STATUTORY INSTRUMENTS

1961 No. 2040

ANTHRAX

The Anthrax Prevention (Goat Hair and Shaving Brushes) Order, 1961

Made - - - - 24*th October*, 1961
Coming into Operation 7*th November*, 1961

At the Court at Buckingham Palace, the 24th day of October 1961.

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section one of the Anthrax Prevention Act, 1919(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and revocation

1.—(1) This Order may be cited as the Anthrax Prevention (Goat Hair and Shaving Brushes) Order, 1961, and shall come into operation on the seventh day of November, 1961.

(2) The Order in Council of 21st February, 1935(b), regulating the importation into Great Britain of goat hair and goods mixed therewith is hereby revoked.

(3) The Anthrax Prevention (Shaving Brushes) Order, 1920(c), shall cease to have effect in so far as it prevents the importation of goods into Great Britain.

Interpretation

2.—(1) The Interpretation Act, 1889(d), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and as if this Order and the Orders referred to in paragraphs (2) and (3) of Article one of this Order were Acts of Parliament.

(2) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

"approved" means approved in writing for the time being for the purposes of this Order by the Minister;

"China cashmere" includes cashmere produced in the Mongolian People's Republic;

"goat hair" includes goat wool and noils and other by-products in the production of tops and yarns made wholly or partly of goat hair;

"the Government Wool Disinfecting Station" means the Government Wool Disinfecting Station (Ministry of Labour), Liverpool;

"the Minister" means the Minister of Labour;

"tops and yarns" includes sliver and rovings and other intermediate products.

(a) 9 & 10 Geo. 5. c. 23. (b) S.R. & O. 1935/164 (Rev. II, p. 744: 1935, p. 160).
(c) S.R. & O. 1920/253 (Rev. II. p. 743: 1920 I, p. 179). (d) 52 & 53 Vict. c. 63.

(3) References in this Order to any enactment shall be construed as references to that enactment as amended by or under any other enactment.

Declaration of infection with anthrax

3. It is hereby declared that—

(*a*) goat hair of whatever origin and all goods mixed therewith and tops and yarns made wholly or partly of goat hair ; and

(*b*) shaving brushes manufactured in or exported from Japan being shaving brushes containing animal fibre,

are goods likely to be infected with anthrax.

Prohibition on the importation of tops and yarns and of shaving brushes

4.—(1) Subject to the provisions of Article seven of this Order, the importation into Great Britain otherwise than merely for re-exportation by way of transhipment, or in the same ship, to a destination outside the United Kingdom of—

(*a*) tops made wholly or partly of goat hair ; and

(*b*) yarns (other than mohair yarns and bleached and dyed cashmere yarns) made wholly or partly of goat hair,

is hereby prohibited.

(2) Subject to the provisions of Article seven of this Order, the importation into Great Britain, whether exported direct to Great Britain or otherwise, of shaving brushes manufactured in or exported from Japan being shaving brushes containing animal fibre is hereby prohibited.

Disinfection of goat hair

5.—(1) This Article does not apply to the goods specified in the Schedule to this Order but, save as aforesaid, applies to goat hair and goods mixed therewith.

(2) Subject to the provisions of Article seven of this Order, the importation into Great Britain of any goods to which this Article applies shall be in compliance with the conditions specified in this Article except that goods which are imported merely for re-exportation by means of transhipment, or in the same ship, to a destination outside the United Kingdom shall be so re-exported.

(3) All packages containing goods to which this Article applies shall, when landed, be placed together and shall not be mixed with any other goods, and shall—

(*a*) if imported at the Port of Liverpool, be delivered to the Manager of the Government Wool Disinfecting Station or any agent of the Minister appointed to receive and remove them to that station ; or

(*b*) if imported at any other port, as soon as practicable be removed and delivered to the said Manager and the importer shall, if so required by the proper officer within the meaning of the Customs and Excise Act, 1952(a), give such security by bond or otherwise for the due removal thereof to the said station as the officer may require :

Provided that any package which has, prior to importation, been sold for re-exportation to a destination outside the United Kingdom and in respect of which notice and evidence to that effect has been given to the said Manager by the importer not later than the date of making the Customs

(a) 15 & 16 Geo. 6 and 1 Eliz. 2. c. 44.

entry may be re-exported without removal to the disinfecting station if arrangements are made to the satisfaction of the Manager for their re-exportation to such a destination within a reasonable period after the date of the entry and for their disposition pending their re-exportation.

(4) Goods which have been delivered to the Government Wool Disinfecting Station in accordance with the requirements of this Article shall not be removed therefrom until the Manager of the station has issued a certificate that the goods have been disinfected; and if the goods are not removed by the importer from the station within forty-eight hours of the issue and delivery to him of the certificate they shall be removed and warehoused at the expense of the importer as the Minister or his agent shall from time to time direct. For the purposes of this paragraph a certificate, if not delivered by hand, shall be deemed to be delivered when it is sent by post addressed to the importer at his last known address in Great Britain:

Provided that nothing in this paragraph shall prevent the removal or sending out from the said station without disinfection of—

(*a*) samples of goods properly packed so as to reduce as far as practicable the risk of infection from anthrax; or

(*b*) goods which are to be re-exported to a destination outside the United Kingdom in accordance with arrangements made to the satisfaction of the Manager of the station.

Cost of disinfection

6.—(1) The importer of goods to which the last preceding Article applies shall pay the necessary expenses in respect of their removal to and from the Government Wool Disinfecting Station and of disinfecting the goods and of any warehousing of the goods in pursuance of paragraph (4) of that Article.

(2) If any such goods are lost, destroyed or damaged, whether by fire or any other means whatsoever, and whether whilst being removed to or from the said station or whilst at the said station or whilst being warehoused in accordance with the provisions of paragraph (4) of the last preceding Article, no claim for compensation shall be brought against Her Majesty or any officer or servant of Her Majesty or against the Minister or any agent of the Minister in respect of such loss, destruction or damage.

Exemptions

7.—(1) The Minister may (subject to such conditions as may be specified therein) by certificate in writing exempt from all or any of the provisions of this Order any particular goods or any class or description of goods in cases where he is satisfied that there is no risk of the spread of infection from anthrax. Any such certificate may be revoked by the Minister at any time.

(2) None of the provisions of this Order shall apply to the importation of samples of goods properly packed so as to reduce as far as practicable the risk of infection from anthrax.

W. G. Agnew.

SCHEDULE

Article 5 (1).

GOODS TO WHICH THE REQUIREMENTS OF ARTICLE FIVE DO NOT APPLY

The requirements of Article five of this Order do not apply to the following goods, that is to say—

(1) Bleached and dyed cashmere yarns.

(2) China cashmere (other than dehaired China cashmere to which paragraph (4) of this Schedule applies) which is imported in unbroken bales as originally shipped from the People's Republic of China and which—

(*a*) if shipped from a port in the People's Republic of China to Great Britain is shipped direct or, if transhipped at an intermediate port, is shipped on a through bill of lading which is produced to the proper officer within the meaning of the Customs and Excise Act, 1952; or

(*b*) if shipped to Great Britain from a port other than a port in the People's Republic of China is proved to the satisfaction of the Manager of the Government Wool Disinfecting Station or some other person authorised by the Minister in that behalf to be China cashmere and to have been shipped from the People's Republic of China.

(3) Dehaired cashmere (other than dehaired China cashmere to which paragraph (4) of this Schedule applies) which is consigned to a particular factory in Great Britain and is to be disinfected by an approved method at that factory.

(4) Dehaired China cashmere which is accompanied by an approved certificate to show that it is China cashmere.

(5) Drawn goat hair for brush-making which—

(*a*) has been disinfected abroad by an approved method and is accompanied by an approved certificate; or

(*b*) is consigned to a particular factory in Great Britain and is to be disinfected by an approved method at that factory.

(6) Mohair yarns.

(7) Mohair (other than Van mohair) which is imported in unbroken bales as originally shipped from the country of origin and which—

(*a*) if shipped from the country of origin to Great Britain is shipped direct or, if transhipped at an intermediate port, is shipped on a through bill of lading which is produced to the proper officer within the meaning of the Customs and Excise Act, 1952; or

(*b*) if shipped to Great Britain from a port other than a port in the country of origin, is proved to the satisfaction of the Manager of the Government Wool Disinfecting Station or some other person authorised by the Minister in that behalf not to be Van mohair.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order (repeating with modifications the provisions of Orders in Council of 1920 and 1935 which it revokes) prohibits the importation into Great Britain of—

(*a*) tops made wholly or partly of goat hair;

(*b*) yarns (other than mohair yarns and bleached and dyed cashmere yarns) made wholly or partly of goat hair; and

(*c*) certain Japanese shaving brushes.

With certain exceptions, goat hair (not being cashmere or mohair of a kind specified in the Schedule to the Order) imported into Great Britain is required to be disinfected at the Government Wool Disinfecting Station.

The Minister of Labour may grant exemptions from the provisions of the Order in cases where he is satisfied that there is no risk of infection with anthrax.