
STATUTORY INSTRUMENTS

1977 No. 1284**ANIMALS****DISEASES OF ANIMALS****The Brucellosis (England and Wales) Order 1977***Made* 27th July 1977*Coming into Operation* 1st August 1977

The Minister of Agriculture, Fisheries and Food, in pursuance of the powers conferred on him by sections 1, 5, 17(2), 19(7) and 85(1) of the Diseases of Animals Act 1950(a), as read with the Diseases of Animals (Extension of Definitions) Order 1971(b), and as extended by section 106(3) of the Agriculture Act 1970 (c), and of all his other enabling powers, hereby makes the following order:—

Citation and commencement

1. This order, which may be cited as the Brucellosis (England and Wales) Order 1977, shall come into operation on 1st August 1977.

Interpretation

2.—(1) In this order, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them—

“abortion or premature calving” means an abortion or a calving which takes place less than 271 days after service or insemination, whether the calf is born alive or dead;

“attested area” means an area declared to be an attested area under Article 3(2) of this order;

“bovine animal” means a bull, cow, heifer or calf, but does not include a steer;

“brucellosis” means the disease caused by *brucella abortus*, otherwise known as epizootic abortion or contagious abortion;

“dealer in bovine animals” means any person whose trade or business regularly includes the selling of bovine animals purchased by him for the purpose of resale within 28 days, and not for the purpose of rearing, fattening or breeding;

(a) 1950 c. 36. For change of title of the Minister see S.I. 1955/554 (1955 I, p. 1200).
(b) S.I. 1971/531 (1971 I, p. 1530). (c) 1970 c. 40.

“eradication area” means an area declared to be an eradication area under Article 3(1) of this order;

“full-term calving” means a calving which take place 271 days or more after service or insemination, whether the calf is born alive or dead;

“licence” means any licence issued under this order by a veterinary inspector or other officer of the Ministry or by an officer of the Secretary of State, and includes any permit, approval, or other form of authorisation;

“the Minister” and “the Ministry” means respectively the Minister and the Ministry of Agriculture, Fisheries and Food;

“premises” includes land, with or without buildings, and where any person occupies together land which comprises two or more non-adjacent areas, each of those areas shall be deemed to be separate premises for the purposes of this order;

“reactor” means a bovine animal which gives rise to a reaction consistent with its being affected with brucellosis when tested for that disease either by or on behalf of the Minister or the Secretary of State or otherwise, as the case may be, provided that in the case of a test otherwise so carried out the result thereof has been reported to the Minister or the Secretary of State;

“slaughterhouse” means a slaughterhouse or knacker’s yard, as defined in section 34 of the Slaughterhouses Act 1974(a);

“steer” means a castrated bull or male calf aged six months or over;

“veterinary inspector” means a veterinary inspector appointed by the Minister.

(2) Other expressions used in this order have, so far as the context admits, the same meanings as in the Diseases of Animals Act 1950.

(3) References in this order to any enactment or order are (unless the context otherwise requires) references thereto as from time to time amended or replaced.

(4) The Interpretation Act 1889(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament and as if this order and the orders revoked by it were Acts of Parliament.

Declaration of brucellosis eradication and attested areas

3.—(1) The areas described in Schedule 1 hereto, being areas as respects which the Minister is satisfied that a substantial majority of the cattle therein are free from brucellosis, are hereby declared to be eradication areas for purposes connected with the control of brucellosis.

(2) The areas described in Schedule 2 hereto, being areas as respects which the Minister is satisfied that brucellosis in cattle is for practical purposes non-existent therein, are hereby declared to be attested areas for purposes connected with the control of brucellosis.

(a) 1974 c. 3.

(b) 1889 c. 63.

Application of Articles 6 to 27

4.—(1) The provisions of Articles 6 to 27 shall not apply to or have effect in the eradication areas which are described in Part II of Schedule 1 hereto until 1st November 1977.

(2) The provisions of this order shall not apply to an export quarantine station, within the meaning of section 36(1) of the Diseases of Animals Act 1950, which is situated within an eradication area or attested area unless that station is referred to in the description of that area.

(3) The provisions of this order shall not apply in relation to approved premises, within the meaning of the Importation of Animals Order 1977(a), and shall apply in relation to imported animals only—

- (a) from the time specified in the licence issued in respect of those animals under Article 11(5) of that order; or
- (b) where the existence or suspected existence of disease in any part of Great Britain makes it expedient that no such licence should be issued for the time being, from the time when those animals have completed the period of detention in quarantine required under the provisions of that order or, as the case may be, have been rested at an approved reception centre for the period so required.

(4) For the purposes of this order, premises which—

- (a) are situated partly within an area to which this order applies, and partly outside any such area, shall be deemed to be wholly within that area,
- (b) are situated partly within an attested area or areas and partly within an eradication area or areas, shall be deemed to be wholly within that attested area within which the greater or greatest part of the premises is situated,
- (c) are situated wholly or partly within two or more attested areas or two or more eradication areas, shall be deemed to be within that area within which the greater or greatest part of the premises is situated.

Restriction on vaccination

5. No person other than—

- (a) a veterinary inspector,
- (b) a veterinary surgeon authorised for the purpose by the Minister, or
- (c) a person acting under the authority of a licence issued for the purpose by a veterinary inspector employed by the Minister, who complies with the conditions (if any) subject to which the licence is issued,

shall vaccinate bovine animals against brucellosis in an area declared by this order to be an eradication area or an attested area.

(a) S.I. 1977/994 (1977 II, p. 2631).

Movement of bovine animals into or through eradication areas or attested areas

6.—(1) No bovine animal shall be moved into an eradication area or attested area, except under the authority of a licence issued by an officer of the Ministry or, in the case of bovine animals being moved from a place in Scotland, an officer of the Secretary of State, and in accordance with the terms and conditions (if any) subject to which the licence is issued.

(2) The provisions of paragraph (1) above shall not apply to the movement, otherwise than on foot, of bovine animals—

- (a) through an eradication area or attested area from a place outside that area direct to another place outside that area;
- (b) into an eradication area or attested area direct to a slaughterhouse in that area (from which they shall not be removed alive) for the purpose of unloading and slaughter there;
- (c) (other than reactors) into an eradication area direct to premises in that area for the purpose of unloading and sale there, being premises used for the time being in connection with the holding of a market under the authority of a licence issued under Article 21 of this order imposing a condition that cattle in the premises may only be sold there for immediate slaughter;
- (d) under the age of 6 months into an eradication area or attested area direct to premises in that area for the purpose of unloading and sale there, being premises used for the time being in connection with the holding of a market under the authority of a licence issued under Article 21 of this order; or
- (e) from one attested area to another attested area by a route which, disregarding any part thereof which involves the carriage of such animals by sea or air, is entirely over land comprised in an attested area.

(3) The exemption from the provisions of paragraph (1) of this Article conferred by paragraph (2)(c) above shall not apply in respect of the movement into an attested area of bovine animals which—

- (a) are lactating,
- (b) have calved within the preceding 14 days, or
- (c) are showing signs of vaginal discharge.

(4) When bovine animals are moved into or through an eradication area or attested area in the circumstances referred to in any of sub-paragraphs (a) to (d) of paragraph (2) above, the person in charge of those animals shall ensure that they do not come into contact with any other bovine animals, other than those with which they were in contact immediately before they entered the area, and that they are not (except in case of emergency) unloaded within the area from the vehicle by means of which they are transported otherwise than as provided for in the relevant sub-paragraph.

Movement of bovine animals on to premises within an eradication area

7. No bovine animals shall be moved on to premises within an eradication area, except under the authority of a licence issued by an officer of the

Ministry or, in the case of such animals being moved on to those premises from a place in Scotland, an officer of the Secretary of State, and in accordance with the terms and conditions (if any) subject to which the licence is issued: provided that the provisions of this paragraph shall not apply to—

- (a) bovine animals to which the provisions of sub-paragraphs (b) to (d) of paragraph (2) of the preceding Article apply, or
- (b) bovine animals being moved (otherwise than on foot) from a place within an eradication area direct to a slaughterhouse or market within that area.

Movement of bovine animals within an eradication area or attested area

8.—(1) A veterinary inspector or other officer of the Ministry may, by notice in writing served at any time on the occupier of any premises situated within an eradication area or attested area, prohibit the movement of bovine animals on to or off those premises except under the authority of a licence or, where a licence has been issued under the preceding Article, of a further licence, and in accordance with the terms and conditions (if any) of that licence or further licence.

(2) A notice served in accordance with the preceding provisions of this paragraph shall remain in force until withdrawn by a further notice in writing signed by a veterinary inspector or other officer of the Ministry, and served as aforesaid.

Movement of cattle to temporary accommodation for cattle intended for export

9.—(1) Nothing in Articles 6(1) and 7 of this order shall apply to bovine animals being moved otherwise than on foot into an eradication area or attested area direct to approved premises within that area.

(2) In this Article, “approved premises” means premises which have been approved under Article 3(1) of the Exported Animals Protection Order 1964^(a) for the resting of animals immediately before their exportation from Great Britain, and also approved in writing for the purposes of this order by an officer of the Ministry.

Control of slaughterhouses in attested areas

10. No slaughterhouse in an attested area, other than a slaughterhouse which has been approved for the purposes of this order by a veterinary inspector, shall admit, or be used for the purpose of slaughtering, a reactor from within the attested area or any bovine animals from any place outside the attested area.

Supplementary provision as to approvals

11.—(1) An approval of premises under Article 9 or of a slaughterhouse under Article 10 of this order may be given subject to compliance by the

(a) S.I. 1964/704 (1964 II, p. 1352).

owner or occupier of the premises or, as the case may be, the slaughterhouse to which it relates with such conditions as may be specified in the approval.

(2) Such an approval may, by notice in writing served on such owner or occupier, be withdrawn or varied at any time by a veterinary inspector, but without prejudice to anything lawfully done pursuant to such approval before such withdrawal or variation has taken effect.

Testing of bovine animals for brucellosis

12.—(1) The owner or other person in charge of bovine animals kept on premises within an eradication area or attested area shall comply with all reasonable requirements of a veterinary inspector or other officer of the Ministry with a view to facilitating the examination of any such animals by a veterinary inspector, or the application thereto of any diagnostic test for brucellosis, and in particular, shall arrange for the collection, penning and securing of any such animals if so required.

(2) If any person fails to comply with any reasonable requirement of a veterinary inspector or other officer of the Ministry made in accordance with the provisions of the preceding paragraph, the Minister may, without prejudice to any proceedings for an offence arising out of such default, take or cause to be taken all such steps as may be necessary to facilitate the examination of such cattle, or the application thereto of any diagnostic test for brucellosis, and the amount of any expenses reasonably incurred by the Minister for the purpose of making good the default shall (without prejudice to any proceedings which may be taken for the default) be recoverable by him as a civil debt from the person in default.

(3) Where the owner or other person in charge of bovine animals kept on premises within an eradication area or attested area arranges for, or permits any diagnostic test for brucellosis to be carried out on any such animals (other than any such diagnostic test which is carried out by or on behalf of the Ministry) he shall, after receipt thereof, forthwith communicate the results of such test to the Ministry.

(4) The owner or other person in charge of bovine animals kept on premises within an eradicated area or attested area shall not do, or cause or permit to be done, anything which is likely to affect in any way the result of any diagnostic test for brucellosis carried out, or to be carried out, on any such animals by or on behalf of the Ministry.

Marking of bovine animals

13.—(1) If so required in writing by a veterinary inspector or other officer of the Ministry, the owner or other person in charge of bovine animals kept on premises within an eradication area or attested area shall mark such animals in the manner required by the veterinary inspector or other officer of the Ministry.

(2) A veterinary inspector or other officer of the Ministry may paint, stamp, clip, tag, or otherwise mark bovine animals kept on premises within an eradication area or attested area.

(3) No person shall alter, remove, obliterate or deface, or attempt to alter, remove, obliterate or deface any mark made under either of the foregoing provisions of this Article.

Notification of abortion or premature calving

14.—(1) Where the owner or other person in charge of bovine animals kept on premises within an eradication area or attested area has reason to believe that any abortion or premature calving has occurred among such animals, he shall forthwith—

- (a) give notice of the fact to a veterinary inspector or other officer of the Ministry, and
- (b) arrange for the isolation, as far as practicable, of the animal concerned, and its calf and placenta, from all other animals in his ownership, or under his charge.

(2) An animal to which the preceding paragraph applies shall remain in isolation, and its calf and placenta shall be retained by the owner or other person in charge of the said animal, until such time as a veterinary inspector or other officer of the Ministry otherwise directs in writing.

Precautions against spread of infection

15.—(1) Where a veterinary inspector or other officer of the Ministry has certified that any animal kept on premises within an eradication area or attested area has reacted to a diagnostic test for brucellosis, the occupier of the premises shall, on being notified of such certification, take such steps as may be reasonably practicable to prevent the infection of bovine animals kept on adjoining premises by contact with bovine animals kept on his premises.

(2) Where a veterinary inspector or other officer of the Ministry has reason to believe that any bovine animal kept on premises within an eradication area or attested area may be infected with brucellosis, or has been exposed to such infection, he may serve on the owner or other person in charge of such animal, or on the occupier of the premises, a notice in writing requiring him to isolate any bovine animals specified in the notice from any other such animals.

(3) A notice served in accordance with the provisions of the preceding paragraph may provide that any cow or heifer on the premises which is about to calve should, as far as is practicable, be isolated from all other bovine animals on the premises during the period of calving.

(4) Where a veterinary inspector or other officer of the Ministry has reason to believe that any bovine animal kept, or formerly kept, on premises within an eradication area or attested area may be infected with brucellosis, he may, by separate notice in writing served on the owner or other person in charge of such animal, or on the occupier of the premises, require him—

- (a) to 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) to ensure that any part or parts of the premises specified in the notice shall not be used by any animal on the premises, or by such animal or animals as may be so specified;

- (c) at his own expense, and within a period specified in the notice, to cleanse and disinfect such part or parts of the premises as may be so specified, in the manner (if any) indicated in the notice;
- (d) to restrict the spreading of manure or the spraying of slurry, in accordance with the requirements of the notice.

(5) If any person on whom a notice is served in accordance with the provisions of the preceding paragraph fails to comply with the requirements thereof in so far as they relate to any of the matters referred to in sub-paragraph (c) of that paragraph, the Minister may, without prejudice to any proceedings for an offence arising out of such default, carry out, or cause to be carried out, the works specified in the notice, and the amount of any expenses reasonably incurred by the Minister for the purpose of making good the default shall (without prejudice to any proceedings which may be taken for the default) be recoverable by him as a civil debt from the person in default.

(6) Where a veterinary inspector or other officer of the Ministry has reason to believe that any bovine animal present at, or which has been present at, any slaughterhouse or other premises within an eradication area or attested area which are used for any show, exhibition, market, sale or fair, may be infected with brucellosis, he may serve on the occupier of such slaughterhouse or other premises a notice in writing prescribing the manner in which any manure, slurry or other animal waste shall be disposed of.

Disinfecting of vehicles, plant or equipment on infected premises

16.—(1) Where a veterinary inspector or other officer of the Ministry has reason to believe that any bovine animal kept, or formerly kept, on premises within an eradication area or attested area may be infected with brucellosis, he may serve on the occupier of the premises a notice in writing requiring him to arrange for the cleansing and disinfection of any vehicle, plant or equipment before it leaves the premises.

(2) If any person on whom a notice is served under the provisions of the preceding paragraph fails to comply with any of the requirements thereof, the Minister may, without prejudice to any proceedings for an offence arising out of such default, carry out, or cause to be carried out, the works specified in the notice, and the amount of any expenses reasonably incurred by the Minister for the purpose of making good the default shall (without prejudice to any proceedings which may be taken for the default) be recoverable by him as a civil debt from the person in default.

Notification of full-term calvings in herds affected with brucellosis

17. Where an animal kept, or formerly kept, on premises within an eradication area or attested area has reacted to a diagnostic test for brucellosis, or where a veterinary inspector or other officer of the Ministry has reason to believe that brucellosis infection exists on such premises, he may serve on the owner or other person in charge of any bovine animal thereon a notice in writing requiring him to notify the Ministry, within such period as may be specified therein, of any full-term calving which may occur among such bovine animals.

Control of milk and milk products

18.—(1) No milk or dairy by-product (other than milk or a dairy by-product produced by an accredited herd) shall be brought on to any premises within an eradication area or attested area on which bovine animals are kept, for the purpose of processing or bottling on such premises, or of feeding to animals thereon, unless such milk or dairy by-product has been—

- (a) converted into powdered form, boiled or otherwise heat treated, or
- (b) brought on to the premises under the authority of a licence issued by a veterinary inspector or other officer of the Ministry, and in accordance with the terms and conditions (if any) subject to which the licence is issued.

(2) Notwithstanding the provisions of the preceding paragraph, where a veterinary inspector or other officer of the Ministry has reason to believe that any milk or dairy by-product produced by an accredited herd may be infected with brucellosis, he may serve on the occupier of any premises within an eradication area or attested area a notice in writing prohibiting any such milk or dairy by-product from being brought on to such premises.

(3) For the purposes of this Article—

- (a) “accredited herd” means a herd of bovine animals in Great Britain which, to the satisfaction of the Minister (in relation to England and Wales) or of the Secretary of State (in relation to Scotland), either—
 - (i) has been found to be free from brucellosis by means of a series of diagnostic tests carried out by him or on his behalf and has been, since the date of commencement of such tests, the subject of adequate precautions against the introduction or re-introduction and consequent spreading of brucellosis, or
 - (ii) has been wholly constituted by the transfer of animals from other accredited herds in Great Britain or from such similar herds outside Great Britain as the Minister or the Secretary of State (as the case may be) may either generally, or in any special case, allow, and has been, since being so constituted, the subject of such precautions as aforesaid; and
- (b) “heat treated” means pasteurised, sterilised or ultra-heat treated.

Manure, slurry, etc.

19. No manure, slurry or slaughterhouse or other animal waste shall be brought on to premises within an eradication area or attested area on which bovine animals are kept, except under the authority of a licence issued by a veterinary inspector or other officer of the Ministry, and in accordance with the terms and conditions (if any) subject to which the licence is issued.

Restriction on use of semen

20. A veterinary inspector or other officer of the Ministry may, by notice in writing served on the owner or other person in charge of bovine animals kept on premises within an eradication area or attested area, prohibit

the use of semen among such animals, or restrict its use to the extent specified in the notice.

Shows, exhibitions, etc.

21.—(1) No premises within an eradication area or attested area shall be used in connection with the holding of any show, exhibition, market, sale or fair at which bovine animals are to be present, except under the authority of a licence issued by an officer of the Ministry, and in accordance with the terms and conditions (if any) subject to which the licence is issued.

(2) Where a veterinary inspector or other officer of the Ministry has reason to suspect that any bovine animal on premises within an eradication area or attested area at which a show, exhibition, market, sale or fair is being held, is infected with, or has been exposed to the infection of, brucellosis, he may require the animal to be removed from those premises, and (as the owner or other person in charge of the animal may elect) taken either—

- (a) to a slaughterhouse for immediate slaughter, or
- (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 may be approved by him for the purpose.

(3) If the premises to which an animal is to be removed in accordance with the provisions of sub-paragraphs (b) or (c) of the preceding paragraph are situated within an eradication area or attested area, the animal shall only be removed thereto on condition that it is immediately put into isolation for a period to be terminated by a notice in writing served on the owner or other person in charge of the said animal by a veterinary inspector or other officer of the Ministry.

Control of premises used by dealers in bovine animals

22.—(1) No premises within an eradication area or attested area shall be used by a dealer in bovine animals for the keeping of such animals in connection with his business as a dealer, other than premises which have been approved for the purpose by an officer of the Ministry.

(2) Any such approval as is referred to in the preceding paragraph may be given subject to compliance by the owner or occupier of the premises to which it relates with such conditions as may be specified therein.

Animals other than bovine animals

23. A veterinary inspector or other officer of the Ministry may, by notice in writing served on the owner or other person in charge of bovine animals kept on premises within an eradication area or attested area, or on the occupier of such premises, require him to take such steps as may be specified in the notice to ensure that such animals do not come into contact with any other animals kept on the premises.

Power to slaughter on account of brucellosis

24. Section 17 of the Diseases of Animals Act 1950 (which enables the

Minister to slaughter animals on account of disease, on payment of compensation) shall apply to brucellosis.

Notice of intended slaughter

25.—(1) Where the Minister proposes to cause a bovine animal kept on any premises within an eradication area or attested area to be slaughtered under the powers conferred by section 17 of the Act in its application to brucellosis, a veterinary inspector may serve a notice of intended slaughter on the owner or other person in charge of the animal informing him of the proposed slaughter and requiring him to detain the animal pending its slaughter (or pending its surrender and removal for such slaughter) on such part of the premises as is specified in the notice and to isolate it as far as practicable from such other animals as are so specified.

(2) The person on whom such a notice has been served—

(a) shall comply with the notice, and

(b) shall not move the animal, or cause or permit it to be moved, off the part of the premises on which it is required to be detained, except under the authority of a licence issued by an officer of the Ministry.

(3) In this article, “notice of intended slaughter” means a notice served in the form specified in Schedule 3 to this order, or in a form substantially to the like effect.

Assistance in securing animals

26.—(1) Where the Minister proposes to cause a bovine animal kept on any premises within an eradication area or attested area to be slaughtered under the powers conferred by section 17 of the Act in its application to brucellosis, the owner or other person in charge of the animal shall comply with all reasonable requirements of a veterinary inspector or other officer of the Ministry as to the collection, penning and securing of the animal for identification and inspection in connection with the ascertainment of its value.

(2) If the owner or other person in charge of an animal fails to comply with such a requirement as is mentioned in paragraph (1) above, the Minister may carry out the requirement, without prejudice to any proceedings for an offence arising out of the default, and may on demand recover from the person in default as a civil debt the reasonable expense of doing so.

(3) Nothing in this article shall affect the powers of entry and other powers conferred by sections 6 and 73 of the Diseases of Animals Act 1950.

Production of licences

27. Where, under the provisions of this order, a licence is required for the movement of a bovine animal, the person in charge of any such animal being so moved shall, on demand made under this order by a veterinary inspector or other officer of the Ministry, or by an inspector of a local authority or police constable, produce the licence, and allow a copy thereof or extract therefrom to be taken, and shall also if required, furnish his name and address.

Offences

28. The contravention of any provision of this order, or of any notice served or licence issued thereunder, or the failure to comply with any condition of any such notice or licence, or the causing or permitting of any such contravention or non-compliance, or, in the case of a dealer in bovine animals, the use of any premises contrary to Article 22(1) of this order, or contrary to any condition subject to which such premises are approved, shall be an offence against the Diseases of Animals Act 1950.

Local authority to enforce order

29. This order shall, except where otherwise expressly provided, be executed and enforced by the local authority.

Revocation

30. The orders listed in Schedule 4 are hereby revoked.

Transitional provisions

31. Where at the date of coming into operation of this order there is in force a notice or licence issued under the Brucellosis (Area Eradication) (England and Wales) Order 1971 (a), as amended (b), and extended (c), that notice or licence shall be deemed for the purposes of this order to have been issued under this order.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 27th July 1977.

(L.S.)

John Silkin,

Minister of Agriculture, Fisheries and Food.

(a) S.I. 1971/1717 (1971 III, p. 4673).

(b) S.I. 1972/1173, 1976/244, 1977/949 (1972 II, p. 3486; 1976 I, p. 615; 1977 II, p. 2666).

(c) 1972/1174 (1972 II, p. 3488).

SCHEDULE 1

PART I

ERADICATION AREAS

*In England**Eradication Area No. 1*

An area comprising—

The counties of Lincolnshire, Cambridgeshire, Bedfordshire, Berkshire (excluding Reading livestock market), Hertfordshire, Essex, Surrey, Kent, West Sussex, East Sussex, the City and Boroughs of Greater London.

So much of the county of Buckinghamshire as lies to the south of the road M40.

In the county of Leicestershire

The district of Rutland.

In the county of Oxfordshire

The district of Vale of White Horse.

So much of the district of South Oxfordshire and of Oxford Borough which lies to the south of the road M40 and its continuation as the road A40 to the junction with the road A4142 and east of the road A4142 (eastern Oxford by-pass) and south of the road A423 from its junction with the road A4142 westwards until it crosses the River Thames. Also that part of the district as lies to the west and south of the River Thames.

Eradication Area No. 2

An area comprising—

*In the county of Hampshire**In the district of Test Valley*

The parishes of Melchett Park and Plaitford and Wellow.

The district of New Forest excluding the parishes of Whitsbury, Rockbourne, Breamore, Martin and Damerham and so much of the parishes of Fordingbridge and Harbridge and Ibsley as lies to the west of the River Avon.

*In the county of Dorset**In the district of Christchurch*

The parish of Burton.

So much of the parish of Christchurch as lies to the east of the River Avon.

*In the county of Wiltshire**In the district of Salisbury*

The parishes of Whiteparish, Redlynch and Landford.

So much of the parish of Downton as lies to the east of the River Avon.

All the said river is excluded from the eradication area where it forms part of its boundary.

Eradication Area No. 3

An area comprising—

The county of Devon.

*In the county of Cornwall**In the district of North Cornwall*

The parishes to the north of, and including St Gennys, Otterham, Warbstow, Trenglos, Tresmeer, Egloskerry and St Stephens by Launceston Rural.

In the county of Somerset

The district of West Somerset.

The district of Taunton Deane excluding Taunton livestock market.

The district of Sedgemoor excluding the parishes of Shipham, Cheddar and Wedmore.

In the district of Mendip

The parishes of Sharpham and Walton.

In the district of Yeovil

The parishes of High Ham, Somerton, Compton Dundon, Aller, Pitney, Langport, Long Sutton, Kingsdon, Curry Rivel, Drayton, Muchelney, Huish Episcopi, Long Load, Ash, Tintinhull, Ilchester, Fivehead, Curry Mallet, Isle Abbots, Isle Brewers, Beercombe, Ashill, Ilton, Puckington, Barrington, Kingsbury Episcopi, Martock, Stoke-sub-Hamdon, Norton-sub-Hamdon, East Chinnock, West Chinnock, Hazlebury Plucknett, Chiselborough, Broadway, Buckland St Mary, Combe St Nicholas, Whitestaunton, Wambrook, Chard, Winsham, Wayford, Cricket St Thomas, Chaffcombe, Ilminster, Ilminster Without, Ilminster Without Detached, Knowle St Giles, Dowlish Wake, Kingstone, Donyatt, White Lackington, Seavington St Mary, Seavington St Michael, Lopen, Hinton St George, Merriott, Crewkerne, West Crewkerne, Misterton, North Perrott, Dinnington, Cudworth, Chillington, South Petherton, Shepton Beauchamp and Stocklinch.

Eradication Area No. 4

An area comprising—

In the county of Salop

That part of the county to the west of the road A49–A41–A49 (excluding Shrewsbury and Whitchurch livestock markets).

In the county of Hereford and Worcester

That part of the county as lies to the west of the road A49 from Ludlow to Kingsthorpe and to the west of the road A466 from Kingsthorpe to Monmouth.

All the said roads are excluded from the eradication area where they form part of its boundary.

Eradication Area No. 5

An area comprising—

The county of Cumbria *excluding*:

The districts of Barrow-in-Furness and South Lakeland.

In the district of Copeland

The parishes of Bootle, Millom, Millom Without, Waberthwaite, and Whicham, so much of the parish of Eskdale as lies south and east of the River Esk to its intersection with the unclassified road near Penny Hill and south of the said road running to Hard Knott Pass. So much of the parish of Muncaster as lies south and east of the River Esk and so much of the parish of Ulpha as lies south of the unclassified road (Hard Knott Pass).

In the district of Eden

The parishes of Patterdale, Martindale, Bampton, Barton, Askham, Sockbridge and Tirril, Yanwath and Eamont Bridge, Clifton Lowther, Thrimby, Little Strickland, Great Strickland, Newby, Sleagill, Morland, Cliburn, Brougham, Temple Sowerby, Newbiggin, Kirkby Thore, Bolton, Kings Meaburn, Milburn, Long Marton, Dufton, Murton, Appleby, Crackenthorpe, Colby, Shap, Shap Rural, Crosby Ravensworth, Hoff, Ormside, Asby, Warcop, Musgrave, Helbeck, Brough, Brough Sowerby, Stainmore, Kaber, Winton, Hartley, Nateby, Mallerstang, Wharton, Kirkby Stephen, Waitby, Soulby, Crosby Garrett, Ravenstonedale, Orton, Tebay.

In the county of Lancashire

The Borough of Burnley and the districts of Hyndburn and Pendle.

In the Borough of Ribble Valley

The parishes of Balderstone, Billington, Chatburn, Clayton-le-Dale, Clitheroe, Dinckley, Downham, Gisburn, Horton, Little Mitton.

Mearley, Mellor, Middop, Newsholme, Osbaldeston, Pendleton, Ramsgreave, Read, Rimington, Sabden, Salesbury, Twiston, Wors-ton, Whalley, Wilpshire, Wiswell and so much of the parishes of Grindleton and Sawley as lies to the south and east of the River Ribble.

In the county of North Yorkshire

In the district of Craven

The parishes of Airton, Appletreewick, Arncliffe, Bank Newton, Barden, Bordley, Beamsley, Bolton Abbey, Bradleys Both, Broughton, Buckden, Burnsall, Calton, Carleton, Cononley, Coniston Cold, Conistone with Kilnsey, Cowling, Cracoe, Draughton, Elslack, Emsay with Eastby, Eshton, Farnhill, Flasby with Winterburn, Gargrave, Grassington, Glusburn, Halton East, Halton Gill, Hanlith, Hartlington, Hawkswick, Hazlewood with Storiths, Hebden, Helli-field, Hetton, Kettlewell with Starbotton, Kirkby Malham, Lang-cliffe, Linton, Litton, Long Preston, Lothersdale, Malham, Malham Moor, Martons Both, Nappa, Otterburn, Rylstone, Scosthrop, Skipton, Stirton with Thorlby, Sutton, Swinden, Thornton-in-Craven, Thorpe, Threshfield and so much of the parishes of Horton-in-Ribblesdale, Rathmell, Settle, and Stainforth as lie to the east of the River Ribble.

In the county of Humberside

The districts of Scunthorpe, Glanford, Cleethorpes and Grimsby.

All the said river is excluded from the eradication area where it forms part of its boundary.

In Wales

Eradication Area No. 6

An area comprising—

In the county of Clwyd

The Borough of Colwyn

The district of Glyndwr (excluding the community areas of Llan-drillo, Llangar, Gwyddelwern, Corwen, Bettws Gwerfyl Goch and Llansantffraid Glynyfrdwy).

The Borough of Wrexham-Maelor (excluding Wrexham livestock market).

The county of West Glamorgan excluding—

In the Borough of Neath

The community areas of Dylais Higher and Glyneath.

In the Borough of Lliw Valley

The community areas of Llanguicke, Rhyndwyclybach and Mawr and that part of the community area of Llchwyr which was formerly the parishes of Llandeilo, Tal-y-bont and Llanyfelach.

The county of Mid Glamorgan *excluding—*
In the Borough of Cynon Valley
The community area of Penderyn.

In the Borough of Merthyr Tydfil
The community area of Vaynor.

The county of South Glamorgan
The county of Gwent *excluding—*
In the Borough of Blaenau Gwent
The community areas of Brynmawr and Llanelli.

Articles 3(1) and 4(1)

SCHEDULE 1

PART II

ERADICATION AREAS TO WHICH ARTICLES 6-27 ARE NOT APPLICABLE
UNTIL 1 NOVEMBER 1977*In England**In the county of Buckinghamshire*

So much of the county as lies to the north of the road M40, including the said road.

In the county of Cheshire

So much of the county as lies to the west of the River Dee.

All the said river is excluded from the eradication area where it forms part of its boundary.

The county of Dorset *excluding**In the district of Christchurch*

The parish of Burton and so much of the parish of Christchurch as lies east of the River Avon.

The county of Durham

In the metropolitan county of Tyne and Wear

So much of the county as lies to the south of the River Tyne.

In the county of North Yorkshire

The district of Harrogate and so much of the districts of Richmondshire and Hambleton as lies to the west of the road A1.

The county of Hampshire *excluding*

The parishes of Melchett Park and Plaitford and Wellow in the district of Test Valley and the parishes of Whitsbury, Rockbourne, Breamore, Martin and Damerham and so much of the parishes of Fordingbridge and Harbridge and Ibsley as lies to the west of the River Avon in the district of New Forest.

In the county of Lancashire

The Boroughs of Blackburn, Chorley, South Ribble and Rossendale, excluding Haslingden livestock market, and the district of West Lancashire.

Preston livestock market.

In the metropolitan county of Merseyside

The district of Sefton.

The county of Leicestershire excluding

The district of Rutland.

The county of Salop excluding

That part of the county to the west of the road A49–A41–A49 and Market Drayton livestock market.

In the county of Hereford and Worcester

That part of the former county of Hereford as lies to the east of the road A49 from Ludlow to Kingsthorpe and to the east of the road A466 from Kingsthorpe to Monmouth.

The county of Oxford excluding

Banbury livestock market, field OS nos. 8400 and 9200 in the parish of Banbury and all that part of the county described in eradication area No. 1 in Part I of this Schedule.

In the county of Somerset

The district of Mendip excluding the parishes of Sharpham and Walton.

In the district of Sedgemoor

The parishes of Shipham, Cheddar and Wedmore.

In the district of Yeovil

The parishes of Barton St. David, Keinton Mandeville, Kingweston, Charlton Mackrell, Babcary, Lovington, Alford, Castle Cary, Ansford, Pitcombe, Bruton, Brewham, North Barrow, South Barrow, North Cadbury, Yarlington, Shepton Montague, Bratton Seymour, Charlton Musgrove, Cucklington, Penselwood, Yeovilton, West Camel, Queen Camel, Sparkford, South Cadbury, Compton Pauncefoot, Maperton, Wincanton, Stoke Trister, Limington, Chilton Cantelo, Marston Magna, Rimpton, Corton Denham, Charlton Horethorn, Holton, North Cheriton, Abbas and Templecombe, Milborne Port, Horsington, Henstridge, Chilthorne Domer, Yeovil Without, Yeovil, Mudford, Montacute, Odcombe, Brympton, West Coker, East Coker, Barwick, Hardington Mandeville and Closworth.

In the district of Taunton Deane

Taunton livestock market.

*In Wales**In the county of Clwyd*

The Boroughs of Rhuddlan and Delyn.

The district of Alyn and Deeside (excluding that part of the district which lies to the north of the River Dee).

All the said river is excluded from the eradication area where it forms part of its boundary.

Article 3(2)

SCHEDULE 2

ATTESTED AREAS

*In England**Attested Area No. 1*

An area comprising—

The counties of Norfolk, Suffolk, the Isle of Wight and the Isles of Scilly.

Attested Area No. 2

An area comprising—

In the county of Lancashire

The Boroughs of Lancaster, Blackpool, Fylde, Preston (excluding Preston livestock market) and Wyre.

In the Borough of Ribble Valley

So much of the Borough as lies north and west of the River Ribble.

*In the county of North Yorkshire**In the district of Craven*

The parishes of Burton in Lonsdale, Ingleton, Thornton-in-Lonsdale, Austwick, Bentham, Clapham cum Newby, Giggleswick, Halton West, Lawkland, Wigglesworth and so much of the parishes of Horton in Ribblesdale, Rathmell, Settle and Stainforth as lies west of the River Ribble.

In the county of Cumbria

The districts of Barrow-in-Furness and South Lakeland.

In the district of Copeland

The parishes of Bootle, Millom, Millom Without, Waberthwaite, and Whicham, so much of the parish of Eskdale as lies south and east of the River Esk to its intersection with the unclassified road near Penny Hill and south of the said road running to Hard Knott Pass. So much of the parish of Muncaster as lies south and east of the River Esk and so much of the parish of Ulpha as lies south of the unclassified road (Hard Knott Pass).

In the district of Eden

The parishes of Patterdale, Martindale, Bampton, Barton, Askham, Sockbridge and Tirril, Yanwath and Eamont Bridge, Clifton Lowther, Thrimby, Little Strickland, Great Strickland, Newby, Sleagill, Morland, Cliburn, Brougham, Temple Sowerby, Newbiggin, Kirkby Thore, Bolton, Kings Meaburn, Milburn, Long Marton, Dufton, Murton, Appleby, Crackenthorpe, Colby, Shap, Shap Rural, Crosby Ravensworth, Hoff, Ormside, Asby, Warcop, Musgrave, Helbeck, Brough, Brough Sowerby, Stainmore, Kaber, Winton, Hartley, Nateby, Mallerstang, Wharton, Kirkby Stephen, Waitby, Soulby, Crosby Garrett, Ravenstonedale, Orton, Tebay.

*In Wales**Attested Area No. 3*

An area comprising—

The counties of Dyfed, Gwynedd and Powys.

*In the county of Clwyd**In the district of Glyndwr*

The community areas of Llandrillo, Llangar, Gwyddelwern, Corwen, Bettws Gwerfyl Goch and Llansantffraid Glyndyfrdwy.

*In the county of West Glamorgan**In the Borough of Neath*

The community areas of Dylais Higher and Glyneath.

In the Borough of Lliw Valley

The community areas of Llanguicke, Rhyndwyclydach and Mawr and that part of the community area of Lwchwr which was formerly the parishes of Llandeilo, Taly-y-Bont and Llangyfelach.

*In the county of Mid Glamorgan**In the district of Cynon Valley*

The community area of Penderyn.

In the Borough of Merthyr Tydfil

The community area of Vaynor.

*In the county of Gwent**In the Borough of Blaenau Gwent*

The community areas of Brynmawr and Llanelli.

Article 25

SCHEDULE 3

DISEASES OF ANIMALS ACT 1950

Ministry of Agriculture,
Fisheries and Food

Department of Agriculture and
Fisheries for Scotland

The Brucellosis (England and
Wales) Order 1977

The Brucellosis (Scotland)
Order 1972

Notice of Intended Slaughter

Herd Ref. No.

To

of

.....

.....

I, the undersigned, being a Veterinary Inspector appointed by the Minister of Agriculture, Fisheries and Food, hereby give notice that the Minister proposes to cause the following bovine animals to be slaughtered with all convenient speed under the powers conferred by section 17 of the above Act in its application to brucellosis, namely:

(a) *affected animals and reactors* (see Note 2 below)

kept at

.....

(b) *other animals* (see Note 2 below)

kept at

.....

I require you, pending such slaughter (or pending surrender and removal for such slaughter), to detain the animal(s) specified above in

.....
.....

being part of the premises where it is/they are now kept, and to keep it/them isolated as far as practicable from other bovine animals.

Dated..... 19...

Signed.....

Veterinary Inspector of the Ministry of
Agriculture, Fisheries and Food.

Note 1: In accordance with article 15(1) of the Brucellosis (England and Wales) Order 1977 and Article 9(1) of the Brucellosis (Area Eradication) (Scotland) Order 1971 (as amended) you are required to take such steps as may be reasonably practicable to prevent the infection of cattle kept on adjoining premises by contact with cattle kept on your premises.

Note 2: The Brucellosis (England and Wales) Compensation Order 1972 (as amended) and the Brucellosis Compensation (Scotland) Order 1972 (as amended) define affected animals and reactors and fix rates of compensation for them and for other bovine animals which are slaughtered as a result of being exposed to the infection of brucellosis.

Article 30

SCHEDULE 4

<i>Orders revoked</i>	<i>Reference</i>
The Brucellosis (Eradication Areas) (England and Wales) Order 1971	S.I. 1971/533
The Brucellosis (Eradication Areas) (England and Wales) (Amendment) Order 1971	S.I. 1971/1716
The Brucellosis (Area Eradication) (England and Wales) Order 1971	S.I. 1971/1717 (1971 III, p. 4673)
The Brucellosis (Eradication Areas) (Norfolk and Suffolk) Order 1972	S.I. 1972/161
The Brucellosis (Area Eradication) (England and Wales) (Amendment) Order 1972	S.I. 1972/1173 (1972 II, p. 3486)
The Brucellosis (Area Eradication) (England and Wales) (Extension) Order 1972	S.I. 1972/1174 (1972 II, p. 3488)
The Brucellosis (Eradication Areas) (West Sussex and Cambridgeshire and Essex) Order 1972	S.I. 1972/1175
The Brucellosis (England and Wales) Order 1972	S.I. 1972/1521 (1972 III, p. 4473)
The Brucellosis (Eradication Areas) (Norfolk and Suffolk) (Amendment) Order 1973	S.I. 1973/590
The Brucellosis (Eradication Areas) (West Sussex and Cambridgeshire and Essex) (Amendment) Order 1973	S.I. 1973/987
The Brucellosis (Eradication Areas) (Wales) Order 1973	S.I. 1973/988 (1973 II, p. 3017)
The Brucellosis (Eradication Areas) (England and Wales) Order 1974	S.I. 1974/1151
The Brucellosis (Berkshire, South-West Oxfordshire, Surrey, etc. Eradication Area) Order 1975	S.I. 1975/143
The Brucellosis (Area Eradication) (England and Wales) (Amendment) Order 1976	S.I. 1976/244 (1976 I, p. 615)

<i>Orders revoked</i>	<i>Reference</i>
The Brucellosis (Eradication Areas) (England and Wales) Order 1976	S.I. 1976/245
The Brucellosis (Eradication Areas) (England and Wales) (Amendment) Order 1976	S.I. 1976/614
The Brucellosis (Eradication Areas) (England and Wales) (Amendment) (No. 2) Order 1976	S.I. 1976/1403
The Brucellosis (Eradication Areas) (England and Wales) (No. 2) Order 1976	S.I. 1976/1640
The Brucellosis (Eradication Areas) (England and Wales) (Amendment) (No. 3) Order 1976	S.I. 1976/1853
The Brucellosis (Eradication Areas) (South-West England No. 5 and North Buckinghamshire) Order 1977	S.I. 1977/692
The Brucellosis (Area Eradication) (England and Wales) (Amendment) Order 1977	S.I. 1977/949 (1977 II, p. 2666)

EXPLANATORY NOTE

(This Note is not part of the Order.)

Under section 5 of the Diseases of Animals Act 1950, the Minister of Agriculture, Fisheries and Food may make an order declaring an area to be an eradication area for purposes connected with the control of any particular disease, if he is satisfied that a substantial majority of the cattle in that area are free from that disease, and, for similar purposes, he may declare an area to be an attested area if he is satisfied that that disease is for practical purposes non-existent therein. In relation to brucellosis, the provisions of section 5 of the 1950 Act have been extended by section 106(3) of the Agriculture Act 1970, so as to give the Minister (in addition to the powers conferred on him by the earlier section) power to impose in respect of cattle in a brucellosis eradication or attested area such other prohibitions or requirements as he may consider necessary or desirable for the purpose of eradicating that disease.

This Order, which supersedes various existing orders—

- (a) consolidates existing eradication areas and revises the descriptions of areas in the light of local government boundary changes.
- (b) declares the first attested areas;
- (c) consolidates existing provisions which apply in eradication or attested areas. These include a prohibition against the movement of bovine animals into such areas (except under licence or on certain journeys), a power to prohibit the movement of such animals on to or off particular premises in such areas, a restriction on the vaccination of bovine animals in such areas against brucellosis, and ancillary prohibitions designed to prevent the introduction or spreading of brucellosis;
- (d) incorporates three changes to the consolidated general provisions referred to above. Firstly, it prohibits slaughterhouses in an attested area from admitting, or being used for the purpose of slaughtering, bovine animals from outside that area unless that slaughterhouse has been approved by a veterinary inspector for that purpose. Secondly, the movement of such animals into an attested area direct to a slaughter market is prohibited except under licence; and thirdly the movement into an attested area direct to a market licensed under this Order of bovine animals under the age of six months is now permitted without a licence;
- (e) enables the Minister to cause animals which are affected or suspected of being affected with brucellosis or which have been exposed to the infection of that disease to be slaughtered on payment of compensation, and, where such animals are kept at premises situated in an eradication or attested area, to require them to be detained and isolated until removed for slaughter.

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