinary inspector reasonably believes that an animal kept on any premises is or may be infected with brucellosis, that inspector may by notice served on the occupier of the premises—

- (a) require the occupier to keep the animal under control in such manner as may be specified in the notice, or to confine it to such part of the premises as may be specified; or
- (b) prohibit the movement of any animal on to or off the premises or any part of such premises except under the authority of a licence issued by an inspector.

(2) In this article, “animal” means any kind of mammal except man.

**Changes to legislation:**

There are currently no known outstanding effects for the The Brucellosis (Scotland) Order 2009, PART 4.