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WELSH STATUTORY INSTRUMENTS

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**2014 No. 632**

**The Tuberculosis (Miscellaneous  
Amendments) (Wales) Order 2014**

**Amendments to the Tuberculosis (Wales) Order 2010**

2.—(1) The Tuberculosis (Wales) Order 2010(1) is amended as follows.

(2) In article 2 (interpretation)—

(a) after the definition of “approved disinfectant” insert—

““approved veterinary surgeon” (*“milfeddyg cymeradwy”*) means a veterinary surgeon who is approved in accordance with article 2A;”;

(b) for the definition of “relevant test” substitute—

““relevant test” (*“prawf perthnasol”*) means—

(a) a skin test; or

(b) any other diagnostic test for tuberculosis approved by the Welsh Ministers;”.

(3) After article 2 insert—

**“Approval of veterinary surgeons**

2A.—(1) The Welsh Ministers may approve a veterinary surgeon where—

(a) the veterinary surgeon has undertaken any training as required by the Welsh Ministers, and

(b) the Welsh Ministers are of the opinion that the veterinary surgeon is suitable to carry out functions conferred on an approved veterinary surgeon by this Order.

(2) The Welsh Ministers may by notice revoke any such approval, giving reasons for the revocation.”

(4) In article 12 (tuberculosis testing)—

(a) in paragraph (2) after the words “requirements of an inspector” insert “or an approved veterinary surgeon”;

(b) in sub-paragraph (a) of paragraph (2) after the word “inspector” insert “or an approved veterinary surgeon”;

(c) for paragraph (3) substitute—

“(3) The requirements on the keeper in paragraph (3A) apply where—

(a) a relevant test has been applied to a bovine animal;

(b) the result of that test has been read by an inspector, or an approved veterinary surgeon, and that result communicated to the keeper; and

(c) the inspector or the approved veterinary surgeon is satisfied that the test reading reveals the bovine animal to be either a reactor, or an inconclusive reactor.

(3A) The requirements are—

- (a) that no bovine animal be moved on or off the premises on which the reactor or inconclusive reactor is kept except under the authority of a licence issued by an inspector;
- (b) to ensure that every reactor and inconclusive reactor is isolated from other animals;
- (c) to permit every reactor to be marked by the person who read the relevant test or by an officer of the Welsh Ministers;
- (d) not to place any milk from a reactor dairy cow in a bulk milk tank; and
- (e) where the reactor resides on premises with a milking herd, to inform every commercial buyer which buys milk from that herd of the loss of tuberculosis-free status of the dairy herd.

(3B) An inspector may by notice amend or disapply the requirement referred to in paragraph (3A)(a) or (b) at any time.”; and

(d) after paragraph (7) insert—

“(8) The inspector or approved veterinary surgeon reading the result of a relevant test which reveals a reactor or inconclusive reactor must report such test result as soon as reasonably practicable to the Welsh Ministers.

(9) In this article—

“inconclusive reactor” (*“adweithydd amhendant”*) means a bovine animal that reveals a non-negative reading when tested for tuberculosis, but is not regarded as a reactor; and

“loss of tuberculosis-free status” (*“colli ei statws rhydd rhag twbercwlosis”*) means the herd no longer satisfies the conditions laid down in Annex A.I, paragraphs 1 and 2 of Council Directive [64/432/EEC](#) on animal health problems affecting intra-Community trade in bovine animals and swine.”

(5) In article 13 (pre-movement testing)—

- (a) in paragraph (1)(b) after “inspector” insert “or an approved veterinary surgeon”; and
- (b) after paragraph (1) insert—

“(1A) Where a reading of the test in paragraph (1)(b) does not reveal a negative result for tuberculosis the requirements in article 12(3A) apply.”

(6) In paragraph (1) of article 14 (tuberculosis test records) after “inspector” insert “or an approved veterinary surgeon”.

(7) In article 21 (marking of bovine animals)—

- (a) for paragraph (1) substitute—

“(1) If directed to so by an inspector or an approved veterinary surgeon, the keeper must mark any bovine animal in the manner required by the inspector or the approved veterinary surgeon.”; and

- (b) in paragraph (2) after “inspector” insert “or, the approved veterinary surgeon”.