

1987 No. 905

ANIMALS

ANIMAL HEALTH

The Marek's Disease (Restriction on Vaccination) Order  
1987

Made - - - - 14th May 1987

Coming into force 31st May 1987

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1, 72 and 88(4)(a) of the Animal Health Act 1981 (a) and of all other powers enabling them in that behalf, hereby Order as follows:

**Title and commencement**

1. This Order may be cited as the Marek's Disease (Restriction on Vaccination) Order 1987 and shall come into force on 31st May 1987.

**Extension of definition of "disease"**

2. For the purposes of the Act in its application to this Order the definition of "disease" in section 88(3) of the Act is hereby extended so as to comprise Marek's disease.

**Interpretation**

3. In this Order—

"the Act" means the Animal Health Act 1981;

"the appropriate Minister" means, in relation to England, the Minister and in relation to Scotland or to Wales, the Secretary of State;

"inspector" means a person appointed to be an inspector for the purposes of the Act by the Minister or by a local authority and, when used in relation to an officer of the Ministry, includes a veterinary inspector;

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

"poultry" means live birds of the following species, that is to say domestic fowls, turkeys, geese, ducks, guinea-fowls, pigeons, pheasants and partridges;

"veterinary inspector" means a veterinary inspector appointed by the Minister.

**Restriction on vaccination**

4. No person shall vaccinate any poultry against Marek's disease with a vaccine consisting of or containing derivatives of the Rispens strain or the SB1 strain except under the authority of a licence issued by the appropriate Minister and in accordance with the conditions subject to which the licence is issued.

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(a) 1981 c.22.

### Production of licences

5. Any person acting under the authority of a licence issued under this Order shall, on demand made by an inspector or by a police officer, produce the licence and allow a copy or extract to be taken, and shall also, on such demand, furnish his name and address.

### Offences

6. Any person who, without lawful authority or excuse, proof of which shall lie on him—

- (a) contravenes any provision of this order or any provision of a licence issued under it; or
- (b) fails to comply with any such provision or with any condition of such a licence; or
- (c) knowingly causes or permits any such contravention or non-compliance, commits an offence against the Act.

### Local authority to enforce Order

7. The provisions of this Order shall, except where otherwise expressly provided, be executed and enforced by the local authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 13th May 1987.



*Michael Jopling*  
Minister of Agriculture, Fisheries and Food

13th May 1987

*John J. Mackay*  
Parliamentary Under-Secretary of State, Scottish Office

14th May 1987

*Nicholas Edwards*  
Secretary of State for Wales

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prohibits the vaccination of any poultry against Marek's disease with a vaccine of the kind specified in the Order (that is to say a vaccine consisting of or containing derivatives of the Rispens strain or the SB1 strain) except under the authority of a licence issued by the appropriate Minister (as defined in the Order) (article 4).

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