

S.I. No. 86/1996 — Brucellosis in Cattle (General Provisions) (Amendment) Order, 1996.

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BRUCELLOSIS IN CATTLE (GENERAL PROVISIONS) (AMENDMENT) ORDER, 1996.

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I, IVAN YATES, Minister for Agriculture, Food and Forestry, in exercise of the powers conferred on me by sections 3, 13, 20 and 27 of the Diseases of Animals Act, 1966 (No. 6 of 1966) as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order, 1993 (S.I. No. 11 of 1993), hereby order as follows:

1. (1) This Order may be cited as the Brucellosis in Cattle (General Provisions) (Amendment) Order, 1996.

(2) This Order shall come into operation on the 1st day of April, 1996.

2. In this Order the "Principal Order" means the Brucellosis in Cattle (General Provisions) Order, 1991 (S.I. No. 114 of 1991).

3. Article 2 of the Principal Order is hereby amended by the deletion of the definition of "herdowner".

4. Article 5 (2) of the Principal Order is hereby amended by the substitution of the following subparagraph for subparagraph (b):

"(b) where a registered veterinary surgeon, a veterinary inspector or an officer of the Minister authorised under section 25 (3) of the Act to take a sample enters on any land with the intention of thereon taking samples, he shall require the owner, occupier or person in charge of the land to make a declaration in writing in the form specified in the First Schedule of this Order".

5. Article 7 (1) of the Principal Order is hereby amended by the substitution of the following paragraph for paragraph (b):

"(b) as respects any animal on a holding there has been a failure to comply with—

(i) a provision of the Act, or of this Order, or

(ii) a requirement under paragraph (1) of Article 33A of this Order,".

6. The Principal Order is hereby amended by the insertion of the following articles:

"33A (1) The Minister may, from time to time, by notice in the form set out in the Seventh Schedule to this Order, served on the owner, require the owner to have each animal in the herd tested within such period and in accordance with such directions as may be specified in the notice.

(2) An owner who fails to comply with a requirement under paragraph (1) of this Article shall be guilty of an offence.

(3) Where an owner fails to comply with a requirement under paragraph (1) of this Article a veterinary inspector may test each animal in the herd to which a notice under the said paragraph (1) relates. The cost of such a test may be recovered by the Minister from the herdowner as a simple contract debt in any court of competent jurisdiction.

(4) In this Article "owner", in relation to a herd, means the owner or person in charge of the herd.

33B (1) Any notice required to be served under Article 33A of this Order shall be addressed to the person concerned and served in one of the following ways:

(a) by delivering it to the person concerned,

(b) by leaving it at the address at which the person ordinarily resides,

(c) by sending it by post in a prepaid registered letter addressed to the person at the address at which he or she ordinarily resides or at that person's last known residence or place of business in the State, or

(d) if an address for the service of notices has been furnished by the person, by leaving it at, or sending it by prepaid registered post addressed to the person to that address.

(2) Where the name of the person concerned cannot be ascertained by reasonable inquiry, a notice under Article 33A of this Order may be addressed to "the owner".

(3) For the purposes of this section, a company registered under the Companies Acts, 1963 to 1990, shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body shall be deemed to be ordinarily resident at its principal office or place of business".

7. The Principal Order is hereby amended by the substitution of the following Schedule for the Fifth Schedule:

"FIFTH SCHEDULE

(Front)

Article 2

Serial No.

AN ROINN TALMHAÍOCHTA AGUS BIA

CATTLE IDENTITY CARD

Tag No.	Colour or Breed.....	SEX	MALE
		FEMALE	

The animal described above is from Herd
No.

The date of the

(a) last test of the animal/herd for tuberculosis was
.....

(b) last test of the animal/herd for brucellosis was
.....

Signature of Issuing Officer..... Date
.....

CERTIFICATE OF ANY FURTHER TUBERCULOSIS TESTING

I certify that this animal passed the test indicated below and that no animal failed the test

Date of Test	Herd No.	Signature of Veterinary Surgeon
1.....
2.....
3.....
4.....
5.....

1. Any alteration to this card renders it invalid.

2. Card must be surrendered:

(a) To new owner at time of sale or disposal of animal.

(b) To Local District Veterinary Office on death or slaughter or on leaving area.

(Back)

CERTIFICATE OF ANY FURTHER BRUCELLOSIS TESTING

I certify that this animal passed the test indicated below and that no animal failed the test.

Date of Test	Type	Herd No.	Signature of Certifier
1.....			
2.....			
3.....			
4.....			
5.....			

RECORD OF SALE AT MARTS

Date of Sale	Code No. of Mart	Lot No.	Signature of Mart Official	Date of Sale	Code No. of Mart	Lot No.	Signature of Mart Official
.....							
.....							
.....							
.....							

RECORD OF VETERINARY SUBSTANCE(S) ADMINISTERED TO ANIMAL

Substance Used	Expiry Date of Withdrawal Period	Signature of Veterinary Surgeon and Code Number
1.....		
2.....		
3.....		
4.....		
5.....		

8. The Principal Order is hereby amended by the addition of the following new Schedule:

"SEVENTH SCHEDULE

Article 33A

BRUCELLOSIS IN CATTLE (GENERAL PROVISIONS) ORDER, 1991.

NOTICE UNDER ARTICLE 33A (1)

(inserted by the Brucellosis in Cattle (General Provisions) (Amendment) Order, 1996)

To
of

you are hereby required to have each animal at _____ tested for brucellosis within _____

days from the date of this notice in accordance with the following directions:

Failure to comply with the terms of this notice is an offence.

Minister for Agriculture, Food and Forestry:

Date:

".

GIVEN under my Official Seal this 28th day of March, 1996.

IVAN YATES,

Minister for Agriculture, Food and Forestry.

EXPLANATORY NOTE.

This Order requires owners or persons in charge of a herd to have their animals tested for brucellosis within a period specified by the Minister.
