

SCHEDULE 5

Regulation 6(5)

Control of TSE in animals that are not bovine, ovine or caprine

Restriction on a notified animal

1. If an animal, that is not a bovine, ovine or caprine animal is the subject of notification under regulation 5(1) or (2), a veterinary inspector may serve a notice prohibiting the movement of that animal from its holding, pending determination of whether or not the suspected animal is infected with a TSE.

Killing of a suspect animal

2.—(1) If an animal that is not bovine, ovine or caprine is subject to investigation and subsequently suspected by a veterinary inspector of being infected with a TSE, a veterinary inspector may by notice require—

- (a) the isolation of the suspect animal on a particular part of the holding;
- (b) the animal to be killed on the holding immediately;
- (c) the owner to consign the suspect animal to another holding for killing.

(2) A person must not remove from the holding, or dispose of, the body of such an animal that has been killed except as directed by an inspector.

Compensation

3.—(1) Where an animal is required to be killed under paragraph 2, the Secretary of State must pay compensation to the owner for that animal.

(2) The compensation is the market value of the animal at the time it is killed.

(3) For the purposes of this paragraph, the market value is the price that would reasonably be expected to have been obtained for the animal at the date of the regulation 16(2)(e) notice from a buyer on the open market, and on the assumption that the animal was not affected by a TSE.

(4) Where the owner and the Secretary of State cannot agree on a market value the valuation must be carried out in accordance with the procedure laid down in regulation 12(3) to (7) with the owner paying any valuation fee arising.