1970. No. 190 **[C]**

DISEASES OF ANIMALS

Brucellosis

ORDER, DATED 8TH DAY OF JULY 1970, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958.

The Ministry of Agriculture in exercise of the powers conferred on it by Sections 10, 12 and 53 of the Diseases of Animals Act (Northern Ireland) 1958(**a**) and of every other power enabling it in that behalf hereby makes the following Order:—

Title and Commencement

1. This Order which may be cited as the Brucellosis (Amendment No. 5) Order (Northern Ireland) 1970 shall come into operation on the 1st day of September 1970.

Amendment of the 1966 Order

2. The Brucellosis Order (Northern Ireland) 1966(**b**) as amended by the Brucellosis (Amendment No. 2) Order (Northern Ireland) 1968(**c**), the Brucellosis (Amendment No. 3) Order (Northern Ireland) 1968(**d**) and the Brucellosis (Amendment No. 4) Order (Northern Ireland) 1970(**e**) shall be further amended as follows:—

(1) In Article 2 the following definition shall be included:—

" "carcase value" means the price realised by the dressed carcase including hide and offal less expenses incurred by the Ministry in having the animal collected from the farm of origin, transported to the abattoir and slaughtered".

(2) Article 10 is hereby revoked.

(3) For Article 12 the following Article shall be substituted:—

"Issue of Brucellosis Certificates

12. The Ministry may issue a brucellosis certificate—

(*a*) to the owner of any herd in which 2 or more successive negative official tests have been obtained; or

(*b*) to the owner of a new herd wholly constituted by the transfer of animals from a Brucellosis (Certified) Herd or which have been imported from the Republic of Ireland under Article 26(3)(*a*) of this Order provided that before so issuing a certificate to such a herd the Ministry may require one negative official test of the herd".

(4) For Article 13 the following Article shall be substituted:—

"Power to Slaughter

13.—(1) The Ministry may slaughter or cause to be slaughtered any reactor and any other animal which has been exposed to the possibility of infection with brucellosis by being in contact with any such reactor.

(**a**) 1958. c. 13.
(**b**) S.R. & O. (N.I.) 1966, No. 227.
(**c**) S.R. & O. (N.I.) 1968, No. 237.
(**d**) S.R. & O. (N.I.) 1968, No. 269.
(**e**) S.R. & O. (N.I.) 1970, No. 37.

(2) Where a notice has been served in respect of any animal in accordance with Article 14 and, where applicable, its market value has been determined in accordance with Article 16, the Ministry shall have power to cause the said animal to be removed for slaughter, and the owner shall provide all reasonable facilities for the collection and removal of the said animal".

(5) For paragraph (1) of Article 16 the following paragraph shall be substituted:—

"(1) Where the Ministry causes an animal to be slaughtered in accordance with this Order the compensation payable by the Ministry shall be:—

(*a*) in the case of a reactor in a herd which on 1st September 1970 was a Brucellosis (Eradication) Herd and which has not at any time since that date become a Brucellosis (Certified) Herd—

(i) an amount equal to 85% of the animal's market value or £340 whichever is the less if the animal is a pedigree animal;

(ii) an amount equal to 85% of the animal's market value or £136 whichever is the less if the animal is not a pedigree animal;

(*b*) in the case of a reactor in a herd which on 1st September 1970 is a Brucellosis (Certified) Herd or which subsequent to that date becomes either a Brucellosis (Certified) Herd or a Brucellosis (Eradication) Herd the carcase value of the animal;

(*c*) in the case of an animal which is not a reactor but which has been exposed to the possibility of infection with brucellosis by being in contact with a reactor an amount equal to its market value".

(6) In paragraph (3) of Article 16 after the word "compensation" the words "under sub-paragraphs (*a*) and (*c*) of paragraph (1)" shall be inserted.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 8th day of July 1970 in the presence of

(L.S.) *H. S. Oliver,*
Assistant Secretary.

EXPLANATORY NOTE

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

The main purpose of this Order is to change the rate of compensation payable in respect of reactors.