Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,456, 17 ta' Lulju, 2009
Taqsima B

A.L. 208 ta' l-2009

ATT DWAR IS-SERVIZZI VETERINARJI (KAP. 437)

Regoli ta' l-2009 li jemendaw ir-Regoli dwar il-Miżuri għall-Qerda tal-Bruċellosi, Tuberkulosi u Lewkosi fl-Ifrat

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 5(1) ta' l-Att dwar is-Servizzi Veterinarji il-Ministru għar-Riżorsi u Affarijiet Rurali, flimkien mal-Ministru tal-Finanzi, l-Ekonomija u Investiment, għamel dawn ir-regoli li ġejjin:-

1. (1) It-titolu ta' dawn ir-regoli hu Regoli ta' l-2009 li jemendaw ir-Regoli dwar il-Miżuri għall-Qerda tal-Bruċellosi, Tuberkulosi u Lewkosi fl-Ifrat, u għandhom jinqraw u jiftiehmu ħaġa waħda mar-Regoli ta' l-2005 dwar Miżuri għall-Qerda tal-Bruċellosi, Tuberkulosi u Lewkosi fl-Ifrat, minn hawn iżjed 'il quddiem imsejħa "ir-regoli prinċipali". Titolu u bidu fis-seħħ. A.L. 314 ta' l-2005.

(2) Dawn ir-regoli għandhom jidħlu fis-seħħ f'dik id-data li l-Ministru jista' jistabbilixxi b'avviż fil-Gazzetta u jistgħu jiġu hekk stabbiliti dati differenti għad-diversi disposizzjonijiet u għanijiet ta' dawn ir-regoli.

2. Ir-regola 5 tar-regoli prinċipali għandha tiġi emendata kif ġej: Temenda r-regola 5 tar-regoli prinċipali.

(a) minflok il-kelma "endemika", kull fejn din tinsab f'din ir-regola, għandha tidħol il-kelma "enżootika"; u

(b) minnufih wara s-subregola (1) tagħha, għandha tiżdied is-subregola ġdida li ġejja:

"(1A) (i) Il-pjanijiet sabiex titħaffef il-qerda tal-Lewkosi Enżootika ta' l-Ifrat f'Malta ser ikunu dawk imniżżla fl-Iskeda li tinsab ma' dawn ir-regoli.

(ii) Il-Ministru għandu jordna l-qtil ta' l-ifrat infettati bil-lewkosi enżootika ta' l-ifrat u għandu jinforma lill-bdiewa fir-rigward tal-proċedura li għandha tittieħed għal dan il-qtil.

(iii) Il-Ministru għandu jagħti kumpens lill-bdiewa għall-ifrat infettati li jkunu nqatlu skond l-imsemmija Skeda.".

3. Minnufih wara r-regola 10 tar-regoli prinċipali, għandha tiżdied l-Iskeda ġdida li ġejja: Iżżid Skeda ġdida mar-regoli prinċipali.

"SKEDA

[Regola 5(1A)]

Skema ta' Kumpens għal-Lewkosi Enżootika ta' l-Ifrat (EBL)

A. Tifsir u Taqsir

Cohorts: Annimali li jkunu trabbew flimkien u li jkun kellhom kuntatt dirett jew indirett ma' annimali infettati, u li dan jista' jkun wassal għall-firxa ta' infezzjoni fl-annimali inkwistjoni.

Rziezet 'D': Rziezet liċenzjati bħala Produtturi tal-Ħalib, li jrendu ħalib frisk lil impjanti approvati li jipproduċu ħalib għall-konsum tal-bniedem.

Rziezet 'R': Rziezet liċenzjati bħala li ma jkunux Produtturi tal-Ħalib Ruminanti (li jixtarru), li jrabbu ruminanti, iżda li ma jkunux jrendu ħalib frisk lil impjanti approvati li jkunu jipproduċu ħalib għall-konsum tal-bniedem.

EBL: Lewkosi Enżootika ta' l-ifrat.

EBL +ve: Jinstab pożittiv għall-Lewkosi Enżootika ta' l-ifrat ibbażata fuq seroloġija ta' kampjuni individwali tas-serum.

EBL –ve: Misjuba negattivi għall-Lewkosi Enżootika ta' l-ifrat ibbażata fuq seroloġija ta' kampjuni individwali tas-serum.

Rziezet Approvati: Dawk l-irziezet li, wara spezzjoni mill-uffiċjali tal-VRFCC, ikunu nstabu li jkunu ta' livell suffiċjenti sabiex jibqgħu jitħaddmu biss jekk ikun sarilhom xi tibdil jew titjib.

Rziezet Kundizzjonalment Approvati: Dawk l-irziezet li, wara spezzjoni mill-uffiċjali tal-VRFCC, ikunu nstabu li jkunu ta' livell suffiċjenti sabiex jibqgħu jitħaddmu biss jekk ċerti tibdiliet jew titjib jkunu twettqu. Dawn it-tibdiliet jew titjib għandhom isiru fi żmien speċifikat mill-VRFCC sabiex l-irziezet isiru "Approvati". Jekk dawn it-tibdiliet jew titjib ma jkunux twettqu fiż-żmien speċifikat, ir-razzett jitlef l-istatus ta' "Approvat Kundizzjonalment" u jiġi klassifikat bħala "Mhux Approvat".

Kampjunar Inizjali: L-ewwel ġbir ta' kampjuni tad-demm individwali kollha eliġibbli li jkunu twettqu wara l-1 ta' Settembru 2007.

Kampjunar Sussegwenti: Kollezzjonijiet kollha ta' kampjuni tad-demm individwali li kienu twettqu wara l-'Kampjunar Inizjali', iżda fil-perjodu ta' bejn l-1 ta' Settembru 2007 sa l-1 ta' Marzu 2009.

Ittestjar Inizjali: It-test li jkun twettaq fuq kampjuni li jkunu nġabru matul il-'Kampjunar Inizjali'.

VRFCC: Taqsima ta’ Regolament Veterinarju, Konservazzjoni u Kontroll tas-Sajd fi ħdan il-Ministeru għar-Riżorsi u Affarijiet Rurali.

B. Eligibilitá għall-Kumpens taħt l-Iskema ta’ l-EBL

1. Kumpens għall-Bdiewa li jkunu eliġibbli taħt l-Iskema ta l-EBL

Sabiex bidwi jkun eliġibbli għall-kumpens għall-ifrat maqtula skond din l-Iskema, għandhom iseħħu l-kundizzjonijiet kollha li ġejjin:

(a) Il-bidwi għandu jkun liċenzjat mid-dipartiment responsabbli għas-Servizzi Veterinarji bħala razzett ta’ l-ifrat; jew bħala produttur tal-ħalib (D) jew bħala bidwi non-ruminanti tal-maħleb (R), fil-ħin tal-qatla;

(b) Il-bidwi għandu jkollu razzett ta’ l-ifrat liċenzjat li jkun "approvat" jew ikun "approvat kundizzjonalment" mid-dipartiment responsabbli għas-Servizzi Veterinarji fl-ispezzjonijet l-aktar reċenti tagħha, fil-ħin tal-qatla;

(ċ) Il-bidwi għandu jagħti aċċess liberu lill-uffiċjali tal-VRFCC fir-razzett tiegħu fejn jittieħdu l-kampjuni tad-demm u għall-ittestjar għall-mard.

(d) Il-bidwi għandu jsegwi, bl-aħjar kapaċitajiet tiegħu, il-pariri kollha mogħtija mill-MRRA jew VRFCC dwar ġestjoni ta’ EBL u dwar l-ifrat infettati bl-EBL.

(e) Il-bidwi għandu jkollu *record* ta’ kondotta tajba mal-VRFCC li jmur lura sa Settembru 2007; u li f’dan il-perjodu, qatt ma prova jfixkel jew jimpedixxi s-sorveljanza tal-mard u l-attivitajiet ta’ kontroll tal-VRFCC.

(f) Il-bidwi għandu jobdi r-regoli li ġejjin fir-rigward tal-kontroll tal-moviment ta’ l-annimali:

Regoli dwar il-Kontroll tal-Moviment ta’ l-Annimali

(a) Movimenti ’l barra minn rziezet ‘D’ misjuba ħielsa mill-EBL (EBL-ve) ser ikunu permessi.

(b) Moviment ’l ġewwa ta’ annimali lil rziezet EBL-ve D mhux ser ikunu peremessi sakemm l-annimali li jidħlu mhux ser ikunu ġejjin minn rziezet EBL-ve.

(ċ) L-ebda moviment ta’ annimali maskili mhu ser ikun permess mill-irziezet ‘R’ għall-irziezet ‘D’ irrispettivament mill-istat tal-marda.

(d) L-ebda moviment, ’l ġewwa jew ’l barra mhu ser ikun permess minn razzett ta’ l-ifrat li jinstab bl-EBL (EBL + ve) ħlief fil-każ ta’ moviment ta’ annimali maskili minn rziezet EBL + ve ‘D’ għall-irziezet ‘R’

ta’ kull stat, bil-kundizzjoni li l-ebda annimal femminili tkun preżenti fir-razzett ‘R’.

2. Status meħtieġ ta’ l-Annimali sabiex il-Bidwi jkun eliġibbli għall-Kumpens

Sabiex bidwi jkun eliġibbli għall-kumpens taħt din l-iskema, il-kundizzjonijiet kollha li ġejjin rigward l-istatus ta’ l-annimal li għalih jintalab kumpens għandhom ikunu sodisfatti:

(a) Fil-ħin tal-qatla l-annimal għandu jkun jew femminili jew maskili li jgħammar minn razzett li kien liċenzjat bħala Razzett ‘D’, jew annimal femminili minn razzett li kien liċenzjat bħala razzett ‘R’.

(b) Fil-ħin tal-qatla l-annimal għandu jkun ġie minn razzett li kien "approvat" jew "approvat kundizzjonalment" għal-livelli ta’ iġjene mill-VRFCC fl-ispezzjonijet l-aktar reċenti tagħha.

(ċ) L-annimal irid ikun maqtul fil-biċċerija nazzjonali qabel it-tmiem ta’ Diċembru 2012.

(d) L-annimal irid ikun traċċabbli lura għat-twelid fid-*database* nazzjonali dwar il-bhejjem.

(e) L-annimal għandu jidħol f’waħda mill-kategoriji li ġejjin:

Annimali f’Kategorija A:

Annimali magħżula speċifikament għall-qatla mill-VRFCC ibbażat fuq l-ittestjar ta’ kampjuni meħuda bejn l-1 ta’ Settembru 2007 u l-1 ta’ Marzu 2009 u kunsinnati lill-biċċerija għall-qatla kif u meta ngħatat istruzzjoni mill-VRFCC, bejn l-1 ta’ Ottubru 2008 u l-31 ta’ Diċembru 2012.

Kategorija A1: Annimali misjuba EBL +ve ibbażat fuq l-ittestjar ta’ kampjuni meħudha bejn l-1 ta’ Settembru 2007 u l-1 ta’ Marzu 2009, li kienu akbar minn sena meta kienu ttieħdu l-kampjuni f'dan il-perjodu.

Kategorija A2: Il-frieħ pruvati ta’ l-annimali hawn fuq imsemmija li kienu ta’ età anqas minn sena meta kien ittieħed il-kampjun bejn Settembru 2007 u l-1 ta’ Marzu 2009.

Annimali f’Kategorija B:

Annimali magħżula speċifikament għall-qatla mill-VRFCC ibbażat fuq l-ittestjar ta’ kampjuni meħuda bejn l-1 ta’ Settembru 2007 u l-1 ta’ Marzu 2009 u kunsinnati lill-biċċerija għall-qatla kif u meta tkun ngħatat istruzzjoni mill-VRFCC, bejn l-1 ta’ Ottubru 2008 u l-31 ta’ Diċembru 2012.

Kategorija B1: Annimali "*cohort*" mhux infettati minn irziezet fejn tkun insabet rata ta' infezzjoni ogħla minn 80% ibbażat fuq l-ittestjar ta' kampjuni li jkun ittieħed bejn Settembru 2007 u l-1 ta' Marzu 2009.

Kategorija B2: Annimal "*cohort*" ta' inqas minn sena, li x'aktarx ikun infettat fiż-żmien ta' teħid ta' kampjuni, li jistgħu jkunu twieldu minn baqar infettati jew li jista' jkun li treddgħu kolostru jew ħalib minn baqar infettati.

Kategorija B3: Annimali infettati wara teħid ta' "kampjuni inizjali" li jkunu nstabu EBL +ve f'testijiet imwettqa fuq kampjuni meħuda sussegwenti għat-"teħid ta' kampjuni inizjali", iżda fil-perjodu bejn l-1 ta' Settembru 2007 sal-31 ta' Diċembru 2010, limitata għal 10% tal-popolazzjoni totali ta' baqar fuq dak ir-razzett fil-ħin tat-teħid tal-"kampjuni inizjali".

Annimali f'Kategorija Ċ:

Annimali klassifikati bħala eliġibbli għal kumpens ibbażat fuq l-ittestjar ta' kampjuni meħuda bejn l-1 ta' Settembru 2007 u l-1 ta' Marzu 2009 u kunsinnati lill-biċċerija għall-qatla għar-raġunijiet tal-bidwi stess u f'data li jkun għażel il-bidwi, bejn l-1 ta' Ottubru 2008 u l-31 ta' Diċembru 2012.

Kategorija Ċ1: Annimali misjuba EBL +ve ibbażat fuq l-ittestjar ta' kampjuni meħuda bejn l-1 ta' Settembru 2007 u l-1 ta' Marzu 2009, li kienu akbar minn sena meta jkun ittieħed l-kampjun f'dan il-perjodu.

Kategorija Ċ2: Il-frieħ pruvati ta' l-annimali hawn fuq imsemmija li kienu ta' età ta' anqas minn sena meta jkun ittieħed l-kampjun bejn l-1 ta' Settembru 2007 u l-1 ta' Marzu 2009.

Kategorija Ċ3: Annimali infettati wara "kampjunar inizjali" li jinstab li jkunu EBL +ve f'testijiet imwettqa fuq kampjuni meħuda sussegwenti għat-"teħid ta' kampjuni inizjali", iżda fil-perjodu ta' bejn l-1 ta' Settembru 2007 sal-31 ta' Diċembru 2010, limitata għal 10% tal-popolazzjoni totali ta' baqar fuq dak ir-razzett fil-ħin tat-teħid tal- "kampjuni inizjali".

Annimali f'Kategorija D:

Annimali minn irziezet klassifikati bħala EBL +ve ibbażat fuq l-ittestjar ta' kampjuni meħuda bejn l-1 ta' Settembru 2007 u l-1 ta' Marzu 2009 li jkunu kunsinnati lill-biċċerija għall-qatla għar-raġunijiet tal-bidwi stess u fuq data tal-għażla tal-bidwi, bejn l-1 ta' Ottubru 2008 u l-31 ta' Diċembru 2012.

Kategorija D1: Annimali "*cohort*" mhux infettati minn irziezet fejn tinstab li jkollhom rata ta' infezzjoni ogħla minn 80% ibbażat fuq l-ittestjar ta' kampjuni meħuda bejn l-1 ta' Settembru 2007 u l-1 ta' Marzu 2009.

Annimali f'Kategorija E:

Annimali klassifikati bħala li x'aktarx ikunu eliġibbli għall-kumpens. Eliġibbiltà għall-kumpens tiġi deċiża *ad hoc* mill-Kumitat dwar il-Kumpens ta' l-EBL, minn hawn iżjed 'il quddiem imsejjaħ "il-Kumitat".

Kategorija E1: Annimali magħżula speċifikament għall-qatla mill-VRFCC ibbażat fuq l-ittestjar ta' kampjuni miġbura bejn l-1 ta' Ġunju 2007 u l-1 ta' Settembru 2007.

Kategorija E2: Annimali magħżula speċifikament għall-qatla mill-VRFCC ibbażat fuq l-ittestjar ta' kampjuni miġbura wara l-1 ta' Marzu 2009, jekk it-"teħid ta' kampjuni inizjali" ikun twettaq wara din id-data.

Kategorija E3: Annimali magħżula speċifikament għall-qatla mill-VRFCC ibbażat fuq l-ittestjar ta' kampjuni meħuda bejn l-1 ta' Settembru 2007 u l-1 ta' Marzu 2009 u kunsinnati lill-biċċerija għall-qatla kif u meta tkun ingħatat istruzzjoni mill-VRFCC, qabel l-1 ta' Ottubru 2008.

Kategorija E4: Annimali magħżula speċifikament għall-qatla mill-VRFCC ibbażat fuq l-ittestjar ta' kampjuni meħuda bejn l-1 ta' Settembru 2007 u l-1 ta' Marzu 2009 u kunsinnati lill-biċċerija għall-qatla kif u meta tkun ngħatat istruzzjoni mill-VRFCC, wara l-31 Diċembru 2012.

Ċ. Proċedura għall-Ikkontrollar tal-Qatla u l-Kumpens

1. Kampjuni tad-demm u l-ittestjar mwettaq fuq annimali individwali ta' età ta' 'l fuq minn sentejn fuq l-irziezet fejn l-istat tal-marda ma tkunx magħrufa u fuq l-annimali individwali kollha ta' età ta' 'l fuq minn sena waħda fuq irziezet magħrufa li jkun fihom l-EBL.

2. Laqgħat li jkunu saru mal-bdiewa individwali u r-Reġistru tal-Merħliet li jkunu ġew riveduti sabiex jiġi determinat liema annimali taħt l-età ta' sena għandhom jiġu suspettati bħala infettati bl-EBL u rakkomandati għall-qatla.

3. Il-bidwi għandu jkun informat b'tibdiliet jew b'titjib li għandu jsir fuq ir-razzett tiegħu qabel ma jkun jista' jsir il-ħlas tal-kumpens.

4. Mill-inqas ġimgħa qabel id-data tal-qatla, il-bdiewa għandhom jingħataw lista ta' l-annimali, speċifikati min-numru tal-lametti tal-widnejn, sabiex dawn jinġiebu l-biċċerija, u d-data li fiha għandhom jiittieħdu. L-uffiċjali tal-biċċerija għandhom jingħataw ukoll din l-istess lista mill-inqas ġimgħa qabel id-data tal-qatla.

5. Mal-wasla fil-biċċerija, l-uffiċjali tal-biċċerija għandhom jiżguraw li l-annimali elenkati jkunu nġiebu, u li ma jkunux nġiebu annimali aktar minn dawk li jistgħu jiġu maqtula f'dik il-ġurnata.

6. Jekk numru akbar ta' annimali mhux elenkati jinġiebu minn xi bidwi milli huwa possibbli li jinqatlu f'dik il-ġurnata, l-annimali elenkati għandhom

jingħataw prijorità filwaqt li dawk l-annimali mhux elenkati jistgħu jinżammu fil-kenn bl-ispejjeż għall-bidwi sal-ġurnata tal-qatla li jkun jmiss.

7. Il-bdiewa għandhom jagħmlu talba għal kumpens, billi jagħtu d-dettalji ta' l-identità ta' l-annimali, l-età u d-data tal-qatla. Għandu jiġi aċċertat mir-reġistru tal-biċċerija jekk l-annimali elenkati jkunux ġew debitament maqtula kif allegat.

(8) Il-bidwi għandu jiġi infurmat bil-miktub dwar il-kumpens li hu jkun intitolat għalih. Dan għandu jkun fil-forma ta' lista dettaljata li tkun turi l-kumpens dovut għal kull bhima maqtula skond il-kategorija taħt din l-iskema.

9. Ir-razzett għandu jiġi spezzjonat sabiex jiġi aċċertat li t-tibdil jew it-titjib tal-bini tar-razzett li jkun ġie rakkomandat wara l-ispezzjoni preċedenti tal-VRFCC ikunu debitament saru, u sabiex jiġi żgurat livell aċċettabbli ta' bijosigurtà.

10. Isiru l-ħlasijiet tal-kumpens.

D. Kalkolazzjoni ta' Kumpens

Età Kategorija	**Prezz tas-Suq** (2008)	**Kategorija A** 60% MP (X)	**Kategorija B** X – 20 %	**Kategorija Ċ** X – 40 %	**Kategorija D** Żero	**Kategorija E** *Case Dependant*
> 24 xahar	€ 2096.44	€ 1258	€ 1006	€ 755	€ 0	€ 1258 – 755
12 - 23 xahar	€ 931.75	€ 559	€ 447	€ 335	€ 0	€ 559 – 335
4 - 12 xahar	€ 465.87	€ 279	€ 223	€ 167	€ 0	€ 279 – 167
0 - 3 xhur	€ 232.94	€ 140	€ 112	€ 84	€ 0	€ 140 - 84

Spejjeż relatati mal-qtil li jridu jitnaqqsu mill-kumpens

Jekk l-annimali huma meqjusa bħala eliġibbli għall-kumpens taħt din l-Iskema ta' kumpens għall-EBL, spejjeż relatati mal-qatla u d-*de-boning* fakultattiv ta' karkassi għandhom jiġu mnaqqsa mill-ammont ta' kumpens dovut lis-sid ta' l-annimal. L-ispejjeż għall-qtil jiġu mnaqqsa għal kull annimal ibbażat fuq il-piż tiegħu fil-ħin tal-qatla. L-ispejjeż għad-*deboning* jiġu mnaqqsa għal kull annimal ta' iżjed minn sena ta' età fil-ħin tal-qatla. L-ispejjeż għall-ittestjar tal-mard jiġu mnaqqsa għal kull annimal ta' iżjed minn tletin xahar ta' età fil-ħin tal-qatla. Dawn il-flus għandhom jiġu trasferiti fil-kontijiet tas-sezzjonijiet rispettivi li jkunu koprew l-ispejjeż tal-bidu.

Proċedura	**Annimali li għandhom bżonn il-Proċedura**	**Spejjeż**	***Recipient Account***

Qatla	Kollha; Obbligatorju	€ 0.20 / kg piż nieqes € 14	Biċċerija Nazzjonali
Ittestjar għall-Mard	Annimali > 30 xahar; Obbligatorju	€ 14 / ras	Laboratorju Veterinarju Nazzjonali
Deboning	Annimali > 12 xahar; Obbligatorju	€ 40 / ras	Biċċerija Nazzjonali / Ċanga ta' Malta

E. Penali li għandhom jitnaqqsu mill-Kumpens għal Tfixkil ta' l-Attivitajiet tal-MRRA jew tal-VRFCC

Għalkemm l-annimali jistgħu jaqgħu f'waħda mill-kategoriji eliġibbli għall-kumpens, kumpens ġenerali jiġi mnaqqas jekk il-bidwi jinsab ħati ta' azzjonijiet li jistgħu jfixklu l-attivitajiet tal-VRFCC.

Il-każijiet għandhom ikunu riveduti mill-Kumitat dwar il-Kumpens ta' l-EBL u aġġudikati fuq iċ-ċirkostanzi individwali tagħhom stess.

Il-penali huma mnaqqsa mill-ammont totali ta' kumpens li għandu jingħata lill-bidwi. It-tabella hawn taħt turi l-perċentwali ta' kumpens li jrid jitnaqqas mill-ammont totali ta' kumpens dovut lill-bidwi għal kull ksur individwali.

Penali bħal dawk huma kumulattivi ma' ksur addizzjonali jew ripetittiv minn sidien differenti ta' l-istess razzett.

Kodiċi	**Ksur**	**Penali**
M1	Kanċellament ta' appuntament biex jittieħdu kampjuni mingħajr raġuni valida wara twissija bil-miktub.	15% tnaqqis mill-kumpens totali.
M2	Trasferiment mhux liċenzjat ta' annimal.	25% tnaqqis mill-kumpens totali.
M3	Tbagħbis mal-lametti tal-widnejn.	25% tnaqqis mill-kumpens totali.
M4	Infezzjoni intenzjonali ta' annimal.	100% tnaqqis mill-kumpens totali.

Template tat-Tabella għall-Kalkolu ta' Kumpens Dovut fuq Bażi ta' kull Annimal

ID ta' l-Annimal	**Età**	**Piż ta' l-Annimal fil-Qatla (Kg)**	**Katego-rija ta' Kum-pens (A – E)**	**Kumpens inizjali dovut (€)**	**Tnaqqis għall-Qatla (€)**	**Tnaqqis għall-ittestjar tal-Mard (€)**	**Tnaqqis għad *Deboning* (€)**	**Tnaqqis għal kontraven-zjonijiet (%)**	**Kumpens finali dovut (€)**

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L.N. 208 of 2009

VETERINARY SERVICES ACT
(CAP. 437)

Measures for the Eradication of Brucellosis, Tuberculosis and Leucosis in Cattle (Amendment) Rules, 2009

IN exercise of the powers conferred by article 5(1) of the Veterinary Services Act, the Minister for Resources and Rural Affairs, in concurrence with the Minister of Finance, the Economy and Investment has made the following rules:-

1. (1) The title of these rules is the Measures for the Eradication of Brucellosis, Tuberculosis and Leucosis in Cattle (Amendment) Rules, 2009 and they shall be read and construed as one with the Measures for the Eradication of Brucellosis, Tubercolosis and Leucosis in Cattle Rules, 2005, hereinafter referred to as "the principal rules". Title and commencement. L.N. 314 of 2005.

(2) These rules shall come into force on such date as the Minister may by notice in the Gazette prescribe and different dates may apply for different provisions of these rules

2. Rule 5 of the principal rules shall be amended as follows: Amends rule 5 of the principal rules.

(a) in the Maltese text thereof, for the word "endemika" wherever it occurs in this rule, there shall be substituted the word "enżootika"; and

(b) immediately after sub-rule (1) thereof, there shall be added the following new sub-rule:

"(1A) (i) The plans for accelerating the eradication of Enzootic Bovine Leucosis in Malta shall be those laid down in the Schedule to these rules.

(ii) The Minister shall order the slaughter of cattle infected with Enzootic Bovine Leucosis and instruct farmers as to the procedure to be undertaken for such slaughter.

(iii) The Minister shall compensate farmers for infected cattle slaughtered in terms of the said Schedule.".

3. Immediately after rule 10 of the principal rules, there shall be added the following new Schedule: Addition of new Schedule to principal rules.

"SCHEDULE

[Rule 5(1A)]

Enzootic Bovine Leucosis (EBL) Compensation Scheme

A. Definitions & Abbreviations

Cohorts: Animals known to have coexisted with and have had direct or indirect contact with infected animals, which may reasonably have led to the spread of infection to the animals in question.

D Farms: Cow farms licensed as Dairy Producers, which deliver fresh milk to approved plants producing milk for human consumption.

R Farms: Cow farms licensed as Non-Dairy Ruminant Producers, which rear ruminants but do not deliver fresh milk to approved plants producing milk for human consumption.

EBL: Enzootic Bovine Leucosis

EBL +ve: Found positive for Enzootic Bovine Leucosis based on serology of individual serum samples.

EBL –ve: Found negative for Enzootic Bovine Leucosis based on serology of individual serum samples.

Approved Farms: Those farms which, on inspection by VRFCC personnel, were found to be of sufficient standard to remain operational without requiring any modifications or improvements.

Conditionally Approved Farms: Those farms which, on inspection by VRFCC personnel, were found to be of sufficient standard to remain operational only if certain modifications or improvements are carried out. These modifications or improvements shall be carried out within the period of time specified by the VRFCC in order for the farm to become 'Approved'. If these modifications or improvements are not made by the specified deadline, the farm will lose its 'Conditionally Approved' status and be classified as 'Unapproved'.

Initial Sampling: The first eligible collection of individual whole blood samples which was carried out after the 1st of September 2007.

Subsequent Sampling: Collections of individual whole blood samples which were carried out after 'Initial Sampling' but within the period of 1st September 2007 to 1st March 2009.

Initial Testing: The test carried out on samples collected during 'Initial Sampling'.

VRFCC: The Veterinary Regulation, Fisheries Conservation and Control Division within the Ministry for Resources and Rural Affairs.

B. Eligibility for Compensation under the EBL Scheme

1. Farmers Eligible for Compensation under the EBL Scheme

In order for a farmer to be eligible for compensation for slaughtered cattle under this scheme, all the following conditions shall be satisfied:

(a) The farmer shall have been licensed by the department responsible for Veterinary Services as a cattle farm; either as a dairy producer (D) or a non-dairy ruminant farmer (R), at the time of slaughter;

(b) The farmer shall own a licensed cattle farm which was ‘approved’ or ‘conditionally approved’ by the department responsible for Veterinary Services in its most recent inspections, at the time of slaughter;

(c) The farmer shall allow free access to VRFCC personnel to his / her farm holding for blood sampling and disease testing.

(d) The farmer shall follow, to the best of his abilities, all advice given by the MRRA or VRFCC regarding management of EBL and EBL-infected cattle.

(e) The farmer shall have a good record of conduct with the VRFCC as far back as September 2007; having never, in this period, attempted to disrupt or impede the disease surveillance and control activities of the VRFCC.

(f) The farmer shall obey the following rules below regarding the control of movement of animals:

Rules regarding the Control of Movement of Animals

(a) Outward movements from D farms found free of EBL (EBL –ve) will be allowed.

(b) Inward movement of animals to EBL –ve D farms will not be allowed unless incoming animals are from EBL –ve farms.

(c) No movement of male animals will be allowed from R farms to D farms irrespective of disease status.

(d) No movements, inward or outward, will be allowed from any cattle farm found to harbour EBL (EBL +ve) except in the case of movement of male animals from EBL +ve D farms to R farms of either status, on the condition that no female animals are present on the R farm.

2. Status required of Animals for Farmers to be Eligible for Compensation

In order for a farmer to be eligible for compensation under this scheme, all the following conditions regarding the status of the animal for which compensation is claimed shall be satisfied:

(a) At the time of slaughter the animal shall have been a female or a breeding male from a farm which was licensed as a D farm, or a female animal from a farm which was licensed as an R farm.

(b) At the time of slaughter the animal shall have come from a farm which was 'approved' or 'conditionally approved' for hygiene standards by the VRFCC in its most recent inspections.

(c) The animal shall be slaughtered at the national abattoir before the end of December 2012.

(d) The animal shall be traceable back to birth on the national livestock database.

(e) The animal shall fit into one of the following categories:

Category A Animals:

Animals selected specifically for slaughter by the VRFCC based on testing of samples taken between 1st September 2007 and 1st March 2009 and delivered to the abattoir for slaughter as and when instructed by the VRFCC, between 1st October 2008 and 31st December 2012.

Category A1: Animals found EBL +ve based on testing of samples taken between 1st September 2007 and 1st March 2009, which were older than 1 year when sampled in this period.

Category A2: The proven offspring of the abovementioned animals which were aged less than 1 year when sampled between September 2007 and 1st March 2009.

Category B Animals:

Animals selected specifically for slaughter by the VRFCC based on testing of samples taken between 1st September 2007 and 1st March 2009 and delivered to the abattoir for slaughter as and when instructed by the VRFCC, between 1st October 2008 and 31st December 2012.

Category B1: Non-infected 'cohort' animals from farms found to have farm infection rates above 80% based on testing of samples taken between September 2007 and 1st March 2009.

Category B2: Dubitably infected 'cohort' animals less than 1 year of age at the time of sampling which may have been born of infected cows or may have suckled colostrum or milk from infected cows.

Category B3: Animals infected after 'initial sampling' which are found EBL +ve in tests performed on samples taken subsequent to 'initial sampling' but within the period of 1st September 2007 to 31st December 2010, limited to 10% of the total cow population on that farm at the time of 'initial sampling'.

Category C Animals:

Animals classified as eligible for compensation based on testing of samples taken between 1st September 2007 and 1st March 2009 which are delivered to the abattoir for slaughter for the farmer's own reasons and on a date of the farmer's choosing, between 1st October 2008 and 31st December 2012.

Category C1: Animals found EBL +ve based on testing of samples taken between 1st September 2007 and 1st March 2009, which were older than 1 year when sampled in this period.

Category C2: The proven offspring of the abovementioned animals which were aged less than 1 year when sampled between 1st September 2007 and 1st March 2009.

Category C3: Animals infected after 'initial sampling' which are found EBL +ve in tests performed on samples taken subsequent to 'initial sampling' but within the period of 1st September 2007 to 31st December 2010, limited to 10% of the total cow population on that farm at the time of 'initial sampling'.

Category D Animals:

Animals from farms classified as EBL +ve based on testing of samples taken between 1st September 2007 and 1st March 2009 which are delivered to the abattoir for slaughter for the farmer's own reasons and on a date of the farmer's choosing, between 1st October 2008 and 31st December 2012.

Category D1: Non-infected 'cohort' animals from farms found to have farm infection rates above 80% based on testing of samples taken between 1st September 2007 and 1st March 2009.

Category E Animals:

Animals classified as dubitably eligible for compensation. Eligibility for compensation will be decided by the ad hoc EBL Compensation Committee, hereinafter referred to as 'the Committee'.

Category E1: Animals selected specifically for slaughter by the VRFCC based on testing of samples collected between 1st June 2007 and 1st September 2007.

Category E2: Animals selected specifically for slaughter by the VRFCC based on testing of samples collected after 1st March 2009 in the case that 'initial sampling' was carried out after this date.

Category E3: Animals selected specifically for slaughter by the VRFCC based on testing of samples taken between 1st September 2007 and 1st March 2009 and delivered to the abattoir for slaughter as and when instructed by the VRFCC, before 1st October 2008.

Category E4: Animals selected specifically for slaughter by the VRFCC based on testing of samples taken between 1st September 2007 and 1st March 2009 and delivered to the abattoir for slaughter as and when instructed by the VRFCC, after 31st December 2012.

C. Procedure for Controlling Slaughter and Compensation

1. Blood sampling and testing performed on individual animals over 2 years of age on farms of unknown disease status and all individual animals over 1 year of age on farms known to harbour EBL.

2. Meetings held with individual farmers and their Herd Book reviewed to determine which animals under one year of age should be suspected as EBL-infected and recommended for slaughter.

3. The farmer shall be informed of changes or improvements which must take place on his / her farm before compensation will be paid.

4. At least one week prior to the date of slaughter, farmers will be given a list of animals specified by ear tag number to bring to the abattoir, and a date on which to bring them. Abattoir officials will also be provided with this same list at least one week prior to the date of slaughter.

5. On arrival at the abattoir, abattoir officials shall ensure that all the listed animals have been brought and that no more unlisted animals have been brought than can be slaughtered that day.

6. Should a greater number of unlisted animals be brought by a farmer than is possible to slaughter that day, listed animals will be given priority while unlisted animals may be kept in lairage at the farmer's expense until the next slaughter day.

7. Farmers shall submit a request for compensation, giving details of animal identity registration, age and date of slaughter. It will be ascertained from abattoir records whether listed animals have been duly slaughtered as claimed.

8. The farmer shall be informed in writing regarding compensation to which he is entitled. This will be in the form of an itemized list showing compensation owed per animal slaughtered according to categorization under this scheme.

9. The farm shall be inspected to ascertain that the changes or improvements to the farm holding recommended following the previous VRFCC inspection have been duly made, ensuring an acceptable level of bio-security.

10. Compensation payments are made.

D. Calculation of Compensation

Age Category	**Market Price (2008)**	**Category A** 60% MP (X)	**Category B** X – 20 %	**Category C** X – 40 %	**Category D** Zero	**Category E** Case Dependant
> 24 month	€ 2096.44	€ 1258	€ 1006	€ 755	€ 0	€ 1258 – 755
12 - 23 month	€ 931.75	€ 559	€ 447	€ 335	€ 0	€ 559 – 335
4 - 12 month	€ 465.87	€ 279	€ 223	€ 167	€ 0	€ 279 – 167
0 - 3 month	€ 232.94	€ 140	€ 112	€ 84	€ 0	€ 140 - 84

Costs Related to Slaughter to be Deducted from Compensation

If animals are deemed eligible for compensation under the EBL compensation scheme, then costs related to the slaughter and de-boning of carcasses will be subtracted from the amount of compensation due to the owner of the animals. Slaughter costs will be subtracted for each animal, based on their carcass weight at slaughter. De-boning costs will be subtracted for each animal over one year of age when slaughtered. Costs for disease-testing will be taken from slaughter costs for each animal over thirty months of age when slaughtered. The funds will be transferred to the accounts of the respective sections which covered the costs initially.

Procedure	**Animal Requiring Procedure**	**Cost**	**Recipient Account**
Slaughter	All; Compulsory	€ 0.20 / kg dead weight minus € 14	National Abattoir
Disease Testing	Animals > 30 month; Compulsory	€ 14 / head	National Veterinary Laboratory
Deboning	Animals > 12 month; Compulsory	€ 40 / head	National Abattoir / Malta Beef

E. Penalties to be Deducted from Compensation for Disruption of MRRA or VRFCC Activities

Although animals may fall into one of the categories eligible for

compensation, overall compensation will be reduced should the farmer be found guilty of actions which may disrupt the activities of the VRFCC.

Cases shall be reviewed by the EBL Compensation Committee and judged based on their own individual circumstances.

Penalties are deducted from the total amount of compensation to be granted to the farmer. The table below explains the percentage of compensation to be deducted from the total amount of compensation due to a farmer for each individual infringement.

Such penalties are cumulative with additional or repetitive infringements by different owners of the same farm holding.

Code	**Infringement**	**Penalty**
M1	Cancellation of sampling appointments without valid reason(s) following written warning.	15 % reduction in total compensation.
M2	Unlicensed transfer of an animal.	25 % reduction in total compensation.
M3	Tampering with ear tags.	25 % reduction in total compensation.
M4	Purposeful infection of an animal.	100 % reduction in total compensation.

Template of Table of Calculation of Compensation Owed on a Per Animal Basis

Animal ID	**Age**	**Slaughter Weight (Kg)**	**Compen-sation Category (A – E)**	**Initial Compen-sation Owed (€)**	**Subtrac-ted for Slaughter (€)**	**Subtrac-ted for Disease Testing (€)**	**Subtrac-ted for Deboning (€)**	**Subtrac-ted for Misdemea-nors (%)**	**Final Compen-sation Owed (€)**

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