

Copyright (c) Queen's Printer,

Victoria, British Columbia, Canada

B.C. Reg. 150/66

O.C. 2249/66

IMPORTANT INFORMATION

Animal Disease Control Act

Animal Disease Control Regulation

[includes amendments up to B.C. Reg. 4/2010, January 14, 2010]

Contents

Division 1 — Definitions

1.01 Definitions

Division 2 — Contagious or Infectious Disease

2.01 Repealed

2.02 Infectious laryngotracheitis

2.03-2.04 Repealed

2.05 Mycoplasma gallisepticum

2.06 Influenza A

2.07 Newcastle disease

Division 3 — Inspection and Quarantine or Isolation

3.01 Assembly of animals for testing or treatment

3.02 Cleansing and disinfection of premises

3.03 Quarantine

3.04 Marking of diseased animals

3.05 Minister may meet costs of testing, treatment, etc.

3.06 Owner responsible for costs of testing, treatment, etc.

3.07 Infectious laryngotracheitis

3.08 Reporting of certain diseases

3.09 Retention of specimens

Division 4 — Appeal

4.01 Appeals

4.02 Crown not liable for compensation

Division 5 — General

5.01 Designation of inspectors as federal inspectors

5.02 Records of auctions

5.03 Marking of animals for testing, etc.

5.04 Form of documents

Division 6 — Licensing

6.01 Definitions

6.02 Application for a licence

6.03 Term of a licence

[6.04 Nominee under a livestock dealer's licence](#)

[6.05 Exemption from section 18.1 \(3\) of the *Animal Disease Control Act*](#)

[6.06 Bonding](#)

[6.07 Minimum amount of a bond](#)

[6.08 Duties of the director on default by a licensee](#)

[6.09 Exemptions](#)

[Schedule 1](#)

[Schedule 2](#)

[Schedule 3](#)

[Schedule 4](#)

Division 1 — Definitions

Definitions

1.01 (1) In this regulation, unless the context otherwise requires:

"Act" means the *Animal Disease Control Act*;

"inspector" means an inspector within the meaning of the *Animal Disease Control Act*;

"operator" means the operator of a public sale yard or slaughterhouse licensed under Division 6.

(2) For the purposes of the Act and this regulation, animal means

(a) a horse, mule, ass, swine, sheep or goat,

(b) a deer, reindeer, moose, elk or bison domestically reared or kept,

(c) a farm bred fur bearing animal,

(d) an animal of the avian species by whatever technical or familiar name known,

(e) an animal of the bovine species by whatever technical or familiar name known, or

(f) aquatic animals that are grown or cultivated for commercial purposes

(i) in any water environment or fabricated containers of water, or

(ii) in or under the foreshore.

[am. 1988-31-5; B.C. Regs. 330/93, s. 1; 228/2000, App. 1, s. 1; 62/2004, s. 1; 4/2010, ss. 3.]

Division 2 — Contagious or Infectious Disease

Repealed

2.01 Repealed. [B.C. Reg. 330/93, s. 2.]

Infectious laryngotracheitis

2.02 Infectious laryngotracheitis (I.L.T.) of an animal of the avian species is hereby declared to be an infectious or contagious disease for the purposes of the Act.

[am. B.C. Reg. 330/93, s. 3.]

Repealed

2.03-2.04 Repealed. [B.C. Reg. 330/93, s. 4.]

Mycoplasma gallisepticum

2.05 *Mycoplasma gallisepticum* in turkeys is declared to be an infectious or contagious disease for the purposes of the Act.

[en. B.C. Reg. 234/95, s. 1.]

Influenza A

2.06 Influenza A in swine or avian species is declared to be an infectious or contagious disease for the purposes of the Act.

[en. B.C. Reg. 39/2007, s. (a).]

Newcastle disease

2.07 Newcastle disease in avian species is declared to be an infectious or contagious disease for the purposes of the Act.

[en. B.C. Reg. 39/2007, s. (a).]

Division 3 — Inspection and Quarantine or Isolation

Assembly of animals for testing or treatment

3.01 Every owner of animals shall assemble the same, or any number of species thereof, for inspection, testing, treatment, vaccination or immunization for disease at such time or times and at such place or places, and shall provide such further facilities for the holding and restraining of such animals as may be directed by an inspector, and in the event of default by the owner in assembling his animals or providing such facilities as aforesaid, after giving 3 days written notice of such direction, the inspector may provide for the collection, removal, testing, treatment, vaccination and immunization of any such animals and for the said facilities at the cost of the owner, which cost shall be recoverable in any court of competent jurisdiction as a debt to the Crown.

Cleansing and disinfection of premises

3.02 All buildings, corrals and auction premises wherein animals are housed or detained and all equipment used in connection with animals and every vehicle, crate or other means of conveyance of animals shall be cleansed and disinfected at such times and in such manner as may be directed by an inspector, and no person shall after such direction use or cause to be used any such buildings, corrals or auction premises or any such vehicle, crate or other means of conveyance until the direction of the inspector in respect of such cleansing and disinfection has been complied with.

Quarantine

3.03 Where an animal or any farm where a diseased animal is found or kept is placed in quarantine in accordance with the provisions of the Act, such quarantine shall continue until an inspector is satisfied that such animal and all other animals on such farm or other place with which the diseased animal may have had contact are free from disease. The inspector may thereupon, by notice in writing to the owner of such animal or farm or other place or to the person having custody of the same, lift the quarantine, and he shall thereupon forthwith notify the minister. If after inspection, testing, vaccination or other proper treatment the inspector is satisfied that disease continues to exist in any animal and that the health of other animals or persons is likely to be affected thereby, he may by permit

(herein called a "permit for slaughter") allow the removal of such animal for the purpose of slaughter only. Every permit for slaughter shall contain such provisions respecting the removal and slaughter as the minister may prescribe.

Marking of diseased animals

3.04 Every inspector shall have power to brand or otherwise mark for identification any animal which is found by any recognized test to be suffering from disease and to require the removal of such animal forthwith from the herd or farm or other place where it is found to a place of quarantine.

Minister may meet costs of testing, treatment, etc.

3.05 The minister may, for purposes of control or prevention of an infectious or contagious disease, pay the costs of testing, treatment, vaccination or immunization of animals in such part or parts of the Province and for such time or times as he may deem advisable.

Owner responsible for costs of testing, treatment, etc.

3.06 Except in any part of the Province designated by the minister under section 3.05, the cost of testing, treatment, vaccination or immunization of animals, for purposes of control or prevention of an infectious or contagious disease, shall be paid by the owner, and such cost shall be recoverable in any court of competent jurisdiction as a debt to the Crown.

Infectious laryngotracheitis

3.07 (1) For the purpose of containing and suppressing infectious laryngotracheitis in poultry flocks in that area of the Province that lies to the south of the 50° parallel of north latitude and westerly from the 121° meridian of west longitude to the Strait of Georgia on and after January 1, 1972, no person shall produce chicks of the species *Gallus domesticus* except from eggs obtained from a hatchery supply flock in respect of which he has in his possession a copy of a certificate of vaccination issued by the authority of the minister.

(2) No person in that area shall move or cause to be moved any chickens from one premises to another unless that movement is accompanied by a copy of a certificate of vaccination issued in respect to those particular chickens, excepting baby chicks and chickens destined for immediate slaughter.

(3) In the event that baby chicks are produced from eggs from a hatchery supply flock that is not located in that area, they shall be vaccinated for infectious laryngotracheitis by the hatchery prior to their placement on any other premises and shall be accompanied by a certificate of vaccination.

(4) In the event that any chickens that have been produced outside the area and subsequently brought into the area, they shall be vaccinated for infectious laryngotracheitis by the hatchery or by those persons who caused them to be brought into the area prior to being placed on any premises, excepting baby chicks for breeder replacement flocks.

(5) In the event of an outbreak or a suspected outbreak of infectious laryngotracheitis on any premises within the Province, it shall be contrary to these regulations to move those chickens to any other premises until suitable specimens have been submitted to the Provincial Veterinary Laboratory and permission for such movement is given in writing by an inspector.

Reporting of certain diseases

3.08 A person registered under the *Veterinarians Act* and engaged in the private practice of veterinary medicine shall report every case of the diseases listed in Schedule 1 to this regulation to the person in charge of the Veterinary Laboratory, British Columbia Ministry of Agriculture and Lands, Abbotsford, within 24 hours of his diagnosis of the disease, stating the address of the premises where the animal is and the name of the person in charge of the premises.

[am. B.C. Regs. 228/2000, App. 1, s. 2; 4/2010, s. 3.]

Retention of specimens

3.09 Specimens from which the diagnosis has been made shall be retained for a minimum period of 7 days and made available to the Head, Veterinary Laboratory, British Columbia Ministry of Agriculture and Lands upon his request.

[am. B.C. Reg. 4/2010, s. 3.]

Division 4 — Appeal

Appeals

4.01 Any person aggrieved by any decision, direction or order of an inspector may appeal to the minister in respect thereof. Such appeal shall be made by notice in writing posted to the Minister, Parliament Buildings, Victoria, B.C., by registered mail within 7 days of the decision, direction or order complained of, setting out the matters in respect of which the appeal is taken. Pending the disposition of such appeal, the minister may, at his absolute discretion, stay action on the decision, direction or order appealed against on such conditions as to the quarantine or isolation of animals or otherwise in the public interest as he may deem advisable and may, in his absolute discretion, dispose of the appeal on the facts set out in such notice and in the report of the inspector, or he may direct a hearing thereon at such time and place and subject to such conditions as he may direct, and the decision of the minister on any such appeal shall be final and binding for all purposes.

Crown not liable for compensation

4.02 The Crown shall not be liable to pay compensation in respect of any animal slaughtered in accordance with this regulation.

Division 5 — General

Designation of inspectors as federal inspectors

5.01 The minister may, at the request of the appropriate Federal authority, consent in writing to the designation by such Federal authority of any or all inspectors under this Act as inspectors under the Health of Animals Branch of Agriculture (Canada).

Records of auctions

5.02 Every person conducting any auction sale of animals and every person selling or purchasing any animal at such auction sale shall, at the request of an inspector, produce for his inspection all records pertaining to such animal and in particular, but without limiting the generality of the foregoing, such records as may indicate the origin, status and destination of the animal.

Marking of animals for testing, etc.

5.03 All animals inspected, tested, treated, vaccinated, inoculated or immunized, or to be inspected, tested, treated, vaccinated, inoculated or immunized, for disease shall be tagged, tattooed, branded or otherwise marked for identification, as the minister may direct.

Form of documents

5.04 All certificates, permits and other documents necessary for the purposes of the Act and this regulation shall be in such form as may be prescribed by the minister from time to time.

Division 6 — Licensing

Definitions

6.01 In this Division:

"director" means a person designated by the minister to act as the director under this Division;

"livestock" includes swine, sheep and goats.

[en. B.C. Reg. 228/2000, App. 1, s. 3.]

Application for a licence

6.02 An application for a slaughterhouse licence, a licence to deal in hides, a public sale yard licence, an auctioneer’s licence or a livestock dealer’s licence must be made in a manner and form specified by the director and be accompanied by the applicable fee specified in Schedule 4.

[en. B.C. Reg. 228/2000, App. 1, s. 3; am. B.C. Reg. 62/2004, s. 2.]

Term of a licence

6.03 (1) A slaughterhouse licence, licence to deal in hides or livestock dealer's licence expires on March 31 next following its date of issue.

(2) An auctioneer's licence or a public sale yard licence expires on December 31 next following its date of issue.

[en. B.C. Reg. 228/2000, App. 1, s. 3; am. B.C. Reg. 62/2004, s. 3.]

Nominee under a livestock dealer's licence

6.04 If the applicant for a livestock dealer's licence is not a single individual

(a) the applicant must nominate an individual to be named on the licence as its agent for the exercise of its rights and privileges under the licence,

(b) the director must amend the licence to substitute another individual as agent if the licensee requests this in writing, and

(c) only the individual named under paragraph (a) or (b) may exercise the rights and privileges on behalf of the licensee under the licence.

[en. B.C. Reg. 228/2000, App. 1, s. 3.]

Exemption from section 18.1 (3) of the *Animal Disease Control Act*

6.05 (1) Section 18.1 (3) of the *Animal Disease Control Act* does not apply to a person who is

(a) a livestock owner who raises livestock and has had possession of the animals from birth or for a period of at least 3 months and who slaughters them on property either owned by him or under his control;

(b) an owner of premises licensed as a fur farm under the *Fur Farm Act* if the meat is being used as animal food to feed animals owned by the owner of the fur farm;

(c) a person who slaughters livestock to feed dogs owned by him or for his own use for predator bait.

(2) Subsection (1) does not apply if the livestock is purchased for the express purpose of slaughter and sale of the meat.

[en. B.C. Reg. 228/2000, App. 1, s. 3.]

Bonding

6.06 (1) An applicant for a slaughterhouse operator's licence or livestock dealer's licence must furnish to the director, and a holder of a slaughterhouse operator's licence or livestock dealer's licence must maintain, security in the form of a bond, in favour of the government as obligee and holder of the bond, of a surety licensed under the *Insurance Act*, as security against default by the licensee of payment of money due for the purchase price of livestock purchased by, through or on behalf of the licensee.

(2) A bond described in subsection (1) must provide that no claim may be made, or action brought, against the bond after 2 years from

(a) the expiration or cancellation of the slaughterhouse operator's licence or livestock dealer's licence, or

(b) the cancellation by the bonding company of the bond.

[en. B.C. Reg. 228/2000, App. 1, s. 3.]

Minimum amount of a bond

6.07 (1) The minimum amount of the bond for a person who holds a slaughterhouse operator's licence is the amount shown in Schedule 2 in the column headed "Amount of Bond" opposite the number of livestock purchased by the slaughterhouse operator in the 12 months immediately preceding the recorder's receipt of the application for the licence.

(2) The minimum amount of the bond for a livestock dealer who holds a livestock dealer's licence is the amount shown in Schedule 3 in the column headed "Amount of Bond" opposite the number of livestock purchased by the livestock dealer in 12 months immediately preceding the recorder's receipt of the application for the licence.

[en. B.C. Reg. 228/2000, App. 1, s. 3.]

Duties of the director on default by a licensee

6.08 On receiving information in writing that the holder of a slaughterhouse operator's licence or livestock dealer's licence is in default on the payment of money due for the purchase price of livestock, the director may, by publication in a newspaper published in the area where the licensee's place of business is located, give notice that

(a) the government intends to claim against the bond furnished by the licensee,

(b) any person to whom the licensee owes money for the purchase should claim by giving particulars of the indebtedness to the director by a date, at least 3 months following the first publication in the newspaper, specified in the notice, and

(c) the distribution of net proceeds recovered by the government under the bond will only be on a *pro rata* basis in response to claims received under paragraph (b) and verified.

[en. B.C. Reg. 228/2000, App. 1, s. 3.]

Exemptions

6.09 Section 18.1 (1) (c) of the *Animal Disease Control Act* does not apply to

(a) persons buying livestock sold by 4-H club members at 4-H sponsored livestock sales,

(b) operators of sales where purebred cattle only are sold,

(c) operators of livestock sales at agricultural fairs registered and in good standing with the B.C. Fairs Association, and

(d) persons buying livestock through a licensed livestock dealer other than at a saleyard.

[en. B.C. Reg. 228/2000, App. 1, s. 3.]

Schedule 1

[en. B.C. Reg. 330/93, s. 5; am. B.C. Regs. 234/95, s. 2;

228/2000, App. 1, s. 4; 39/2007, s. (b).]

Infectious laryngotracheitis

Influenza A in swine or avian species

Mycoplasma gallisepticum in turkeys

Newcastle disease in avian species

Schedule 2

[en. B.C. Reg. 228/2000, App. 1, s. 4.]

Slaughterhouse Operator's Bond

[Section 6.07 (1)]

Number of Livestock Purchased	Amount of Bond
1 500 or less	\$10 000
1 501 to 5 000	\$20 000
5 001 to 25 000	\$50 000
25 001 to 50 000	\$100 000
50 001 to 100 000	\$200 000
Over 100 000	\$400 000

Schedule 3

[en. B.C. Reg. 228/2000, App. 1, s. 4.]

Livestock Dealers Bond

[Section 6.07 (2)]

Number of Livestock Purchased	Amount of Bond
2 500 or less	\$20 000
2 501 to 40 000	\$40 000
40 001 to 100 000	\$100 000
100 001 to 200 000	\$150 000
Over 200 000	\$250 000

Schedule 4

[en. B.C. Reg. 228/2000, App. 1, s. 4; am. B.C. Reg. 62/2004, s. 4.]

Licence Application Fees

[Section 6.02]

Item	Fee
For a licence to deal in hides	\$58
For a slaughterhouse licence	\$58
For a livestock dealer's licence	\$69
For a livestock dealer's agent's licence	\$46
For an auctioneer's licence	\$50
For a public sale yard operator's licence	\$50

[Provisions of the *Animal Disease Control Act*, R.S.B.C. 1996, c. 14, relevant to the enactment of this regulation: section 20]

Copyright (c) Queen's Printer, Victoria, British Columbia, Canada