

## Animal Health and Protection Regulations

made under Section 4 of the  
Animal Health and Protection Act  
R.S.N.S. 1989, c. 15  
O.I.C. 87-457 (April 14, 1987), N. S. Reg. 82/87

1 These regulations may be cited as the Animal Health and Protection Regulations.

2 In these regulations

- (a) "Act" means the Animal Health and Protection Act;
- (b) "Minister" means the Minister of Agriculture;
- (c) "Director" means the Director, Livestock Services, Department of Agriculture;
- (d) "animal" means horses, cattle, sheep, swine, goats, rabbits, bees, foxes, chinchilla, mink and domestic fowl;
- (e) "disease" means any condition that adversely affects the health of an animal and is a threat to the public interest and includes a disease designated by the Minister as a disease within the meaning of these regulations but does not include a reportable disease designated by the Minister of Agriculture of Canada under the Animal Diseases and Protection Act;
- (f) "outbreak of disease" means the presence of disease in animals which in the opinion of the Director requires extraordinary means for control;
- (g) "inspector" means an inspector designated as an inspector under these regulations;
- (h) "owner" means a person having an animal in his possession or under his charge;
- (i) "premises" means lands and buildings where animals are situated and includes sales barns and auction markets, but does not include a private dwelling;
- (j) "quarantine" means the isolation of premises and the prohibition of the movement of animals, animal products, hay, straw, fodder, or any other thing to or from the premises;
- (k) "vehicle" means any vehicle transporting animals and includes railroad cars;
- (l) "veterinarian" means a member of the Nova Scotia Veterinary Medical Association.

Outbreak of disease

3 (1) The Minister may, upon the recommendation of the Director, designate a disease to be a disease within the meaning of these regulations.

(2) The owner of any animal, a veterinarian and any other person having custody of an animal, who suspects that any animal is suffering from a disease, shall forthwith notify the Director.

(3) Where the Director receives a notification pursuant to subsection (2), he may

- (a) authorize an inspector to make an inspection;
- (b) take all steps that he deems necessary for the suppression and control of an outbreak of the disease.

4 An inspector authorized pursuant to Section 3(3) may

- (a) enter upon any premises or vehicle for the purpose of investigation, inspection, testing, diagnosis, treatment and control of any disease;
- (b) determine identification procedures to be employed and publicize such procedures;
- (c) exercise any power under Section 8.

5 The Director may, upon the recommendation of an inspector, declare an area to be an area where there is an outbreak of disease and may prescribe the geographical limits thereof.

6 Where pursuant to Section 5 an area is declared as an area where there is an outbreak of disease, no person shall transport any animal into or out of the area unless the animal

- (a) is accompanied by a health certificate signed by a licensed veterinarian in the province of origin of the animal certifying that the animal is free from disease; and
- (b) is free from the disease or is properly vaccinated against the disease.

Designation of inspectors

7 (1) The Minister may designate veterinarians to be inspectors for the administration of the Act and these regulations.

(2) The Minister shall furnish an inspector with a certificate of his appointment and, on entry upon or inspection of any premises, vehicle or animal found thereon he shall, if so required, produce the certificate to the person in charge thereof.

(3) A certificate under the signature of the Minister and the seal of the Department that a person is designated pursuant to this section is conclusive evidence of such designation and may be received in evidence without proof of such seal or such signature or of the official character of the person appearing to have signed the same.

Powers of inspectors

8 An inspector may

- (a) enter upon and inspect any premises in which or in which he believes an animal infected or suspected of being infected with a disease is located;
- (b) require the production for inspection of any books, records, documents or other papers that contain or that he believes contain any information respecting the keeping or transporting of animals infected or suspected of being infected with a disease and examine and make copies thereof or extracts therefrom;
- (c) inspect any animal infected or suspected of being infected with a disease;
- (d) seize and analyze and detain until the final disposition of any prosecution instituted for contravention of the Act or these regulations or until the same are released by the inspector at any time prior to such final disposition
- (i) any animal or specimen, part or dung of any animal infected with or suspected of being infected with a disease,

- (ii) any hay, straw, litter or other thing or specimen thereof contaminated or suspected of being contaminated or otherwise associated with a disease;
- (e) for the purpose of making an inspection or examination of an animal in order to determine whether the animal is infected with a disease, stop and inspect any vehicle and its load where he believes an animal is or has been transported;
- (f) prescribe the manner of destruction and disposal of an animal infected with a disease;
- (g) order the slaughter of an animal infected with a disease and prescribe the manner and place of slaughter;
- (h) order the method of disposal of carcasses or contaminated material and the cleansing and decontamination of infected premises;
- (i) prescribe the means by which an animal infected or suspected of being infected with a disease may be moved or transported from or into a quarantine area;
- (j) prohibit the moving or transportation of animals infected or suspected of being infected with a disease;
- (k) vaccinate or order the vaccination of an animal;
- (l) prohibit the sale or disposition of an animal infected with a disease;
- (m) designate as a quarantine area premises or any other area where an animal infected with a disease is kept and impose with respect to the quarantine area such restrictions as the inspector deems advisable;
- (n) take any measures that he may deem advisable for the suppression or limitation of an outbreak of disease.

9 A designation made pursuant to Section 8(m) shall be

- (a) in Form "A" in the Schedule to these regulations;
- (b) subject to any restrictions stated thereon; and
- (c) delivered to the owner or occupier of the quarantine premises.

10 Notwithstanding Section 6, where an area is declared pursuant to Section 5 as an area where there is an outbreak of disease or where premises or any other area are designated pursuant to Section 8(m) as a quarantine area, an inspector may order the removal of animals therefrom direct to packing plants or abattoirs for immediate slaughter.

11 (1) The owner of an animal suspected of having a disease shall provide appropriate facilities and render any necessary assistance to the inspector so that the inspector can properly examine the animal and collect necessary specimens.

(2) Where an owner fails to provide appropriate facilities, the inspector may remove the suspect animal at the owner's expense to a location where such examination may take place.

12 Any written notice required by these regulations shall be deemed to be delivered to the owner or occupier on the day it is handed personally to the owner or occupier or is posted in a prominent place

on the premises of the owner or occupier or 5 days after the notice was sent by prepaid certified mail to the last known address of the owner.

13 (1) Where an inspector finds an outbreak of Infectious Laryngotracheitis (I.L.T.) of domestic fowl he may, in addition to any other order, order

(a) the eradication of all or part of the infected flock by

(i) slaughter and subsequent burial, incineration or rendering,

(ii) slaughter by shipment to an abattoir;

(b) vaccination with a vaccine and method of administration approved by the Inspector with subsequent isolation and disposal by a method approved by the Inspector at termination of production if feasible at no hazard to the poultry industry;

(c) that eggs shall be packed in new clean, sanitized containers;

(d) that containers and packing material that have been used for the transportation of eggs shall be destroyed by means of incineration;

(e) the cleaning and disinfecting of the infected premises forthwith.

(2) No person shall repopulate premises which have been infected with I.L.T. with domestic fowl until the premises have been cleaned, disinfected and approved by an inspector.

(3) No person shall enter any domestic poultry in an exhibition or show in the Province of Nova Scotia unless the same has been vaccinated for I.L.T. within the preceding 12 months with vaccine approved by the inspector.

Form A - Quarantine Notice  
(Section 8(m) of the regulations)

Nova Scotia Department of Agriculture

Under the Animal Health and Protection Act and regulations

I, \_\_\_\_\_ being an inspector appointed under the Animal Health and Protection Act do hereby designate as a quarantine area the following premises, more particularly:

Owner's name \_\_\_\_\_

Farm name \_\_\_\_\_

Address \_\_\_\_\_

Area \_\_\_\_\_

County \_\_\_\_\_

The quarantine is subject to the following restrictions:

(a) no animal shall be moved from or into the quarantine area except with the written permission of an inspector;

(b) restrictions imposed by the Quarantine Notice shall apply until withdrawn;

(c)

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Signed (Inspector)

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