



STATUTORY INSTRUMENTS.

**S.I. No. 307 of 2010**

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BOVINE TUBERCULOSIS (ATTESTATION OF THE STATE AND  
GENERAL PROVISIONS) (AMENDMENT) ORDER, 2010.

**(Prn. A10/0924)**

S.I. No. 307 of 2010

## BOVINE TUBERCULOSIS (ATTESTATION OF THE STATE AND GENERAL PROVISIONS) (AMENDMENT) ORDER, 2010.

I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food in exercise of the powers conferred on me by sections 3, 13, 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 2007 (S.I. No. 707 of 2007), hereby make the following order:

1. This Order may be cited as the Bovine Tuberculosis (Attestation of the State and General Provisions) (Amendment) Order 2010.

2. The Bovine Tuberculosis (Attestation of the State and General Provisions) Order 1989 (S.I. No. 308 of 1989) is amended—

(a) by the substitution for Article 17 of—

“17. (1) An animal, other than free animal, may not be moved into any holding except in accordance with a movement permit.

(2) An animal over six weeks of age shall not be moved into a holding or other land, unless—

(a) during the twelve months immediately preceding the date of movement, it has given a negative result to a test, or,

(b) it is moved in accordance with a movement permit.

(3) An animal over six weeks of age shall not be moved out of a holding or other land, unless—

(a) during the twelve months immediately preceding the date of movement the animal has given a negative result to a test, or,

(b) it is moved in accordance with a movement permit.

(4) Notwithstanding paragraph (3), if an animal over six weeks of age—

(a) is moved directly from a holding to a place of slaughter,

(b) comes from a herd which has not been tested in the preceding 12 months and,

(c) has not been tested in the preceding 12 months,

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 29th June, 2010.*

the Minister shall issue a notice in the form set out in Part I of the Ninth Schedule to this Order with immediate effect prohibiting the movement of any animal on or off the holding unless such movement is authorised by the local District Veterinary Office.

(5) Notwithstanding paragraph (3), if an animal over six weeks of age is moved directly from a holding to a place of slaughter from a herd that has been tested in the preceding 12 months and—

- (a) the animal has not been tested—
  - (i) in the preceding 12 months but has been tested in the preceding 18 months, or,
  - (ii) since birth and is over 14 months of age,

the Minister may issue a notice in the form set out in Part II of the Ninth Schedule to this Order with immediate effect restricting the movement of any animal over six weeks of age into or out of the holding unless authorised by the local District Veterinary Office, or,

- (b) the animal has not been tested in more than 18 months

the Minister shall issue a notice in the form set out in Part II of the Ninth Schedule to this Order with immediate effect restricting the movement of any animal over six weeks of age into or out of the holding unless authorised by the local District Veterinary Office.

- (6) (a) Paragraphs (4) or (5) shall not apply to herds that have a pre-registered agreement with the local District Veterinary Office and are referred to as “feedlots” provided that such feedlots adhere to the testing conditions set out in that agreement.
- (b) A notice issued under paragraph (4) shall be addressed to the owner or person in charge of the animal and remains in force until—
  - (i) all bovine animals on the holding, with the exception of calves under six weeks old which were born in the holding, give a negative result to a test, or,
  - (ii) the notice is varied by the local District Veterinary Office.
- (c) A notice issued under paragraph (5) shall be addressed to the owner or person in charge of the animal and remain in force until—

- (i) all bovine animals on the holding, with the exception of calves under six weeks old which were born in the holding, give a negative result to a test, or,
- (ii) the animals required by the District Veterinary Office to be tested give a negative result to the test, or,
- (iii) the notice is varied by the local District Veterinary Office.”

and

- (b) the insertion after Schedule 8 (inserted by the Bovine Tuberculosis (Attestation of the State and General Provisions) (Amendment) Order 2006 (S.I. No. 63 of 2006)) of—

“

### Ninth Schedule

#### Part I

Name

Address

Herd No.

Dear

Our records show that your herd has not been tested for bovine tuberculosis within the last 12 months and (number) \_\_\_\_ animal(s) from your herd slaughtered at (place) \_\_\_\_\_ meat plant on (date) \_\_\_\_\_ had not been tested for bovine tuberculosis within the 12 months prior to slaughter.

Accordingly, I am now informing you that, unless such movement is authorised by the District Veterinary Office, you are not permitted to move animals into your holding or out of your holding, including to slaughter. This trade restriction is effective immediately.

This notice remains in force until:

- (i) all bovine animals on the holding, with the exception of calves under six weeks old which were born in the holding, give a negative result to a test or,
- (ii) this notice is varied by this Office.

Date

Signed \_\_\_\_\_

## Part II

Name

Address

Herd No.

Dear

Our records show that (number) \_\_\_\_\_ animal(s) from your herd slaughtered at (place) \_\_\_\_\_ meat plant on (date) \_\_\_\_\_ had not been tested for bovine tuberculosis within the 12 months preceding slaughter/has not been tested since birth and is over 14 months of age (deleted as appropriate).

Accordingly I am now informing you that, unless the movement is specifically authorised by the District Veterinary Office, you are not permitted:

- (i) to move animals into your holding\*
- (ii) to move animals out of your holding \*
- (iii) to move animals out of your holding, except directly to slaughter \*.

This trade restriction is effective immediately.

This notice remains in force until—

- (i) all bovine animals on the holding, with the exception of calves under six weeks old which were born in the holding, give a negative result to a test or,
- (ii) the animals required by the District Veterinary Office to be tested give a negative result to the test, or,
- (iii) this notice is varied by this Office.

Date

Signed \_\_\_\_\_”

(\*Deleted as appropriate by District Veterinary Office)



GIVEN under my Official Seal,  
24 June 2010.

BRENDAN SMITH,  
Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

This Order enables the Minister to restrict the movement of animals into or out of a holding where (1) animals not tested within 12 months have been moved to a slaughter premises from a herd that has not been tested within 12 months and (2) animals have not been tested within 18 months have been moved to a slaughter premises from a herd that has been tested within 12 months.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

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