# 1989 No. 49

# ANIMALS

## Bovine Spongiform Encephalopathy (Amendment) Order (Northern Ireland) 1989

*Made . . . . . 23rd February 1989*

*Coming into operation . . 24th February 1989*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 5(1), 19(*e*) and (*k*) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:

*Citation, commencement and interpretation*

**1.**—(1) This Order may be cited as the Bovine Spongiform Encephalopathy (Amendment) Order (Northern Ireland) 1989 and shall come into operation on 24th February 1989.

(2) In this Order "the principal Order" means the Bovine Spongiform Encephalopathy Order (Northern Ireland) 1988(**b**).

*Amendment of the principal Order*

**2.** The principal Order shall be amended as follows:—

(1) In Article 2 insert "'"research establishment" means an establishment carrying out research into the disease" before the definition of "return".

(2) After Article 4 insert—

"*Milk from affected or suspected animals*

4A.—(1) A person shall not knowingly—

(*a*) sell or supply for human consumption or feeding to animals or birds; or

(*b*) use in the manufacture of any product for sale or supply for human consumption or feeding to animals or birds,

any milk which he knows or has reason to suspect has been produced by an affected or a suspected animal.

(2) Subject to paragraph (3), a person shall not feed to any animal or bird any milk which he knows or has reason to suspect has been produced by an affected or suspected animal.

(3) The prohibition in paragraph (2) shall not apply—

(*a*) to the feeding to its own calf of any milk produced by a cow; or

(**a**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17
(**b**) S.R. 1988 No. 422

(*b*) to the feeding of any milk to an animal or bird, in a research establishment under the authority of and in accordance with the conditions of a licence issued by the Department.

(4) No person shall remove any milk which he knows or has reason to suspect has come from an affected or suspected animal from the premises on which that animal was milked except under the authority of and in accordance with the conditions of a licence granted by the Department.''.

Sealed with the Official Seal of the Department of Agriculture on 23rd February 1989.

(L.S.) *S. R. Armstrong*
Assistant Secretary

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EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order amends the Bovine Spongiform Encephalopathy Order (Northern Ireland) 1988 (''the principal Order'').

This Order inserts into the principal Order a new Article 4A which prohibits—

(*a*) the sale or supply for human consumption or for feeding to animals or birds of any milk from a bovine animal which is affected or suspected of being affected with bovine spongiform encephalopathy;

(*b*) the use of any such milk in the manufacture of any product for sale or supply for human consumption or for feeding to animals or birds;

(*c*) the feeding (subject to certain exemptions) of any such milk to animals or birds; and

(*d*) the removal of any such milk from the premises on which the animal was milked except under the authority of a licence.