STATUTORY INSTRUMENTS

# 1980 No. 448

## AGRICULTURE

### LIVESTOCK INDUSTRIES

# The Artificial Insemination of Cattle (England and Wales) Regulations 1980

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| *Made* - - - - | 27*th March* 1980 |
| *Laid before Parliament* | 10*th April* 1980 |
| *Coming into Operation* | 1*st May* 1980 |

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred by section 17 of the Agriculture (Miscellaneous Provisions) Act 1943(a), and now vested in them(b), and of all other powers enabling them in that behalf, hereby make the following regulations:—

## PART I

### INTRODUCTORY

*Citation, extent and commencement*

**1.** These regulations, which may be cited as the Artificial Insemination of Cattle (England and Wales) Regulations 1980, shall apply to England and Wales and shall come into operation on 1st May 1980.

*Interpretation*

**2.**—(1) In these regulations, unless the context otherwise requires—

"advertisement" includes every form of advertising to the public, whether in a publication, or by the display of any notice, or by means of any catalogue, price list, letter (whether circular or addressed to a particular person) or other document, or by words inscribed on any article, or by the exhibition of a photographic or a cinematograph film, or by way of sound recording, sound broadcasting or television, or in any other way;

"approval category" means the category into which an approved bull is placed under regulation 5(4);

"approved bull" means a bull which is approved for the time being—

(*a*) by the Minister under regulation 5,

(a) 1943 c. 16.
(b) By virtue of paragraph (1) of Article 4 of, and schedule 2 to, the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

or

(*b*) by the Secretary of State for Scotland under regulation 5 of the Artificial Insemination of Cattle (Scotland) Regulations 1980**(a)**;

"artificial insemination" means the artificial insemination of a cow;

"bull eligible for extended use" means an approved bull placed into an approval category other than Grade A (Progeny Testing) or Grade B (Untested) by the Minister under regulation 5(4) or by the Secretary of State for Scotland under the Artificial Insemination of Cattle (Scotland) Regulations 1980;

"centre storage licence" means a licence granted under regulation 7(1)(*c*);

"cow" includes heifer;

"dairy breed" means any of the Ayrshire, British Friesian (including Red and White Friesian and Poll Friesian), British Holstein, Jersey or Guernsey breeds or Dairy Shorthorn types of cattle;

"distribute" includes sell;

"embryo transfer unit" means premises used for the purpose of the collection or the transference of embryos of cattle and "exempted embryo transfer unit" means an embryo transfer unit in respect of which a certificate issued by the Minister is in force certifying that the unit is an exempted embryo transfer unit for the purpose of these regulations;

"evaluation" in relation to semen means the examination of semen to assess its suitability for use in artificial insemination but does not include such examination by a veterinary surgeon or a veterinary practitioner;

"farm" includes an embryo transfer unit and a research or experimental establishment;

"farm storage licence" means a licence granted under regulation 7(1)(*f*);

"farm storage servicing licence" means a licence granted under regulation 7(1)(*g*);

"flask" means a cryogenic flask;

"Improved Contemporary Comparison" means predicted breeding values for production for bulls of dairy breeds published from time to time jointly by the Milk Marketing Board and the Scottish Milk Marketing Board;

"the Minister" means the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly;

"owner" includes a joint owner and any person having authorised possessory use, and "ownership" shall be construed accordingly;

"process" in relation to semen means all or any of the following—

(*a*) dilute (except for the purpose of, or in the course of, the evaluation of semen);

(*b*) add any substance which is calculated to prolong the natural life of the semen;

(*c*) package into straws;

(*d*) freeze (except for the purpose of, or in the course of, the evaluation of semen);

and "processing" shall be construed accordingly, except that the processing of semen shall not be regarded as completed until all of the processes listed in the next definition have been carried out;

(a) S.I. 1980/453.

"processed", in relation to semen, means, except where the context otherwise requires, semen which has passed through all the following processes—

(*a*) dilution;

(*b*) addition of any substance which is calculated to prolong the natural life of the semen;

(*c*) packaging into straws;

(*d*) freezing;

"processing centre" means premises specified in a processing licence and in regulations 13, 14 and 15 also means premises specified in a licence issued under regulation 7(1)(*a*) of the Artificial Insemination of Cattle (Scotland) Regulations 1980;

"processing licence" means a licence granted under regulation 7(1)(*a*);

"qualified person" means any of the following:—

(*a*) a veterinary surgeon;

(*b*) a veterinary practitioner;

(*c*) a person, not being a veterinary surgeon or a veterinary practitioner, who collects semen under the direction of a veterinary surgeon approved by the Minister in this behalf;

"quarantine" means holding in isolation;

"quarantine centre" means premises specified in a quarantine licence and in regulations 14, 18 and 20 also means premises specified in a licence issued under regulation 7(1)(*b*) of the Artificial Insemination of Cattle (Scotland) Regulations 1980;

"quarantine licence" means a licence granted under regulation 7(1)(*b*);

"raw semen" means semen which has not been diluted or treated in any way so as to prolong its natural life;

"research or experimental establishment" means premises on which research into or experiments with cattle breeding is or are carried out and includes veterinary premises in which treatment of subfertile or infertile cattle is carried out, and "exempted research or experimental establishment" means a research or experimental establishment in respect of which a certificate issued by the Minister is in force certifying that the establishment is an exempted research or experimental establishment for the purposes of these regulations;

"semen" means semen collected from a bull;

"special movement licence" means a licence granted under regulation 7(1)(*e*);

"storage centre" means premises specified in a centre storage licence and in regulations 15, 17, 18 and 20 also means premises specified in a licence issued under regulation 7(1)(*c*) of the Artificial Insemination of Cattle (Scotland) Regulations 1980;

"straw" means a container holding one dose of processed semen for use in artificial insemination;

"supply licence" means a licence granted under regulation 7(1)(*d*);

"veterinary practitioner" means a person registered in the supplementary veterinary register kept under section 8 of the Veterinary Surgeons Act 1966**(a)**; and

(a) 1966 c. 36.

"veterinary surgeon" means a person registered in the register of veterinary surgeons kept under section 2 of the Veterinary Surgeons Act 1966.

(2) Any reference in these regulations to a numbered regulation or the Schedule shall be construed as a reference to the regulation so numbered in, or the Schedule to, these regulations.

*Revocation*

**3.** The Artificial Insemination of Cattle (England and Wales) Regulations 1977**(a)** are hereby revoked.

*Application of Regulations*

**4.**—(1) These regulations shall not apply to anything done by a permitted person in the course of or for the purpose of the artificial insemination of a cow with raw semen which has been collected from a bull by a permitted person when, at the time of such insemination, the cow is—

(*a*) in the same ownership as the bull from which the semen is collected;

(*b*) kept on land occupied by the owner of the bull; and

(*c*) comprised in the same herd as the bull.

(2) Nothing in these regulations shall apply to anything done in the course of or for the purpose of the artificial insemination of a cow—

(*a*) on an exempted embryo transfer unit with raw semen which has been collected from a bull by a qualified person, or

(*b*) on an exempted research or experimental establishment with semen which has been collected from a bull by a qualified person.

(3) These regulations shall not apply to the evaluation, processing, keeping or moving of semen by any person for the purposes of education or research in an educational or research establishment where that semen is not intended to be used at any time in artificial insemination.

(4) In paragraph (1) of this regulation, "permitted person" means—

(*a*) the owner of the bull from which semen is collected;

(*b*) a person in the regular and sole employment of the owner of the bull;

(*c*) a veterinary surgeon; or

(*d*) a veterinary practitioner.

## PART II

## APPROVAL OF BULLS

*Bulls for use in artificial insemination*

**5.**—(1) For the purposes of these regulations the Minister may on application made to him by or on behalf of the owner of a bull approve the bull for use in artificial insemination.

(2) The Minister may require an applicant for approval of a bull for use in artificial insemination—

(*a*) to furnish him with such information as the Minister may deem necessary for the proper consideration of the application, and

(a) S.I. 1977/1260.

(*b*) to permit the bull to be subjected to such isolation and to such tests, examinations or inspections as the Minister may deem necessary.

(3) In considering whether or not to approve a bull for use in artificial insemination the Minister shall have regard to the health of the bull and may take into account the health of other cattle with which that bull may have been in contact and the genetic qualities and physical characteristics, including abnormalities or defects of any kind, of the bull and its progeny.

(4) The Minister may, for the purposes of regulations 21 and 22, place a bull approved for use in artificial insemination into any one of the following approval categories, that is to say, "Grade A (Progeny Testing)", "Grade B (Untested)", "Unclassified", "Class 1", "Class 2", "Class 3" or "Class 4" and in so doing may take into account the Improved Contemporary Comparison, production information, progeny characteristics, age and pedigree of, or relating to, that bull.

(5) The Minister may approve a bull for use in artificial insemination without condition or subject to the following conditions or to one or more of them—

(*a*) that the approved bull shall be subjected to such further isolation, and shall fulfil such further veterinary conditions, as may be specified;

(*b*) that only during a specified period shall semen of the approved bull be collected for use in artificial insemination;

(*c*) that semen for use in artificial insemination shall be collected from the approved bull only on specified premises;

(*d*) that semen from the approved bull shall be supplied for use in the artificial insemination only of cows comprised in such herd or herds as may be specified;

(*e*) that semen from the approved bull collected during a specified period shall be supplied for use in the artificial insemination only of cows comprised in such herd or herds as may be specified;

(*f*) that the total amount of semen which may be supplied for use in the artificial insemination of cows comprised in a herd or herds, other than a specified herd or herds, shall not exceed a specified amount.

For the purposes of this paragraph "specified" means specified in writing by the Minister.

(6) Where a bull is approved subject to a condition under paragraph (5)(*f*) of this regulation, or is approved subject to a condition under regulation 5(5)(*f*) of the Artificial Insemination of Cattle (Scotland) Regulations 1980, or is deemed to have been approved by virtue of regulation 28(1) and the licence issued in respect of the bull imposed a limit on the amount of semen which could be distributed, or, in the case of imported semen the import licence is issued subject to a quantitative limit, the owner of the bull or, in the case of imported semen, the licensee, shall provide such certification of semen supplied in relation to the relevant condition or licence as may be required by the holder of a supply licence to meet the conditions of that supply licence.

(7) Where a bull is approved subject to one or more of the conditions set out in paragraph (5) of this regulation, that condition or those conditions shall be binding on the owner for the time being of the approved bull.

(8) Where a bull is approved subject to one or more of the conditions set out in sub-paragraphs (*d*), (*e*) and (*f*) of paragraph (5) above, the owner of semen from that bull shall not knowingly supply that semen for use in such a way that there is a breach of any of those conditions.

(9) Where the Minister has approved a bull for use in artificial insemination subject to the condition set out in paragraph (5)(*f*) of this regulation, notice of any subsequent change of ownership of that bull or of any subsequent disposal of semen from that bull shall be given to the Minister by the owner of that bull or semen. Provided that no notice shall be required to be given to the Minister in respect of semen which is moved from a storage centre under regulation 20(2)(*a*),(*d*) or (*f*).

(10) Where the owner of an approved bull or the owner of any semen from an approved bull knows or suspects that any progeny of that bull has shown signs of any abnormality the owner shall as soon as is practicable give notice of that knowledge or suspicion to the Minister and, if subsequently so directed by the Minister, to any person who that owner reasonably believes to be in possession of semen from that bull.

(11) In any case where he considers it to be necessary, having regard to the result of any veterinary test or examination, the Minister may, by a notice served on the owner of an approved bull, prohibit the use, in any herd, of semen collected from that bull, being semen collected during such period as is specified in the notice, or being semen collected between a date specified in the notice and a date specified in a subsequent notice to be served by the Minister on the owner.

(12) The Minister may at any time by notice to such persons as the Minister shall consider appropriate—

(*a*) cancel or vary any condition subject to which the bull was approved or may subject the approval of the bull to any of the conditions specified in paragraph (5) of this regulation not previously imposed;

(*b*) vary the approval category into which a bull is placed, or

(*c*) withdraw the approval of the bull.

(13) Where the Minister has withdrawn the approval of a bull, no person who has been notified of the withdrawal by the Minister under paragraph (12) above shall, without the consent in writing of the Minister, supply for use in artificial insemination any semen collected from that bull before the approval of that bull was withdrawn.

(14) On the death of an approved bull the owner shall forthwith give notice to the Minister of the death and the circumstances in which it occurred.

(15) Any notice given to the Minister by an owner of a bull under paragraph (9), (10) or (14) of this regulation shall be deemed to be notice on behalf of all the owners of that bull.

## PART III

### LICENCES

*General prohibition of evaluation, etc of semen*

**6.** The following are prohibited except under the authority of, and in accordance with the conditions of, a licence issued by the Minister and for the time being in force:—

(*a*) the evaluation, processing, keeping in quarantine, storage or movement from a storage centre of semen, or the causing or permitting of such evaluation, processing, keeping in quarantine, storage or movement;

(*b*) the delivery to farms of equipment or materials required for the storage and the use of semen in artificial insemination, or the servicing whilst on a farm of such equipment.

*Licences*

**7.**—(1) For the purpose of these regulations the Minister may grant one or more of the following licences:—

(*a*) a processing licence;

(*b*) a quarantine licence;

(*c*) a centre storage licence;

(*d*) a supply licence;

(*e*) a special movement licence;

(*f*) a farm storage licence;

(*g*) a farm storage servicing licence.

(2) Where the Minister grants two or more licences to the same person he may, if he thinks fit, grant the licences in the form of a combined licence.

(3) A processing licence shall authorise the licensee named therein to collect semen, and to evaluate or process semen on specified premises.

(4) A quarantine licence shall authorise the licensee named therein to keep processed semen in quarantine on specified premises.

(5) A centre storage licence shall authorise the licensee named therein to store processed semen on specified premises and to move semen therefrom in accordance with regulation 20(1) or 20(2).

(6) A supply licence shall authorise the licensee named therein to move processed semen from a storage centre in accordance with regulation 20(2).

(7) A special movement licence shall authorise the licensee named therein to move semen or cause or permit semen to be moved from a processing centre, or from a storage centre in respect of which a supply licence is also granted in accordance with regulation 7(1)(*d*), to farms situated within a specified area.

(8) A farm storage licence shall authorise the licensee named therein to store processed semen on a specified farm and to use or cause such semen to be used in the artificial insemination of cows which are kept on a specified farm which is, except where the farm is an exempted embryo transfer unit or an exempted research or experimental establishment, owned by the licensee.

(9) A farm storage servicing licence shall authorise the licensee named therein to deliver to farms equipment or materials (including liquid nitrogen for farm storage flasks) required for the storage and use of semen or to service such equipment in accordance with regulation 25.

(10) In this regulation "specified" means specified by the Minister in the relevant licence.

## PART IV

## COLLECTION, EVALUATION AND PROCESSING OF SEMEN

*Collection of semen*

**8.** No person shall collect semen from a bull for evaluation or processing unless he is a qualified person.

**9.** No person shall collect semen from a bull for processing except under the authority of, and in accordance with the conditions of, a processing licence for the time being in force unless that bull is an approved bull and—

(*a*) is at a processing centre, or

(*b*) where the approval of the bull for use in artificial insemination was subject to the condition set out in regulation 5(5)(*a*), has been kept in isolation on premises specified in the approval of the bull under regulation 5(5)(*c*) since the commencement of any veterinary investigations specified under regulation 5(5)(*a*).

**10.**—(1) Where the collection of semen is to take place on the premises specified in the approval of the bull under regulation 5(5)(*c*), a teaser animal may be used only if authorised by a qualified person.

(2) In this regulation "teaser animal" means a bovine animal which is used as an aid in the collection of semen from a bull.

*Delivery of semen for evaluation or processing*

**11.** No person shall—

(*a*) submit for processing at a processing centre semen collected from a bull kept on that centre, or

(*b*) deliver semen to a processing centre for evaluation or processing,

unless he is a qualified person.

*Evaluation of semen*

**12.**—(1) No person shall accept semen for evaluation unless it is submitted to him by a qualified person on the processing centre where the semen was collected, or is delivered to him at a processing centre by a qualified person.

(2) No person shall evaluate semen or cause or permit semen to be evaluated except under the authority of, and in accordance with the conditions of, a processing licence for the time being in force.

*Processing of semen*

**13.**—(1) No person shall accept semen for processing unless either it is submitted to him by a qualified person on the processing centre where the semen was collected, or it is delivered to him at a processing centre, and

(*a*) is delivered or was consigned by a qualified person, or

(*b*) comes from another processing centre for completion of processing.

(2) No person shall process semen or cause or permit semen to be processed unless he knows or reasonably believes it to be semen collected in accordance with the provisions of regulation 9.

(3) No person shall process semen or cause or permit semen to be processed except under the authority of, and in accordance with the conditions of, a processing licence for the time being in force.

*Movement of semen from a processing centre*

**14.**—(1) No person shall move semen, or cause or permit semen to be moved, from a processing centre except—

(*a*) in the case of partially processed semen—

(i) direct to another processing centre,

(ii) direct to an exempted research or experimental establishment, or

(iii) to a farm situated within an area specified in a special movement licence granted to him;

(*b*) in the case of processed semen—

(i) direct to a quarantine centre, or

(ii) direct to a place outside Great Britain.

(2) The person to whom a processing licence is granted shall, as soon as it is reasonably practicable after processing of the semen has been completed, move the semen, or cause it to be moved, direct to—

(*a*) a quarantine centre, or

(*b*) a place outside Great Britain.

## PART V

## QUARANTINE OF SEMEN

*Acceptance of semen to be kept in quarantine*

**15.** No person shall accept semen to be kept in quarantine unless—

(*a*) it is delivered to him at a quarantine centre, and

(*b*) it comes from a processing centre or a storage centre in respect of which a supply licence has also been granted in accordance with regulation 7(1)(*d*) or regulation 7(1)(*d*) of the Artificial Insemination of Cattle (Scotland) Regulations 1980, or is imported into Great Britain under a licence issued under section 17(3) of the Agriculture (Miscellaneous Provisions) Act 1943**(a)**.

*Keeping of semen in quarantine*

**16.** No person shall keep semen in quarantine, or cause or permit semen to be kept in quarantine, except under the authority of, and in accordance with the conditions of, a quarantine licence for the time being in force.

*Movement of semen from a quarantine centre*

**17.**—(1) Subject to the provisions of paragraph (4) of this regulation no person shall move semen, or cause or permit semen to be moved, from a quarantine centre until the semen has been kept there for a period of twenty-eight days.

(2) No person shall move semen, or cause or permit semen to be moved, from a quarantine centre except direct—

(*a*) to a storage centre, or

(*b*) to a place outside Great Britain.

(3) Subject to the provisions of paragraph (4) of this regulation, the person to whom a quarantine licence is granted shall, as soon as practicable after semen has been kept at the quarantine centre for 28 days, move the semen or cause it to be moved direct—

**(a)** 1943 c. 16.

(*a*) to a storage centre, or

(*b*) to a place outside Great Britain.

(4) Nothing in this regulation shall prevent the movement of semen from a quarantine centre direct to a place outside Great Britain before it has been kept in quarantine for 28 days.

## PART VI

## STORAGE, SUPPLY, DISTRIBUTION AND USE OF SEMEN

*Acceptance of semen for storage*

**18.** No person shall accept semen for storage unless either—

(*a*) the semen—

(i) is delivered to him at a storage centre, and

(ii) comes from another storage centre under the provisions of regulation 20(1)(*a*) or 20(2)(*b*), or from a quarantine centre, or is imported into Great Britain under a licence issued under section 17(3) of the Agriculture (Miscellaneous Provisions) Act 1943; or

(*b*) the semen—

(i) is delivered to him at a building specified in the farm storage licence granted to him, and

(ii) comes from the storage centre specified in the farm storage licence as the storage centre from which he may obtain semen.

*Storage of semen*

**19.** No person shall store semen, or cause or permit semen to be stored, except—

(1) under the authority of, and in accordance with the conditions of, a centre storage licence for the time being in force, or

(2) under the authority of, and in accordance with the conditions of, a farm storage licence for the time being in force.

*Movement of semen from a storage centre*

**20.** No person shall move semen, or cause or permit semen to be moved, from a storage centre except under the authority of, and in accordance with the conditions of, a centre storage licence or a supply licence for the time being in force and—

(1) in the case of a storage centre in respect of which a centre storage licence only is granted in accordance with regulation 7(1)(*c*) direct—

(*a*) to another storage centre, or

(*b*) to a place outside Great Britain;

(2) in the case of a storage centre in respect of which a supply licence is also granted in accordance with regulation 7(1)(*d*)—

(*a*) by means of an artificial insemination service to farms situated within the area designated in the supply licence,

(*b*) direct to another storage centre also licensed to supply semen within the area designated in the supply licence of the centre from which the semen is transferred,

(*c*) direct to a quarantine centre,

(*d*) to any person who by virtue of a farm storage licence granted to him is entitled to obtain semen from that storage centre,

(*e*) to a farm situated within an area specified in a special movement licence, or

(*f*) direct to a place outside Great Britain.

*Distribution of semen from a bull of a dairy breed*

**21.**—(1) No person shall distribute semen from a bull of a dairy breed unless he provides the recipient either before or at the time of distribution with a statement of the breed, name, current approval category of the bull from which the semen was taken and, if the bull is registered in Great Britain, the herd book number.

(2) No person shall distribute semen from a bull of a dairy breed eligible for extended use which is categorised by the Minister under regulation 5(4) as Unclassified unless he provides the recipient either before or at the time of distribution with all the latest information available relating to the matters specified in paragraph 1(*a*), (*b*) and, where applicable, (*c*) of the Schedule.

(3) A person who distributes semen from a bull of a dairy breed eligible for extended use which is categorised by the Minister under regulation 5(4) as Class 1, 2, 3 or 4, shall, on a request in writing for information, provide all the latest information available relating to the matters specified in paragraph 1(*a*), (*b*) and, where applicable, (*c*) of the Schedule.

(4) No person shall distribute semen from a bull of a dairy breed which is categorised by the Minister under regulation 5(4) as a Grade B (Untested) bull unless he provides the recipient either before or at the time of distribution with all the latest information available relating to the matters specified in paragraph 2(*a*), (*b*) and (*c*) of the Schedule.

(5) A person who distributes semen from a bull of a dairy breed which is categorised by the Minister under regulation 5(4) as a Grade A (Progeny Testing) bull shall, on a request in writing for information, provide all the latest information available relating to the matters specified in paragraph 2(*a*), (*b*) and (*c*) of the Schedule.

(6) No person shall distribute semen taken from an imported bull of a dairy breed unless—

(*a*) where the semen is from a bull eligible for extended use, he complies with the requirements relating to the provision of information contained in paragraph (2) or (3) above, as the case may be, and the information is expressed in terms, so far as practicable, comparable to the Improved Contemporary Comparison and conformation assessments of mature bulls bred in Great Britain;

(*b*) where the semen is from a bull categorised by the Minister under regulation 5(4) as Grade A (Progeny Testing) or Grade B (Untested), he complies with the requirements relating to the provision of information contained in paragraph (4) or (5) above, as the case may be, and the information is expressed in terms, so far as practicable, comparable to the Improved Contemporary Comparison and conformation assessments of bulls being progeny tested in Great Britain.

(7) Where any information to be provided under any of the foregoing paragraphs of this regulation is not available, a statement in writing to that effect specifying the information which is not available shall be supplied to the recipient before or at the time of distribution.

(8) Nothing contained in the foregoing paragraphs of this regulation shall apply to a person who distributes semen in respect of which he is not the owner and the distribution is under the authority of, and in accordance with the conditions of, a supply licence.

*Advertisement of semen from a bull of a dairy breed*

**22.**—(1) No person shall cause an advertisement relating to any semen from a bull of a dairy breed to be issued unless that advertisement includes a statement of the breed, name, current approval category of the bull from which that semen was taken and, if the bull was registered in Great Britain, the herd book number.

(2)(*a*) No person shall cause an advertisement relating to any semen from a bull of a dairy breed eligible for extended use which is categorised by the Minister under regulation 5(4) as Unclassified to be issued unless that advertisement includes all the latest information available relating to the matters specified in paragraph 1(*a*), (*b*) and, where applicable, (*c*) of the Schedule.

(*b*) No person shall cause an advertisement relating to any semen from a bull of a diary breed which is categorised by the Minister under regulation 5(4) as Grade B (Untested) to be issued unless that advertisement includes all the latest information available relating to the matters specified in paragraph 2(*a*), (*b*) and (*c*) of the Schedule.

(*c*) No person shall cause an advertisement to be issued relating to any semen taken from an imported bull of a dairy breed unless—

(i) where the semen is from a bull eligible for extended use, the advertisement includes all the latest information available relating to the matters specified in paragraph 1(*a*), (*b*) and, where applicable, (*c*) of the Schedule expressed in terms, so far as practicable, comparable to the Improved Contemporary Comparison and conformation assessments of mature bulls bred in Great Britain;

(ii) where the semen is from a bull categorised by the Minister under regulation 5(4) as Grade A (Progeny Testing) or Grade B (Untested), the advertisement includes all the latest information available relating to the matters specified in paragraph 2(*a*), (*b*) and (*c*) of the Schedule expressed in terms, so far as practicable, comparable to the Improved Contemporary Comparison and conformation assessments of bulls being progeny tested in Great Britain.

(3) Where in relation to any semen any of the information required under paragraphs (1) and (2) above is not available, a statement to that effect, specifying the information which is not available, shall be made in the advertisement.

(4)(*a*) Any person who causes an advertisement relating to any semen from a bull of a dairy breed eligible for extended use which is categorised by the Minister under regulation 5(4) as Class 1, 2, 3, or 4 to be issued shall, on a request in writing for information, provide all the information available relating to the matters specified in paragraph 1(*a*), (*b*) and, where applicable, (*c*) of the Schedule.

(*b*) Any person who causes an advertisement relating to any semen from a bull of a dairy breed which is categorised by the Minister under regulation

5(4) as Grade A (Progeny Testing) to be issued shall, on a request in writing for information, provide all the information available relating to the matters specified in paragraph 2(*a*), (*b*) and (*c*) of the Schedule.

**23.** Any statement or information to be provided under regulation 21 or 22 shall be printed in a clear and legible manner and that which is unfavourable shall be given equal prominence to that which is favourable.

*General prohibition on use of semen*

**24.** No person shall use semen in the artificial insemination of a cow unless—

(*a*) that semen has been obtained from a storage centre from which the semen was moved in accordance with the provisions of these regulations, or from a processing centre from which the semen was moved in accordance with the conditions of a special movement licence, and

(*b*) he is:—

(i) a veterinary surgeon,

(ii) a veterinary practitioner,

(iii) a full-time employee of the holder of a supply licence or special movement licence who, to the reasonable satisfaction of the licence holder, is competent in artificial insemination and associated hygiene precautions and who is under the general direction of a veterinary surgeon specified in the licence,

(iv) the holder of a farm storage licence or a full-time employee of such holder who has completed a course of training in artificial insemination under the direction of a veterinary surgeon and recognised by the Agricultural Training Board or who regularly carried out artificial insemination during the period of 12 months immediately preceding the coming into force of the Artificial Insemination of Cattle (England and Wales) Regulations 1977, and who has continued regularly to carry out artificial insemination since the coming into force of those regulations, or

(v) the owner, tenant or manager of a farm to which semen has been moved by virtue of and in accordance with regulation 14(1)(*a*)(iii) or 20(2)(*e*), or an employee of the owner or tenant.

## PART VII

## FARM STORAGE SERVICING

*Delivery and service of equipment required for storage and use of semen*

**25.** No person shall deliver to a farm any equipment or materials (including liquid nitrogen for farm storage flasks) required for the storage and use of semen in artificial insemination, or service such equipment whilst on the farm, except under the authority of, and in accordance with the conditions of, a farm storage servicing licence for the time being in force.

Nothing in this regulation shall prevent the holder of a farm storage licence from servicing equipment which belongs to him or from collecting any equipment or materials for use on his own farm.

## PART VIII

### GENERAL

*Applications etc. to be in writing*

**26.** Any application, approval, authorisation, certificate, consent, direction, licence, notice or requirement made, given or granted for the purposes of these regulations shall be in writing.

*Offences*

**27.** No person shall—

(*a*) furnish any information under regulation 5(2)(*a*), 21 or 22,

(*b*) give any certificate provided under regulation 5(6),

(*c*) make any statement or furnish any information for the purpose of obtaining a licence under these regulations,

which he knows to be false or does not believe to be true.

*Transitional provisions*

**28.**—(1) Where immediately before the date of coming into operation of the Artificial Insemination of Cattle (England and Wales) Regulations 1977(**a**) there was in force in respect of a bull a licence issued by the Minister of Agriculture, Fisheries and Food under the Artificial Insemination of Cattle (England and Wales) Regulations 1957(**b**) or by the Secretary of State for Scotland under the Artificial Insemination of Cattle (Scotland) Regulations 1957(**c**) permitting the distribution of semen from the bull, the bull shall for the purposes of these regulations be deemed to be an approved bull, and these regulations shall apply in respect of the bull and its semen as they apply to an approved bull and its semen.

(2) Where immediately before the coming into operation of the Artificial Insemination of Cattle (England and Wales) Regulations 1977 the owner of semen was entitled by virtue of regulation 4(2)(*a*) of the Artificial Insemination of Cattle (England and Wales) Regulations 1957 or regulation 3(2)(*a*) of the Artificial Insemination of Cattle (Scotland) Regulations 1957 to use that semen without a licence, that owner may continue to use that semen in the artificial insemination of cows belonging to him, and the bull from which the semen was taken shall for that purpose only, be deemed to be an approved bull.

(3) Where the bull is deemed to be an approved bull by virtue of paragraph (1) above, and the licence issued in respect of it imposed a limit on the amount of semen which could be distributed then the amount of semen which may be supplied for use in the artificial insemination of cows comprised in a herd, other than a herd in the same ownership as the bull, shall not exceed that limit, reduced by the amount of its semen which was distributed under the licence before the coming into operation of these regulations.

(4) Where a bull is deemed to be an approved bull by virtue of paragraph (1) above, and the licence issued in respect of it provided that its semen could be distributed for use only in a specified herd or specified herds, then the semen of that bull shall be supplied only for use in the artificial insemination of cows comprised in the herd or herds so specified.

(**a**) S.I. 1977/1260. (**b**) S.I. 1957/948. (**c**) S.I. 1957/1954.

(5) Where a bull is deemed to be an approved bull by virtue of paragraph (1) or (2) above, then that bull—

(*a*) shall be subjected to such isolation, and undergo such veterinary investigation, as the Minister may by notice direct; and

(*b*) shall, if the Minister by notice so directs, cease to be so deemed.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 24th March 1980.

(L.S.)

*Peter Walker*,
Minister of Agriculture, Fisheries and Food.

*Nicholas Edwards*,
Secretary of State for Wales.

27th March 1980.

*Regulations* 21, 22 *and* 23

SCHEDULE

*Advertisement and Distribution of Semen*

1.—(*a*) The date of publication of, and the following details from, the latest Improved Contemporary Comparison relating to the bull from which the semen was taken, with the appropriate weighting for each Improved Contemporary Comparison, placing the symbol "–" or the word "minus" immediately before negative figures:—

(i) number of daughter records in the milk yield Improved Contemporary Comparison,

(ii) number of herds in which the daughters to which those records relate were milked,

(iii) percentage of those daughters in the herd with the largest number of those daughters,

(iv) where the percentage of daughters in the herd with the second largest number of those daughters was more than 10%, that percentage,

(v) kilograms of milk,

(vi) kilograms of butter-fat and butter-fat percentage,

(vii) kilograms of protein and protein percentage;

(*b*) the number of daughters of the bull from which the semen was taken which have been classified by a breed society or licensed artificial insemination organisation or centre, classification summary of the ratings of the daughters in respect of the legs, feet and the components of the mammary system, the date on which these summary ratings were last determined and the name of the breed society or licensed artificial insemination organisation or centre from which this information was obtained;

(*c*) where production information is given relating to any individual daughter or daughters of the bull from which the semen was taken—

the number of daughters, the average milk yield and butter-fat and protein average percentages obtained from the Bureau of Records of the Milk Marketing Board or the Bureau of Records of the Scottish Milk Marketing Board based on all daughters which have completed qualifying lactations in officially milk recorded herds and, in the case of heifer yields, the percentage of the total calving in officially milk recorded herds which have failed to achieve qualifying lactations.

2.—(*a*) The name of the sire of the bull from which the semen was taken and the details of the latest Improved Contemporary Comparison relating to that sire as set out in paragraph 1(*a*) of this Schedule, together with their date of publication;

(*b*) the number of daughters of the sire of the bull from which the semen was taken which have been classified by a breed society or licensed artificial insemination organisation or centre, classification summary of the ratings of the daughters in respect of the legs, feet and the components of the mammary system, the date on which these summary ratings were last determined and the name of the breed society or licensed artificial insemination organisation or centre from which this information was obtained;

(*c*) the name of the dam of the bull from which the semen was taken, her breed society type classification and details of the first four authenticated 305 day lactations, including calving dates, and either the current breeding index or the production indices, stating the herd base to which the cow has been compared.

3. In paragraphs 1(*b*) and 2(*b*) above the expression "licensed artificial insemination organisation or centre" means an organisation or centre authorised for the time being to process, quarantine, store and supply semen by virtue of a licence issued under these regulations or under the Artificial Insemination of Cattle (Scotland) Regulations 1980.

## EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations, which supersede the Artificial Insemination of Cattle (England and Wales) Regulations 1977 continue, with certain changes, the system for the control of the practice of artificial insemination in England and Wales.

The Regulations provide for the issuing and withdrawal of approvals by Ministers of bulls for use in artificial insemination. Approvals may be unconditional or subject to one or more of the conditions mentioned in the Regulations. Approval conditions may be varied or cancelled.

The Regulations prohibit the collection of semen for processing except by licence unless from an approved bull and prohibit the evaluation, processing, quarantine, storage and supply of semen for use in artificial insemination except under the authority of licences granted by the Ministers and subject to such conditions as may be specified in the licences.

The Regulations provide that artificial insemination may be carried out only by veterinary surgeons and by certain other specified persons and also provide for the control of the delivery of equipment and materials required for the storage and use of semen, and for the servicing of such equipment. Transitional provisions are also included providing for bulls, the use of whose semen was authorised before the coming into force of the 1977 Regulations, to continue to be regarded as approved bulls.

The Regulations do not apply to the use of raw semen in cows belonging to the owner of the bull from which the semen came, or on an embryo transfer unit in respect of which Ministers have granted an exemption; nor do they apply to the use of any semen on a research or experimental establishment similarly exempted.

The principal changes from the 1977 Regulations are—

(1) Ministers may place a dairy bull approved for use in artificial insemination into one of the approval categories specified in the Regulations and

no person may distribute semen or may advertise semen unless he provides in writing specified information, according to the approval category in which the bull is placed.

(2) To allow for more flexibility in the movement of semen in certain exceptional situations the transfer of partially processed semen from a processing centre or of processed semen from a storage centre to farms situated in a specified area may be authorised by Ministers by the issue of a special movement licence. An owner or tenant or employee of a farm to which semen has been moved under a special movement licence is allowed to inseminate cows with the semen.

(3) Semen may not be moved from a storage centre, licensed to supply semen within one area, direct to a storage centre licensed to supply semen in another area except via a licensed quarantine centre where it must first undergo a period of quarantine.

(4) There is now no restriction on the evaluation, processing or moving of semen by any person for the purposes of education or research in an educational or research establishment where that semen is not intended to be used in artificial insemination.

(5) Where Ministers consider it to be necessary, having regard to the result of any veterinary test they may, by notice served on the owner of a bull, prohibit the use of semen collected from the bull during the period specified in the notice.

(6) The owner of a bull or the holder of a licence to import semen is required, where Ministers have placed a quantitative limit on the amount of semen that may be supplied for use, to provide such certification as the holder of a supply licence requires to meet the conditions of the licence.