
STATUTORY INSTRUMENTS

1980 No. 1689

ANIMALS

DISEASES OF ANIMALS

**The Brucellosis (England and Wales) (Amendment)
(No. 2) Order 1980**

Made - - - - 5th November 1980

Coming into Operation 1st December 1980

The Minister of Agriculture, Fisheries and Food, as respects England, and the Secretary of State, as respects Wales, in exercise of powers conferred by sections 1, 5 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 now vested in them^(c), and of all other powers enabling them in that behalf, hereby make the following order:—

Citation and commencement

1.—(1) This order, which may be cited as the Brucellosis (England and Wales) (Amendment) (No. 2) Order 1980, shall come into operation on 1st December 1980.

(2) In this order “the principal order” means the Brucellosis (England and Wales) Order 1978^(d).

Amendment of principal order

2. The principal order shall be amended as follows:—

(1) in Article 2(1) (Interpretation), in the definition of “steer” for the word “six” there shall be substituted the word “four”.

(2) Paragraph (2) of Article 4 shall be omitted.

(3) Article 6 (Movement of bovine animals into or through eradication or attested areas) shall be omitted.

(4) Article 7 (Movement of bovine animals on to premises within an eradication area) shall be omitted.

(5) In paragraph (1) of Article 8 (Movement of bovine animals within an eradication area or attested area) for the words beginning “or, where a licence has been issued” to the end of the paragraph there shall be substituted the words “and in accordance with the terms and conditions (if any) subject to which the licence is issued.”

(6) Article 9 (Movement of cattle to temporary accommodation for cattle intended for export) shall be omitted.

^(a) 1950 c. 36; relevant amendments are made to section 5 by the Agriculture Act 1970 (c. 40), section 106(3).

^(b) S.I. 1971/531.

^(c) In the case of the Secretary of State by virtue of S.I. 1978/272.

^(d) S.I. 1978/1480, amended by S.I. 1980/890.

(7) For Article 10 (Control of slaughterhouses in attested areas) there shall be substituted the following Article—

“Control of slaughterhouses in attested areas

10.—(1) 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 animal from any place outside the attested area.

(2) An approval of a slaughterhouse shall be in writing and may be given subject to compliance by the owner or occupier of the slaughterhouse with such conditions as may be specified in the approval.

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

(8) Article 11 (Supplementary provisions as to approvals) shall be omitted.

(9) At the end of Article 12 (Testing of bovine animals for brucellosis) there shall be added the following paragraph—

“(5) For the purposes of this Article bovine animals includes steers.”

(10) At the end of Article 13 (Marking of bovine animals) there shall be added the following paragraph—

“(4) For the purposes of this Article bovine animals includes steers.”

(11) Article 27 (Production of licences) shall be renumbered as 27(1) and at the end of that Article (as renumbered) there shall be added the following paragraph—

“(2) For the purposes of this Article bovine animals includes steers.”

(12) There shall be substituted for Schedule 1 (Eradication Areas) Schedule 1 to this order.

(13) There shall be substituted for Schedule 2 (Attested Areas) Schedule 2 to this order.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th October 1980.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

5th November 1980.

Nicholas Edwards,
Secretary of State for Wales.

SCHEDULE 1

Article 2 (12)

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SCHEDULE 1
ERADICATION AREAS

IN ENGLAND

An area comprising the county of Northumberland; that part of the metropolitan county of Tyne and Wear which lies to the north of the river Tyne (which said river is included in the eradication area where it forms part of the boundary of the said metropolitan county).

An area comprising the metropolitan counties of West Yorkshire and South Yorkshire; the counties of Humberside (excluding the boroughs of Scunthorpe, Glanford, Cleethorpes and Great Grimsby), Derbyshire, Cheshire and Staffordshire.

An area comprising the counties of Gloucestershire, Avon, Somerset, Devon and Cornwall.

IN WALES

An area comprising that part of the district of Alyn and Deeside in the county of Clwyd which lies to the north of the river Dee, including the said river where it forms the boundary of the said part of the district.”

SCHEDULE 2

Article 2 (13)

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SCHEDULE 2
ATTESTED AREAS

IN ENGLAND

An area comprising the counties of Cumbria and Durham; so much of the metropolitan county of Tyne and Wear as lies to the south of the river Tyne (but excluding the said river from the attested area where it forms part of the boundary of the said part of the metropolitan county); the counties of Cleveland, North Yorkshire and Lancashire and the metropolitan counties of Greater Manchester and Merseyside.

An area comprising in the county of Humberside the boroughs of Scunthorpe, Glanford, Cleethorpes and Great Grimsby; the counties of Lincolnshire, Nottinghamshire, Leicestershire and Warwickshire; the metropolitan county of West Midlands; the counties of Shropshire, Hereford and Worcester, Northamptonshire, Cambridgeshire, Norfolk, Suffolk, Essex, Hertfordshire, Bedfordshire, Buckinghamshire, Oxfordshire, Berkshire, Wiltshire, Dorset, Hampshire, Surrey, West Sussex, East Sussex and Kent and the city and boroughs of Greater London.

An area comprising the county of the Isle of Wight.

An area comprising the Isles of Scilly.

IN WALES

The whole of Wales except in the county of Clwyd, that part of the district of Alyn and Deeside, which lies to the north of the river Dee, including the said river where it forms the boundary of the said part of the district.”

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Brucellosis (England and Wales) Order 1978, as amended by the Brucellosis (England and Wales) (Amendment) Order 1980 (the principal order). The main changes are:—

(1) the omission of Article 4(2) of the principal order which disapplied the provisions of that Order to an export quarantine station within the meaning of section 36(1) of the Diseases of Animals Act 1950;

(2) the omission from the principal order of the provisions prohibiting the movement of bovine animals into eradication or attested areas and the movement of such animals on to premises within an eradication area (except under licence or on certain journeys) and the making of appropriate consequential amendments to the principal order;

(3) the deletion from the list of eradication areas and the addition to the list of attested areas of the counties of Durham, Cleveland, Nottinghamshire, Warwickshire, Wiltshire and Dorset; the metropolitan counties of Greater Manchester, Merseyside and West Midlands; that part of the metropolitan county of Tyne and Wear which lies south of the river Tyne, and in the county of North Yorkshire that part which lies to the east of the river Ribble and in the county of Lancashire that part which lies to the south of the river Ribble (so that the whole of the counties of North Yorkshire and Lancashire are now included in an attested area);

(4) the amendment of the definition of steer in the principal order to include castrated male bovine animals aged 4 months or over and the extension of the provisions of that Order for testing bovine animals (Article 12) and marking bovine animals (Article 13) to include steers. These changes are necessary to comply with certain provisions of EEC Council Directive 64/432 of 26th June 1964 as amended concerning intra-community trade in live bovine animals.

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