STATUTORY INSTRUMENTS

1976 No. 245

ANIMALS

DISEASES OF ANIMALS

The Brucellosis (Eradication Areas) (England and Wales) Order 1976

Made - - - - 16*th February* 1976

Coming into Operation 28*th February* 1976

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 5 of the Diseases of Animals Act 1950(a), as read with the Diseases of Animals (Extension of Definitions) Order 1971(b), and as extended by section 106(3) of the Agriculture Act 1970(c), and by section 85(1) of the said Act of 1950, and of all his other enabling powers, hereby orders as follows:—

Citation and commencement

1. This order may be cited as the Brucellosis (Eradication Areas) (England and Wales) Order 1976, and shall come into operation on 28th February 1976.

Interpretation

2.—(1) In this order, unless the context otherwise requires—

"the Minister" means the Minister of Agriculture, Fisheries and Food;

"veterinary inspector" means a veterinary inspector appointed by the Minister.

(2) The Interpretation Act 1889(d) applies for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Declaration of brucellosis eradication areas

3. The areas respectively described in the Schedule hereto, being areas as respects which the Minister is satisfied in each case that a substantial majority of the cattle therein are free from brucellosis, are hereby declared to be eradication areas for purposes connected with the control of brucellosis, and shall be known for such purposes by the names by which they are referred to in the said Schedule.

(a) 1950 c. 36.
(b) S.I. 1971/531 (1971 I, p. 1530).
(c) 1970 c. 40.
(d) 1889 c. 63.

Amendment of the Brucellosis (Eradication Areas) (Wales) Order 1973

4. The Brucellosis (Eradication Areas) (Wales) Order 1973**(a)** shall be amended by the deletion from the Schedule thereto, in the description of the area referred to therein as the "Wales No. 6 Eradication Area", of the words "excluding Hay and Knighton livestock markets".

Restriction on vaccination

5. No person other than—

(*a*) a veterinary inspector,

(*b*) a veterinary surgeon authorised for the purpose by the Minister, or

(*c*) a person acting under the authority of a licence issued for the purpose by a veterinary inspector employed by the Minister, and who complies with the conditions (if any) subject to which the licence is issued,

shall vaccinate cattle against brucellosis in an area declared by this order to be an eradication area.

Application of the Brucellosis (Area Eradication) (England and Wales) Order 1971, *as amended*

6. The provisions of the Brucellosis (Area Eradication) (England and Wales) Order 1971**(b)**, as amended **(c)**, shall apply to, and have effect in,—

(*a*) the areas declared by this order to be eradication areas, and

(*b*) the Hay and Knighton livestock markets,

as from 1st November 1976.

Offences

7. Any person who vaccinates cattle, or who causes or permits cattle to be vaccinated, in contravention of Article 5 of this order, or who fails to comply with a condition of a licence issued thereunder, commits an offence against the Diseases of Animals Act 1950.

Enforcement

8. This order shall, except where otherwise expressly provided, be executed and enforced by the local authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th February 1976.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

(a) S.I. 1973/988 (1973 II, p. 3017). **(b)** S.I. 1971/1717 (1971 III, p. 4673).
(c) S.I. 1972/1173 (1972 II, p. 3486), S.I. 1976/244.

SCHEDULE Article 3

NORTH WEST ENGLAND NO. 4 ERADICATION AREA

An area comprising:—

In the county of North Yorkshire

In the district of Craven

The parishes of Airton, Appletreewick, Arncliffe, Bank Newton, Barden, Bordley, Beamsley, Bolton Abbey, Bradleys Both, Broughton, Buckden, Burnsall, Calton, Carleton, Cononley, Coniston Cold, Conistone with Kilnsey, Cowling, Cracoe, Draughton, Elslack, Embsay with Eastby, Eshton, Farnhill, Flasby with Winterburn, Gargrave, Grassington, Glusburn, Halton East, Halton Gill, Hanlith, Hartlington, Hawkswick, Hazlewood with Storiths, Hebden, Hellifield, Hetton, Kettlewell with Starbotton, Kirkby Malham, Langcliffe, Linton, Litton, Long Preston, Lothersdale, Malham, Malham Moor, Martons Both, Nappa, Otterburn, Rylstone, Scosthrop, Skipton, Stirton with Thorlby, Sutton, Swinden, Thornton-in-Craven, Thorpe, Threshfield and so much of the parishes of Horton-in-Ribblesdale, Rathmell, Settle and Stainforth as lie to the east of the River Ribble,

In the county of Lancashire

The borough of Burnley and the districts of Hyndburn and Pendle.

In the Borough of Ribble Valley

The parishes of Balderstone, Billington, Chatburn, Clayton-le-Dale, Clitheroe, Dinckley, Downham, Gisburn, Horton, Little Mitton, Mearley, Mellor, Middop, Newsholme, Osbaldeston, Pendleton, Ramsgreave, Read, Rimington, Sabden, Salesbury, Twiston, Worston, Whalley, Wilpshire, Wiswell and so much of the parishes of Grindleton and Sawley as lie to the south and east of the River Ribble.

All the said river is excluded from the eradication area where it forms part of its boundary.

EAST MIDLAND NO. 1 ERADICATION AREA

An area comprising:—

The county of Lincolnshire.

In the county of Leicestershire

The district of Rutland.

In the county of Humberside

The districts of Scunthorpe, Glanford, Cleethorpes and Grimsby.

WEST MIDLAND NO. 1 ERADICATION AREA

An area comprising:—

In the county of Salop

That part of the county to the west of the road A49-A41-A49 (excluding Shrewsbury and Whitchurch livestock markets).

In the county of Hereford and Worcester

That part of the county as lies to the west of the road A49 from Ludlow to Kingsthorne and to the west of the road A466 from Kingsthorne to Monmouth.

All the said roads are excluded from the eradication area where they form part of its boundary.

SOUTH OXFORDSHIRE AND SOUTH BUCKINGHAMSHIRE ERADICATION AREA

An area comprising:—

In the county of Oxfordshire

So much of the district of South Oxfordshire and of Oxford Borough as lies to the south of the road M40 and its continuation as the road A40 to the junction with the road A4142 and east of the road A4142 (eastern Oxford by-pass) and south of the road A423 from its junction with the road A4142 westwards until it crosses the River Thames.

In the county of Buckinghamshire

So much of the county as lies to the south of the road M40.

All the said roads and river are excluded from the eradication area where they form part of its boundary.

EAST SUSSEX, KENT AND PART WEST SUSSEX, ETC., ERADICATION AREA

An area comprising:—

The county of East Sussex.

The county of Kent.

The London boroughs of Greenwich, Lewisham, Bexley and Bromley.

In the county of West Sussex

So much of the county as lies outside the West Sussex Eradication Area and the Berkshire, South-West Oxfordshire, Surrey, etc. Eradication Area.

SOUTH WEST ENGLAND NO. 2 ERADICATION AREA

An area comprising:—

In the county of Somerset

In the district of West Somerset

The parishes of Holford, Stogursey and Stringston.

The district of Taunton Deane excluding the parishes of Chipstable, Wiveliscombe and Wiveliscombe Without.

The district of Sedgemoor excluding the parishes of Shipham, Cheddar and Wedmore.

In the district of Mendip

The parishes of Sharpham and Walton.

In the district of Yeovil

The parishes of High Ham, Somerton, Compton Dundon, Aller, Pitney, Langport, Long Sutton, Kingsdon, Curry Rivel, Drayton, Muchelney, Huish Episcopi, Long Load, Ash, Tintinhull, Ilchester, Fivehead, Curry Mallet, Isle Abbots, Isle Brewers, Beercrocombe, Ashill, Ilton, Puckington, Barrington, Kingsbury Episcopi, Martock, Stoke-sub-Hamdon, Norton-sub-Hamdon, East Chinnock, West Chinnock, Hazlebury Plucknett, Chiselborough, Broadway, Buckland St. Mary, Combe St. Nicholas, Whitestaunton, Wambrook, Chard, Winsham, Wayford, Cricket St. Thomas, Chaffcombe, Ilminster, Ilminster Without, Ilminster Without Detached, Knowle St. Giles, Dowlish Wake, Kingstone, Donyatt, White Lackington, Seavington St. Mary, Seavington St. Michael, Lopen, Hinton St. George, Merriott, Crewkerne, West Crewkerne, Misterton, North Perrott, Dinnington, Cudworth, Chillington, South Petherton, Shepton Beauchamp and Stocklinch.

New Forest Eradication Area

An area comprising:—

In the county of Hampshire

The district of New Forest excluding the parishes of Whitsbury, Rockbourne, Breamore, Martin and Damerham and so much of the parishes of Fordingbridge and Harbridge and Ibsley as lies to the west of the River Avon.

In the district of Test Valley

The parishes of Melchett Park and Plaitford and Wellow.

In the county of Dorset

In the district of Christchurch

The parish of Burton.

So much of the parish of Christchurch as lies to the east of the River Avon.

In the district of Wimborne

So much of the parish of Downton as lies to the east of the River Avon.

In the county of Wiltshire

In the district of Salisbury

The parishes of Whiteparish, Redlynch and Landford.

All the said river is excluded from the eradication area where it forms part of its boundary.

Wales No. 8 Eradication Area

An area comprising:—

The county of South Glamorgan.

In the county of West Glamorgan

The district of Neath, excluding the community areas of Dylais Higher and Neath Higher.

The district of Lliw Valley, excluding the community areas of Llanguicke, Rhyndwyclydach and Mawr and that part of the community area of Llwchwr which was formerly the parishes of Llandeilo Tal-y-Bont and Llangyfelach.

The districts of Swansea and Afan.

The county of Mid Glamorgan excluding the community area of Penderyn in the district of Cynon Valley and the community area of Vaynor in the district of Merthyr Tydfil.

The county of Gwent excluding the community areas of Byrnmawr and Llanelly in the district of Blaenau Gwent.

Wales No. 9 Eradication Area

An area comprising:—

In the county of Clwyd

The district of Wrexham-Maelor (excluding Wrexham livestock market).

EXPLANATORY NOTE

(This Note is not part of the Order.)

Under section 5 of the Diseases of Animals Act 1950, the Minister of Agriculture, Fisheries and Food may make orders declaring an area to be an eradication area for purposes connected with the control of any disease of cattle if he is satisfied that a substantial majority of the cattle therein are free from that disease. Under the same section, as amended by section 106(3) of the Agriculture Act 1970, the Minister may make orders imposing such prohibitions or requirements with respect to cattle in eradication areas as he may consider necessary or desirable for the purpose of eradicating brucellosis.

The present order declares seven further areas in England and two further areas in Wales to be eradication areas, and prohibits the vaccination against brucellosis of cattle in those areas, unless undertaken on behalf of the Minister, or under a licence issued by a veterinary inspector employed by him. The nine areas concerned are:—

(1) parts of the counties of North Yorkshire and Lancashire;

(2) the county of Lincolnshire together with parts of the counties of Leicestershire and Humberside;

(3) parts of the counties of Salop and Hereford and Worcester;

(4) parts of the counties of Oxfordshire and Buckinghamshire;

(5) the counties of East Sussex and Kent together with the south east part of Greater London and those parts of the county of West Sussex not previously included in an eradication area;

(6) parts of the county of Somerset;

(7) the New Forest;

(8) the county of South Glamorgan and those parts of the counties of West Glamorgan, Mid Glamorgan and Gwent not previously included in an eradication area;

(9) parts of the county of Clwyd.

The order also provides that the provisions of the Brucellosis (Area Eradication) (England and Wales) Order 1971, as amended, shall come into effect in these areas as from 1st November 1976.

The order also amends the Brucellosis (Eradication Areas) (Wales) Order 1973 by adding the Hay and Knighton livestock markets to the Wales No. 6 Eradication Area.

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