

*This Statutory Instrument has been made in consequence of a defect in [SI 2000/2055](#) and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**2008 No. 618**

**ANIMALS, ENGLAND**

**ANIMAL HEALTH**

**The Brucellosis (England) (Amendment) Order 2008**

*Made - - - - 1st March 2008*

*Coming into force - - 6th April 2008*

The Secretary of State, in whom the powers conferred by sections 1 and 8 of the Animal Health Act 1981(1) are now vested(2), makes the following Order in exercise of those powers.

**Title and commencement**

1. This Order may be cited as the Brucellosis (England) (Amendment) Order 2008 and comes into force on 6th April 2008.

**Amendment**

2.—(1) The Brucellosis (England) Order 2000(3) is amended as follows.

(2) For article 4 (restrictions on the movement of bovine animals or steers), substitute—

“4. An officer may, for the purposes of controlling or preventing the spread of brucellosis, serve a notice on the owner or person in charge of bovine animals or steers kept on any premises, prohibiting the movement of bovine animals or steers, or of such bovine animals or steers as are specified in the notice, onto or off the premises, except under the authority of a licence issued by an officer.”

(3) For paragraph (1) of article 5 (movement of bovine animals or steers to specified premises), substitute—

“(1) An officer may, for the purposes of controlling or preventing the spread of brucellosis, serve a notice on the owner or person in charge of bovine animals or steers kept

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(1) 1981 c. 22.

(2) By virtue of section 86(1)(ii) of the 1981 Act, functions relating to brucellosis conferred by that Act on “the Ministers” are exercisable by “the appropriate Minister”. Functions of “the appropriate Minister” were transferred, so far as exercisable by the Minister of Agriculture, Fisheries and Food, to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(3) [S.I. 2000/2055](#).

on any premises, requiring those animals, or such bovine animals or steers as are specified in the notice, to be moved from the premises to such other premises and within such time as may be specified in the notice.”.

(4) For article 13 (animal waste), substitute—

“**13.** Where a notice has been served under article 4 on the owner or person in charge of bovine animals or steers kept on any premises, no manure, slurry or other animal waste may be removed from the premises except under the authority of a licence issued by an officer.”.

*Jeff Rooker*

Minister of State

Department for Environment, Food and Rural

Affairs

1st March 2008

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## EXPLANATORY NOTE

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

This Order amends the Brucellosis (England) Order 2000, ([S.I 2000/2055](#)) (“the 2000 Order”). The 2000 Order implements Council Directive 64/432 on animal health problems affecting intra- Community trade in bovine animals and swine (OJ No L121, 29.07.1964, p 1977) and Council Directive [77/391/EEC](#) introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle (OJ No L145, 13.06.77, p 44).

This Order amends articles 4, 5 and 13 of the 2000 Order. It corrects an erroneous reference to article 5 in article 13 and makes drafting changes to articles 4 and 5, concerning the service of notices restricting the movements of animals. The circumstances in which a notice can be served under article 5 have been changed so they are the same as those in article 4.

No impact assessment has been prepared for this Order as no impact on the private or voluntary sectors is foreseen.