
STATUTORY INSTRUMENTS

2021 No. 1001

The Tuberculosis in Animals (England) Order 2021

PART 3

Measures applicable to bovine animals

Pre-movement testing

19.—(1) Subject to paragraphs (3) and (4), a person must not move a bovine animal from any premises, unless—

- (a) a skin test has been applied to it no more than 60 days before the date of movement; and
- (b) the results of the test have been read by a veterinary inspector or an approved veterinary surgeon and that veterinary inspector or approved veterinary surgeon has confirmed to the keeper that the test reading did not reveal the animal to be a reactor or an inconclusive reactor.

(2) Where a reading of the test in paragraph (1)(b) does not yield a negative result for tuberculosis, the requirements in article 8(7) and the powers of an inspector in article 8(8) apply.

(3) Bovine animals of the following descriptions do not require a skin test prior to movement from the premises on which they are being kept—

- (a) animals in a herd that is subject to routine testing for tuberculosis less frequently than annually;
- (b) animals that are under 42 days old at the date of the movement;
- (c) animals that are from an area in which they would normally only require testing less frequently than annually, but are subject to routine annual testing for the following public health reasons only—
 - (i) they are on a farm considered by the Secretary of State to be a farm that is open for visits by the public;
 - (ii) they are part of a herd from which the Secretary of State has approved the sale of raw cow's milk for drinking directly to the end consumer, either by retail sale of bottled milk or as part of an on-farm catering business; or
 - (iii) they are part of a herd from which raw cow's milk is regularly used for the manufacture of unpasteurised cheese or other unpasteurised dairy products; and
- (d) animals at a licensed semen collection centre⁽¹⁾.

(4) Paragraph (1) does not apply to the following movements—

- (a) movements specified in Schedule 2; or
- (b) any movement under the authority of a licence issued under this Order.

(1) Semen collection centres are licensed by the Secretary of State under regulation 5 of the Bovine Semen (England) Regulations 2007, [S.I. 2007/1319](#).

Commencement Information

II Art. 19 in force at 1.10.2021, see [art. 1\(1\)](#)

[^{F1}Post-movement skin testing]

20.—[^{F2}(1) When a bovine animal is moved into either—

- (a) the low-risk area from another part of England or from Wales; or
- (b) the specified area from—
 - (i) another part of England, apart from the low-risk area, or
 - (ii) Wales,

the keeper who receives the animal must arrange and pay for a post-movement skin test to be applied to that animal by an approved veterinary surgeon no fewer than 60 days, but no more than 120 days, after the date of arrival at the receiving premises.]

(2) Bovine animals do not require a post-movement skin test if they are—

- (a) slaughtered within 120 days of arrival at the receiving premises;
- (b) moved solely for veterinary treatment [^{F3}into the low-risk area or the specified area or returned to those areas] after veterinary treatment elsewhere, provided that they are returned directly to their premises of origin after the treatment, or are killed or go directly to slaughter;

[^{F4}(c) moved to a show in the low-risk area or the specified area or returned to those areas from a show elsewhere provided—

- (i) immediately after the show they are returned directly to their premises of origin, or are killed or go directly to slaughter; and
- (ii) they were not housed on the showground, and were not otherwise on the showground for more than 24 hours;]

(e) moved directly to one of the following—

- (i) a market from which all animals go directly to slaughter;
- (ii) an exempt market;
- (iii) an approved collecting centre;
- (iv) a licensed finishing unit;
- [^{F5}(v) an approved finishing unit; or
- (vi) an exempt finishing unit];

(f) moved under the authority of a movement licence issued by an inspector;

(g) moved from herds in the low-risk area.

(3) Where paragraph (1) does not apply but a bovine animal is moved onto any premises, the Secretary of State may, by notice served on the keeper of that bovine animal—

- (a) require the keeper to have the bovine animal tested with a post-movement skin test no fewer than 60 days, but no more than 120 days, after the date of arrival of that animal;
- (b) inform the keeper that the keeper must arrange and pay for such a post-movement skin test.

(4) Where a bovine animal is required to have a post-movement skin test under paragraph (1) or (3), no person may move that animal from the receiving premises until the skin test has been completed and subject to its having negative results, unless the move is—

- (a) directly (or via an approved TB slaughter gathering) to slaughter;
 - ^{F6}(b) directly to a licensed finishing unit;
 - (c) directly (or via an exempt market) to an approved finishing unit or an exempt finishing unit; or
 - (d) made under the authority of a licence issued by an inspector.]
- (5) Where a bovine animal is required to have a post-movement skin test but remains untested more than 120 days after that animal arrived at the receiving premises—
- (a) the test will be treated by the Secretary of State as overdue; and
 - (b) an inspector must impose movement restrictions on all bovine animals on the premises until the overdue [^{F7}post-movement skin test] has been completed and subject to its having negative results.
- (6) Where a post-movement skin test is required under this article, the keeper must comply with any requirement set out in a notice given under paragraph (3) or any reasonable requirements of an inspector or an approved veterinary surgeon in order to facilitate the application and reading of the skin test, and, in particular, must arrange at the keeper's own expense for the collection, penning and securing of the bovine animal which requires such a skin test.

Textual Amendments

- F1** Art. 20 heading substituted (1.8.2023) by [The Tuberculosis in Animals \(England\) \(Amendment\) Order 2023 \(S.I. 2023/867\)](#), arts. 1(1), **2(4)(a)**
- F2** Art. 20(1) substituted (1.8.2023) by [The Tuberculosis in Animals \(England\) \(Amendment\) Order 2023 \(S.I. 2023/867\)](#), arts. 1(1), **2(4)(b)**
- F3** Words in art. 20(2)(b) substituted (1.8.2023) by [The Tuberculosis in Animals \(England\) \(Amendment\) Order 2023 \(S.I. 2023/867\)](#), arts. 1(1), **2(4)(c)(i)**
- F4** Art. 20(2)(c) substituted for art. 20(2)(c)(d) (1.8.2023) by [The Tuberculosis in Animals \(England\) \(Amendment\) Order 2023 \(S.I. 2023/867\)](#), arts. 1(1), **2(4)(c)(ii)**
- F5** Art. 20(2)(e)(v)(vi) inserted (1.8.2023) by [The Tuberculosis in Animals \(England\) \(Amendment\) Order 2023 \(S.I. 2023/867\)](#), arts. 1(1), **2(4)(c)(iii)**
- F6** Art. 20(4)(b)-(d) substituted for art. 20(4)(b)(c) (1.8.2023) by [The Tuberculosis in Animals \(England\) \(Amendment\) Order 2023 \(S.I. 2023/867\)](#), arts. 1(1), **2(4)(d)**
- F7** Words in art. 20(5)(b) substituted (1.8.2023) by [The Tuberculosis in Animals \(England\) \(Amendment\) Order 2023 \(S.I. 2023/867\)](#), arts. 1(1), **2(4)(e)**

Commencement Information

- I2** Art. 20 in force at 1.10.2021, see [art. 1\(1\)](#)

Exempt markets

21.—(1) The Secretary of State may approve a market to handle and sell bovine animals that have been moved without the requirement for a pre-movement test (“an exempt market”).

- (2) The approval must specify—
- (a) the operator of the exempt market;
 - (b) the premises on which the exempt market is to be held;
 - (c) the dates and times for the holding of the exempt market; and
 - (d) the conditions with which the operator of the exempt market must comply.

(3) The operator of an exempt market must separate animals in or entering the exempt market from bovine animals present on other parts of the premises where the exempt market is located.

(4) A person must not purport to hold an exempt market unless it is approved under paragraph (1).

(5) A person must not move a bovine animal from an exempt market except directly to a permitted destination.

(6) A person must not move a bovine animal that is not separate from animals in or entering an exempt market as required by paragraph (3) except directly to a permitted destination.

(7) In this article, “permitted destination” means—

(a) in respect of bovine animals that are subject to routine testing less frequently than annually, an [F8 exempt finishing unit or approved finishing unit] or a slaughterhouse; and

(b) in respect of all other bovine animals, an [F8 exempt finishing unit or approved finishing unit], a slaughterhouse, or the premises from which they were brought.

(8) A market in Scotland or Wales that is approved by the Scottish Ministers or the Welsh Ministers respectively for the same purpose as an exempt market is deemed to be an exempt market for the purposes of article 20(2)(e) and Schedule 2.

Textual Amendments

F8 Words in art. 21(7) substituted (1.8.2023) by [The Tuberculosis in Animals \(England\) \(Amendment\) Order 2023 \(S.I. 2023/867\)](#), arts. 1(1), **2(5)**

Commencement Information

I3 Art. 21 in force at 1.10.2021, see [art. 1\(1\)](#)

Exempt finishing units, approved finishing units and approved collecting centres

22.—(1) The Secretary of State may approve—

(a) a finishing unit to take bovine animals that have been moved without the requirement for a pre-movement test (“an exempt finishing unit”);

(b) a finishing unit (“an approved finishing unit”) that is—

(i) in an area that is subject to routine surveillance testing of bovine herds for tuberculosis at least annually;

(ii) permanently under movement restrictions;

(iii) licensed by an inspector to take bovine animals from restricted and unrestricted herds for fattening and finishing until they are moved to slaughter; and

(iv) licensed either for bovine animals to be permanently housed, or for the bovine animals to be grazed on contiguous land on the unit;

(c) a collecting centre to take bovine animals that come from a restricted herd (“an approved collecting centre”).

(2) An approved finishing unit and an approved collecting centre are also approved to take bovine animals that have been moved without a pre-movement test.

(3) The approval referred to in paragraph (1) must specify—

(a) the operator;

(b) the premises or the part of the premises on which the exempt finishing unit, approved finishing unit or approved collecting centre may be situated; and

- (c) the conditions with which the operator of that finishing unit or collecting centre must comply.
- (4) The operator of an exempt finishing unit, an approved finishing unit or an approved collecting centre must separate animals in or entering the finishing unit or collecting centre from bovine animals present on other parts of the premises where that finishing unit or collecting centre is located.
- (5) A person must not purport to operate an exempt finishing unit, approved finishing unit or approved collecting centre unless it is approved under paragraph (1).
- (6) A person must not move a bovine animal from an exempt finishing unit, an approved finishing unit or approved collecting centre except—
- (a) to take it directly to slaughter; or
 - (b) under the authority of a licence issued by a veterinary inspector.
- (7) A person must not move a bovine animal that is not separated from animals in or entering an exempt finishing unit, an approved finishing unit or an approved collecting centre as required by paragraph (4) except—
- (a) to take it directly to slaughter, or
 - (b) under the authority of a licence issued by a veterinary inspector.
- (8) An exempt finishing unit in Scotland or Wales that is approved by the Scottish Ministers or the Welsh Ministers respectively for the same purpose as an exempt finishing unit is deemed to be an exempt finishing unit for the purposes of this article of and Schedule 2 to this Order.
- (9) An approved finishing unit in Scotland or Wales that is approved by the Scottish Ministers or the Welsh Ministers respectively for the same purpose as an approved finishing unit is deemed to be an approved finishing unit for the purposes of articles 20(4), 21(7) and this article of and Schedule 2 to this Order.
- (10) A collecting centre in Scotland or Wales that is approved by the Scottish Ministers or the Welsh Ministers respectively for the same purpose as an approved collecting centre is deemed to be an approved collecting centre for the purposes of article 20(2)(e)(iii), this article of and Schedule 2 to this Order.

Commencement Information

I4 Art. 22 in force at 1.10.2021, see [art. 1\(1\)](#)

Publication of information

23.—(1) The Secretary of State may publish information regarding how long a bovine herd has had officially tuberculosis-free status for the purpose of helping other persons to protect against the further spread of tuberculosis.

(2) Where a bovine herd loses its officially tuberculosis-free status the Secretary of State may publish information regarding that herd for the purpose of helping other persons to protect against the further spread of tuberculosis.

(3) Information which may be published under paragraph (1) or (2) may be published in any form that the Secretary of State sees fit.

Commencement Information

I5 Art. 23 in force at 1.10.2021, see [art. 1\(1\)](#)

Changes to legislation: There are currently no known outstanding effects for the The Tuberculosis in Animals (England) Order 2021, PART 3. (See end of Document for details)

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