STATUTORY INSTRUMENTS

1969 No. 1444

ANIMALS

DISEASES OF ANIMALS

The Foot and Mouth Disease (Amendment) Order 1969

Made - - - -	*7th October* 1969
Coming into Operation	*20th October* 1969

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers vested in them under sections 1, 20 and 85 of the Diseases of Animals Act 1950(a) (as read with the Transfer of Functions (Animal Health) Order 1955(b)), and all other powers enabling them in that behalf, hereby order as follows:—

Citation, extent and commencement

1. This order, which may be cited as the Foot and Mouth Disease (Amendment) Order 1969, applies to England, Wales and Scotland, and shall come into operation on 20th October 1969.

Interpretation

2.—(1) In this order "the principal order" means the Foot and Mouth Disease Order of 1928 (as amended)(c).

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

Amendments of principal order

3. Article 1 (notice of disease) of the principal order shall be amended as follows:—

(*a*) in paragraph (2) thereof after the words "A veterinary surgeon" there shall be inserted the words "or meat inspector";

(*b*) in paragraph (3) thereof subparagraph (i) (which requires a constable on receiving notice of an outbreak of foot and mouth disease to transmit the information by telegraph to the Secretary to the Ministry) shall be omitted.

4. Article 3 (Procedure of Inspector of Local Authority) of the principal order shall be amended as follows:—

(*a*) at the beginning of paragraph (1) thereof there shall be inserted the words "A Veterinary Inspector or";

(a) 1950 c. 36. For change of title of the Minister see S.I. 1955/554 (1955 I, p. 1200).
(b) S.I. 1955/958 (1955 I, p. 1184).
(c) S.R. & O. 1928/133, 1938/192 (Rev. II, p. 499; 1928 p. 94; 1938 I, p. 151); S.R. & O. 1930/785 (Rev. II p. 517: 1930 p. 49).
(d) 1889 c. 63.

(*b*) for paragraph (3) thereof there shall be substituted the following paragraph—

"(3) The Inspector of the Local Authority shall forthwith send a copy of the Notice (Form A) to the Veterinary Inspector mentioned in Article 1(3)(ii) of this Order, and shall at the same time send copies of the Notice to the Local Authority and to the police officer in charge of the nearest police station of the district."

5. Article 5 (suspected cases to be certified by veterinary inspector) of the principal order shall be amended as follows:—

(*a*) in paragraph (1) thereof the words "and send the same to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1." shall be omitted;

(*b*) in paragraph (2) thereof sub-paragraph (*b*) (which requires notification of the suspected outbreak to be given to the station master of the nearest railway station) shall be omitted.

6. Article 6 (restrictions to operate immediately on certification of suspected cases) of the principal order shall be amended by the omission in paragraph (2) thereof of sub-paragraph (*b*) (which contains a similar requirement to that referred to in article 5(*b*) above).

7. Article 10 (prohibition of movement of animals exposed to infection) of the principal order shall be amended as follows:—

(*a*) at the end of paragraph (1) thereof (but immediately before the proviso to that paragraph), and at the end of paragraph (2) thereof there shall be added in each case the words "or on the occupier of the premises where the animal is situated";

(*b*) at the end of paragraph (3) thereof there shall be added as follows:—

"; or

(*e*) for any person who has tended or had contact with any animal on such place, to leave such place without first having cleaned and disinfected his hands, footwear and outer clothing (or in the case of outer clothing without having left it at such place); or

(*f*) for any person in charge of any vehicle or machine to drive or remove it from such place without first having cleaned and disinfected it; or

(*g*) for any person to discharge slurry originating from animals at such place, by means of equipment that produces a jet or spray of liquid except in accordance with the conditions of a licence granted by an inspector of the Ministry; or

(*h*) for any person to move from or out of such place—

(i) any milk (not being milk intended to be sent direct to a dairy for pasteurisation) or milk product,

(ii) any animal feeding stuffs or litter,

(iii) any manure or slurry,

(iv) any carcase or animal product,

except in each case in accordance with a licence granted by an inspector of the Ministry; or

(*i*) for the person on whom the notice is served to fail to comply with any such requirement (being a requirement, whether positive

or negative in its terms, for the purpose of preventing the spreading of disease) in relation to such place or any person animal or thing thereon as may be specified in the notice, or (where the notice so provides) to fail to comply with any such requirement except in accordance with a licence granted by an inspector of the Ministry.

(4) A licence under paragraph (3) of this Article (which may at any time be varied or cancelled) shall, if the inspector of the Ministry so determines, be granted subject to such conditions as may be specified in the licence; and where a condition is so specified breach thereof shall be an offence against the Diseases of Animals Act 1950.".

8. Article 11 (power to require separate isolation of animals subject to a notice (Form D)) of the principal order shall be amended by the omission in paragraph (1) thereof of the words "subject to the Notice" where they first occur.

9. Article 13 (prohibition from exposing or moving animals affected with or suspected of being affected with foot and mouth disease) of the principal order shall be amended by substituting at the end of sub-paragraph (*a*) of paragraph (1) of that Article, for the words "where animals are commonly exposed for sale or exhibition" the words "where animals are or may be commonly assembled, whether exposed for sale or exhibition or otherwise".

10. Article 14(i) of the principal order (which requires an inspector of the local authority to give notice of seizure of affected or suspected animals to the Secretary to the Ministry and to a veterinary inspector appointed for the purpose) shall be amended by the omission of the words "to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1. by telegraph and also....."

11. Article 16 (transmission of copies of notices) of the principal order shall be amended by the substitution in paragraph (1) thereof for the words "to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1." of the words "to the Veterinary Inspector mentioned in Article 1(3)(ii) of this Order"; and by the omission of paragraph (2).

12. Article 17(2) of the principal order (which among other things requires an animal while being moved under that order as far as practicable to be kept separate from all other animals) shall be amended by the omission of the words "as far as practicable"; and at the end of the said Article 17(2) there shall be added the following sentence:—

"For the purpose of this paragraph animals while being moved are kept separate from other animals if, but only if, they are moved in a vehicle other than one in which animals from another place are being moved.".

13. Article 22 (powers of local authorities to make regulations) and Article 23 (existing regulations of local authorities) of the principal order are hereby revoked; and accordingly in Article 17 of the principal order the words in paragraph (1) thereof "or under any Regulation made by a Local Authority under this Order" and in paragraph (4) thereof "or under any Regulation made by a Local Authority thereunder", and in Article 20 the words "or under any Regulation made by it under this Order" shall be omitted.

14. Article 26 (Interpretation) of the principal order shall be amended by

the respective insertion in and addition to the definitions contained in paragraph (1) of the Article of the two following definitions:—

" "meat inspector" means any person (other than a police constable) who, as respects England and Wales, by virtue of section 86 of the Food and Drugs Act 1955(a), or, as respects Scotland, by virtue of section 58 of the Food and Drugs (Scotland) Act 1956(b), is or is deemed to be an authorised officer for the purpose of either the purposes of either such Act and, as respects Scotland, includes any other person who is a meat inspector within the meaning of the Food (Meat Inspection) (Scotland) Regulations 1961(c).

" "slurry" means liquid manure, or other effluent, of animal origin."

15. The following amendments shall be made in relation to the forms prescribed in Schedule 1 to the principal order, namely—

(*a*) in Form A the words "Secretary, Ministry of Agriculture and Fisheries, London, S.W.1" in the note thereto shall be omitted and the words "Veterinary Inspector appointed for the time being by the Minister of Agriculture, Fisheries and Food to receive such notices within the area where the Infected Place is" shall be substituted therefor;

(*b*) in Form C the words "shall send the same to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1, and" shall be omitted from the note thereto and paragraph (*b*) of the said note shall also be omitted;

(*c*) for Form D there shall be substituted the form so headed in the Schedule to this order;

(*d*) in Form E the words "prohibiting movement of the animal referred to in that Notice" shall be omitted.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 2nd October 1969.

(L.S.)

Cledwyn Hughes,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 7th October 1969.

(L.S.)

William Ross,
Secretary of State for Scotland.

(a) 4 & 5 Eliz. 2. c. 16.
(b) 4 & 5 Eliz. 2. c. 30.
(c) S.I. 1961/243 (1961 I, p. 395).

SCHEDULE

FORM D

DISEASES OF ANIMALS ACT 1950

Foot and Mouth Disease Order of 1928 *(as amended)*

Notice to owner or person in charge of animals, or to occupier of premises where animals are situated, imposing restrictions.

To

of

I , being an inspector of the Ministry of Agriculture, Fisheries and Food ("the Ministry")/an inspector appointed by the Council/in pursuance of Article 10 of the Foot and Mouth Disease Order of 1928 (as amended) hereby require you to comply with the requirements of this notice and of paragraph (3) of that Article affecting premises known as /the above-mentioned premises/on which animals are situated, from or out of which animals are accordingly hereby prohibited from being moved. The requirements of Article 10(3) are set forth in the Schedule to this notice.

2* [Specific requirements (if any)]

3* In pursuance of Article 11 of the said Order I also require you to detain and isolate the following designated animals, namely

in the part of the premises known as

4. A notice in a form provided by the Ministry, warning of the risk of foot and mouth disease, shall be displayed prominently at the entrance to the premises.

5. The restrictions imposed by this notice apply—

(*a*)* until midnight on 19

(*b*)* until this notice is withdrawn by a further notice served on you by an inspector of the Ministry or the local authority.

6. Breach of the requirements of this notice is an offence against the Diseases of Animals Act 1950 and renders a person on conviction liable to penalties.

Dated 19

(Signed).....

Inspector of Ministry of Agriculture, Fisheries and Food/ Council.

This notice is served in connection with

The inspector is with all practicable speed to send copies of this notice to the Ministry, the local authority and the police officer in charge of the nearest police station.

* Delete as appropriate

SCHEDULE

Under Article 10 of the Foot and Mouth Disease Order of 1928 (as amended), after the service of a notice in Form D it is unlawful for any person while the notice is in force—

(*a*) to move any animal in respect of which the notice was served from or out of any place from or out of which movement is prohibited by the notice;

(*b*) to move from or out of such place any other animal that may be thereon or therein;

(*c*) to move any other animal on to or into such place;

(*d*) to permit any animal to which the notice applies to stray out of such place or to come into contact with any other animal;

(*e*) for any person who has tended or had contact with any animal on such place, to leave such place without first having cleaned and disinfected his hands, footwear and outer clothing (or in the case of outer clothing without having left it at such place); or

(*f*) for any person in charge of any vehicle or machine to drive or remove it from such place without first having cleaned and disinfected it; or

(*g*) for any person to discharge slurry originating from animals at such place, by means of equipment that produces a jet or spray of liquid except in accordance with the conditions of a licence granted by an inspector of the Ministry; or

(*h*) for any person to move from or out of such place—

(i) any milk (not being milk intended to be sent direct to a dairy for pasteurisation) or milk product,

(ii) any animal feeding stuffs or litter,

(iii) any manure or slurry,

(iv) any carcase or animal product,

except in each case in accordance with a licence granted by an inspector of the Ministry; or

(*i*) for the person on whom the notice is served to fail to comply with any such requirement in relation to such place or any person animal or thing thereon as may be specified in the notice or (where the notice so provides) to fail to comply with any such requirement except in accordance with a licence granted by an inspector of the Ministry.

EXPLANATORY NOTE

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

This Order extends the scope of, and adds to the restrictions which may be imposed by, a notice in Form D (of which a new form is prescribed in the Order) under the Foot and Mouth Disease Order of 1928 (as amended) imposing restrictions in respect of animals and premises exposed to infection from foot and mouth disease; imposes further control on the movement of animals subject to that order; and makes minor amendments thereto of an administrative nature.