1975 No. 888

ANIMALS

DISEASES OF ANIMALS

The Infectious Diseases of Horses Order 1975

Made - - - -	*20th May* 1975
Coming into Operation	*10th June* 1975

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of powers conferred by sections 1(1), 8(3), 10(1), 11, 20, 84(1), 84(3)(*a*) and 85(1) of the Diseases of Animals Act 1950**(a)** (as extended by the Diseases of Animals (Extension of Definitions) Order 1952**(b)**) and now vested in them **(c)**, 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 Infectious Diseases of Horses Order 1975, applies throughout Great Britain and shall come into operation on 10th June 1975.

Interpretation

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

"the Act" means the Diseases of Animals Act 1950;

"disease" means equine infectious anaemia, equine encephalomyelitis or African horse sickness;

"horse" means a horse, ass, mule (which includes hinny) or zebra;

"infected place" has the meaning assigned to it in article 5(2) of this order;

"inspector" means a person appointed to be an inspector for the purposes of the Diseases of Animals Act 1950 by the Minister or by a local authority, and, when used in relation to an officer of the Ministry, includes a veterinary inspector;

"Minister" means the Minister of Agriculture, Fisheries and Food and "Ministry" shall be construed accordingly;

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

(a) 1950 c. 36. **(b)** S.I. 1952/1236 (1952 I, p. 128).
(c) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958 (1955 I, p. 1184)).

"veterinary surgeon" means a person entered in a register maintained under the provisions of the Veterinary Surgeons Act 1966(a) and includes a veterinary practitioner.

(2) Other expressions used in this order have, in so far as the context admits, the same meanings as in the Act.

(3) References in this order to Forms A, B, C, D and E shall be construed as references to the forms respectively so headed in the schedule to this order, or to forms substantially to the like effect.

(4) The Interpretation Act 1889(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Extension of definitions

3. For the purposes of the Act and of this order—

(*a*) the definition of the expression "animals" contained in section 84(1) of the Act (as extended to specified equine animals by the Diseases of Animals (Extension of Definitions) Order 1952) shall continue to be extended so as to comprise zebras; and

(*b*) the definition of the expression "disease" in section 84(3)(*a*) of the Act shall be extended to include equine infectious anaemia, equine encephalomyelitis and African horse sickness.

Notification of disease

4.—(1) Every person having in his possession or under his charge any horse or the carcase of any horse which is affected or suspected of being affected with disease shall, with all practicable speed, give notice of the fact to a constable of the police force for the area wherein the horse or carcase is, or to the veterinary inspector appointed for the time being by the Minister to receive such information within the area wherein the horse or carcase is.

(2) A veterinary surgeon who examines any horse or the carcase of any horse and suspects that the horse or carcase is affected with disease shall, with all practicable speed, give notice of the fact to a constable of the police force for the area wherein the horse or carcase is, or to the veterinary inspector appointed as aforesaid to receive such information within the area wherein the horse or carcase is.

(3) A constable receiving any such notice shall immediately transmit the information by the most expeditious means to:—

(*a*) the veterinary inspector appointed as aforesaid to receive such information within the area wherein the horse or carcase is; and

(*b*) an inspector of the local authority, who shall forthwith report the fact to the local authority.

Declaration of infected place

5.—(1) An inspector on receiving information under the preceding article of the existence or suspected existence of disease on any premises or having through any other cause reasonable ground for suspecting that disease exists or has within the preceding 56 days existed on any premises, shall serve a notice in Form A on the occupier of the said premises.

(a) 1966 c. 36. (b) 1889 c. 63.

(2) On service of such a notice the premises within the limits specified by the notice shall become an infected place and such place shall be subject to the Rules contained in article 6 of this order.

(3) The restrictions imposed by such a notice shall continue in force until the said notice is cancelled by a notice in Form B served by an inspector on the occupier of the infected place in pursuance of article 7(3) or article 7(7) of this order.

Rules to be observed in relation to infected places

6. Any premises declared to be an infected place under article 5 of this order and any persons from time to time being thereon shall be subject to the following Rules, namely:—

Rule 1—Any horse or the carcase of any horse which is affected with or suspected of being affected with disease shall be kept separate from horses not so affected, in an enclosure as directed by a veterinary inspector, and such enclosure shall be treated with insecticides as directed by a veterinary inspector.

Rule 2—The occupier shall permit the Minister to erect and maintain fly-proof screens around any enclosure in which any horse or carcase of a horse is isolated pursuant to Rule 1, and shall permit the removal of such screens when the Minister requires their removal.

Rule 3—No horse or carcase of a horse shall be moved into or out of an infected place except with a licence granted by a veterinary inspector and in accordance with such conditions as may be specified therein.

Rule 4—No horse in an infected place shall be allowed by the occupier or person in charge of the infected place to stray therefrom.

Rule 5—No feedingstuffs or manure or litter of horses shall be removed out of an infected place except with a licence granted by an inspector or other officer of the Ministry and in accordance with such conditions as may be specified therein.

Rule 6—No vehicle, equipment or any other thing used for or about horses shall be removed out of an infected place except with a licence granted by an inspector or other officer of the Ministry and in accordance with such conditions as may be specified therein.

Rule 7—No person shall enter any part of an infected place unless authorised by, and in accordance with, a written permit granted by an inspector or other officer of the Ministry. This prohibition does not apply to the entry of an inspector, or of the owner of any horse on the said premises or his representative, or of a person tending any horse on the premises or of a veterinary surgeon employed by the person in charge of any horse on the premises.

Rule 8—Every person entering any part of an infected place shall wear disposable overall clothing or overall clothing which is capable of being disinfected and boots which are capable of being disinfected.

Rule 9—A receptacle containing a disinfectant specified in a notice served on the occupier or person in charge of the infected place by an inspector of the Ministry shall be kept in some convenient place (as directed by the inspector) at every exit from an infected place by the person on whom the said notice has been served, and every person immediately before leaving an infected place shall

thoroughly cleanse and disinfect his overall clothing and boots in a receptacle so provided and also wash his hands with soap and water, and if wearing disposable overall clothing shall leave it on the infected place, where it shall be disposed of to the satisfaction of an inspector.

Rule 10—Notice of the death, or slaughter by or on behalf of the owner, of any horse in an infected place shall be given by the occupier or person in charge thereof with all practicable speed to a constable of the police force for the area wherein the carcase is or to the veterinary inspector appointed for the time being by the Minister to receive such information within the area wherein the carcase is. A constable receiving any such notice shall forthwith transmit the information to the veterinary inspector appointed as aforesaid.

Rule 11—The skin of any carcase of a horse in an infected place shall not be cut, except by a veterinary inspector, or, under the authority of a veterinary inspector, by a veterinary surgeon acting on behalf of the person in charge of the carcase.

Veterinary inquiry as to the existence of disease

7.—(1) Where by reason of information received under articles 4 or 5 of this order or otherwise there are grounds for suspecting that disease exists or has within 56 days existed on any premises, a veterinary inspector shall with all practicable speed inquire as to the correctness of such information and examine any horse and any carcases of horses on such premises.

(2) For the purposes of this article the veterinary inspector may enter on any part of the premises, and the occupier of the premises and the persons in his employment shall render such reasonable assistance to the inspector as may be required for the purposes of this article.

(3) If the veterinary inspector is satisfied at the time of his examination that the horse or carcase is not affected with disease and that disease does not exist or has not within the preceding 56 days existed on the premises, he shall forthwith cause the service of a notice in Form B cancelling the notice Form A served under article 5(1) of this order.

(4) If the veterinary inspector is not so satisfied he shall forthwith for the purpose of further investigation take such samples from the horse or carcase as may be necessary for diagnostic purposes, and shall forthwith forward them to the Central Veterinary Laboratory of the Ministry, together with a report of his examination of the horse or carcase. The Chief Veterinary Officer of the Ministry shall cause an examination thereof to be made and a certificate of the result of such examination prepared and signed.

(5) The occupier of any premises on which there is or has been a horse affected with or suspected of being affected with disease or the carcase of any such horse, and the veterinary surgeon, if any, who has been attending or been consulted respecting the said horse or carcase and any person who has been in charge of the horse or carcase shall give all reasonable facilities for an inquiry under this article and for the taking of such samples as may be required for the purpose of diagnosis and generally for the due execution and enforcement of the provisions of this order by the Ministry, the local authority and their inspectors.

(6) Any such occupier, veterinary surgeon or person as aforesaid shall, if so required by the Ministry, the local authority or their inspectors, give such information as he possesses as to the horse or carcase, or as to the location and movements of any other horse in his possession or charge.

(7) If the Chief Veterinary Officer of the Ministry is satisfied that disease does not exist or has not within the preceding 56 days existed on the premises, an inspector shall issue a notice in Form B cancelling the notice Form A served under article 5(1) of this order.

Destruction of infected articles

8. An inspector of the Ministry may, by notice served on the owner or person in charge of any article which has been used for or about any horse or carcase in an infected place in which disease has been found to exist, and which in the opinion of the inspector is incapable of being disinfected thoroughly, require such owner or person either to destroy the article or to surrender the article immediately to the inspector for destruction, and the article shall thereupon be destroyed forthwith.

Notice for exhibition at entrance to infected place

9. On confirmation of the existence of disease on any premises following action taken in accordance with article 7(4) of this order, an inspector of the Ministry may cause to be exhibited on any infected place a notice in Form C: and while any part of such premises remains an infected place it shall be unlawful for any person to remove, deface or obliterate such notice.

Disposal of carcases

10.—(1) The local authority, on being informed by an inspector of the Ministry that any carcase of a horse is affected or suspected of being affected with disease, shall dispose of the carcase, at its own expense, in the following manner:

(i) the carcase shall be buried in its skin at a depth of not less than two metres below the surface of the earth on the premises where the carcase is or on the nearest available premises suitable for the purpose; or

(ii) the carcase shall be destroyed by burning on the premises where the carcase is or on the nearest available premises suitable for the purpose; or

(iii) the carcase shall be destroyed by chemical agents on the nearest available premises suitable for the purpose.

(2) A diseased or suspected carcase shall not be destroyed otherwise than by the local authority, or be removed from the premises upon which the horse died or was slaughtered except by the local authority.

(3) Before a carcase is moved for the purpose of destruction or burial under this article, the carcase shall be sprayed with a disinfectant specified by an inspector of the Ministry and all the natural openings of the carcase shall be effectually plugged with tow or some other suitable material soaked in a disinfectant as aforesaid.

Restrictions as respects horses exposed to infection

11.—(1) An inspector who as respects any premises—

(*a*) is of the opinion that disease may be spread thereto; or

(*b*) is satisfied that there is, or has been thereon within the preceding 56 days, any horse which is, or within the said period has been, exposed to the risk of infection of disease,

may serve a notice in Form D on the occupier of any such premises as are defined in the notice.

(2) On the service of such a notice and until the operation of the notice terminates or the notice is cancelled by a further notice in Form E signed by an inspector—

(*a*) no horse or carcase of a horse shall be moved out of the said premises except with a licence granted by an inspector of the Ministry and in accordance with such conditions as may be specified therein;

(*b*) no horse in the said premises shall be allowed by the occupier or person in charge of the premises to stray therefrom;

(*c*) no horse shall be moved into the said premises except with a licence granted by an inspector of the Ministry and in accordance with such conditions as may be specified therein;

(*d*) no feedingstuffs, manure or litter of horses or any vehicle, equipment or any other thing used for or about horses shall be moved out of the said premises except with a licence granted by an inspector or other officer of the Ministry and in accordance with such conditions as may be specified therein.

Cleansing and disinfection

12.—(1) An inspector of the Ministry may serve a notice on the occupier of any place which has been used for a horse or carcase of a horse affected with or suspected of being affected with disease, or upon the person who has used or caused to be used any vehicle for the conveyance of such a horse or carcase, requiring the said occupier or person at his own expense to cleanse and disinfect the said place or vehicle and any equipment or other thing used for or about such a horse or carcase, in the following manner, using a disinfectant prescribed in the notice:

(i) the floor of the place or vehicle, and all other parts thereof with which the horse or carcase has come in contact, shall be thoroughly saturated with disinfectant;

(ii) the same parts of the place or vehicle shall be thoroughly scraped and swept, and the scrapings and sweepings and all manure, litter and other matter shall be effectually removed therefrom; then

(iii) the same parts of the place or vehicle shall be thoroughly coated or washed with disinfectant;

(iv) the scrapings and sweepings of the place or vehicle and all manure, litter and other matter removed therefrom shall forthwith be buried or effectually destroyed;

(v) all equipment and any other thing as aforesaid shall, as soon as practicable after use and before being used for other horses, be cleansed and disinfected to the satisfaction of the inspector of the Ministry.

(2) In the case of a field, yard or other place which is not capable of being cleansed and disinfected in the manner above prescribed, it shall be a sufficient compliance with the provisions of this article if such field, yard or other place is disinfected to the satisfaction of the inspector of the Ministry.

(3) If a notice as aforesaid is not complied with, the Ministry may do the work required by the notice, or such part of it as remains undone, and may on demand recover the reasonable cost of so doing from the occupier or person as aforesaid as a civil debt.

(4) Nothing done by the Ministry under the preceding paragraph shall prejudice any proceedings against a person for failure to comply with the notice.

Powers of Minister to prohibit or control movement

13. If an inspector of the Ministry has reasonable grounds for believing that the movement of any horse or the carcase of any horse or any thing from any place may be attended with a risk of spread of disease he may, for the purpose of preventing the spread of disease, prohibit the movement of any horse, carcase or thing from any place or impose any condition on such movement by service of a notice in writing to that effect on the owner or occupier of the place as aforesaid or on the owner or person in charge of the horse, carcase or thing.

Enforcement by local authority

14. The provisions of this order, except where it is otherwise provided, shall be executed and enforced by the local authority.

Offences

15. Failure to comply with any condition or requirement of a licence or of any notice issued under the provisions of this order shall be an offence against the Act.

Amendment of order

16. The definition of "disease" contained in article 4 of the Animals (Miscellaneous Provisions) Order of 1927**(a)** as amended**(b)** (which article contains powers for requiring special disinfection of slaughterhouses to prevent the spread of disease) shall be amended so as to include equine infectious anaemia, equine encephalomyelitis and African horse sickness.

(a) S.R. & O. 1927/290 (Rev. II, p 449: 1927, p. 78).

(b) S.R. & O. 1938/197 (Rev. II, p. 455: 1938 I, p. 325).

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th May 1975.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

20th May 1975.

William Ross,
Secretary of State for Scotland.

SCHEDULE—FORMS

FORM A

Diseases of Animals Act 1950

The Infectious Diseases of Horses Order 1975

(Articles 5 and 6)

NOTICE DEFINING INFECTED PLACE

To .....

of .....

.....

I, the undersigned, being an inspector of the Ministry of Agriculture, Fisheries and Food (or an inspector of the local authority for the..... of.....) hereby give you notice as the occupier of the undermentioned premises that in accordance with the provisions of the above-mentioned order, the undermentioned premises are hereby declared to be an infected place for the purposes of the said order, by reason of *equine infectious anaemia/equine encephalomyelitis/African horse sickness, *and that the premises accordingly become subject to the Rules specified in this notice which are printed on the back hereof. Any person infringing these Rules is liable to heavy penalties.*

This notice remains in force until it is cancelled by a subsequent notice served on you by an inspector of the Ministry or of the local authority.

Description of infected place, stating parish where applicable, and district

PREMISES	PARISH	DISTRICT

Dated .....19...

(Signed) .....

Official address .....

.....

Note:—The inspector is with all practicable speed to send copies of this notice to the veterinary inspector appointed for the time being by the Minister within the area, to the local authority, to the police officer in charge of the nearest police station of the police force for the area and to the Secretary, Ministry of Agriculture, Fisheries and Food, Government Buildings, Block B, Hook Rise South, Surbiton, Surrey KT6 7NF.

Insert Rules as set out in Article 6, followed by this Note:

" "Horse" means a horse, ass, mule (which includes hinny) or zebra"

*Delete whichever two are inapplicable

FORM B

Diseases of Animals Act 1950

The Infectious Diseases of Horses Order 1975

(Articles 5 and 7)

CANCELLATION OF NOTICE DEFINING INFECTED PLACE (FORM A)

To .....

of .....

.....

I, the undersigned, being an inspector of the Ministry of Agriculture, Fisheries and Food (or an inspector of the local authority for the.....

of.....) hereby cancel, as from this

day of 19 ,

the notice (Form A) signed by

and served on you on the day of 19 .

(Signed) .....

Official address .....

.....

Note:—The inspector is with all practicable speed to send copies of this notice to the veterinary inspector appointed for the time being by the Minister within the area, to the local authority, to the police officer in charge of the nearest police station of the police force for the area and to the Secretary, Ministry of Agriculture, Fisheries and Food, Government Buildings, Block B, Hook Rise South, Surbiton, Surrey KT6 7NF.

FORM C

Diseases of Animals Act 1950

The Infectious Diseases of Horses Order 1975

(Article 9)

(*Notice for exhibition at entrance to infected place*)

DISEASES OF ANIMALS ACT 1950

*EQUINE INFECTIOUS ANAEMIA

OR EQUINE ENCEPHALOMYELITIS

OR AFRICAN HORSE SICKNESS

INFECTED PLACE

AN INFECTED PLACE FOR THE PURPOSES OF THE INFECTIOUS DISEASES OF HORSES ORDER 1975 HAS BEEN DECLARED ON THESE PREMISES.

ACCORDINGLY NO PERSON (EXCEPT THE OWNER OF ANY HORSE IN THE INFECTED PLACE OR HIS REPRESENTATIVE OR THE PERSON TENDING THE HORSE OR A VETERINARY SURGEON EMPLOYED BY THE PERSON IN CHARGE OF THE HORSE OR AN INSPECTOR OF THE LOCAL AUTHORITY) MAY ENTER ANY PART OF THE INFECTED PLACE UNLESS AUTHORISED IN WRITING BY AN INSPECTOR OR OTHER OFFICER OF THE MINISTRY.

THE LIMITS OF THE INFECTED PLACE MAY BE ASCERTAINED FROM THE OCCUPIER.

BY ORDER OF THE MINISTRY OF AGRICULTURE, FISHERIES AND FOOD.

Caution. So long as any part of these premises remains an infected place, it is an offence to remove, deface or obliterate this notice.

*Delete whichever two are inapplicable.

FORM D

Diseases of Animals Act 1950

The Infectious Diseases of Horses Order 1975

(Article 11)

NOTICE IMPOSING RESTRICTIONS AS RESPECTS

HORSES EXPOSED TO INFECTION

To .....

of .....

.....

I, the undersigned, being an inspector of the Ministry of Agriculture, Fisheries and Food (or an inspector of the local authority for the..... of.....) hereby give you notice as the occupier of the undermentioned premises that in accordance with the provisions of the above-mentioned order the premises become subject to the restrictions specified on the back hereof by reason of *equine infectious anaemia/equine encephalomyelitis/African horse sickness.

These restrictions will continue in force

(*a*) †until midnight on 19

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

Description of premises, stating parish where applicable, and district.

PREMISES	PARISH	DISTRICT

Dated .....

(Signed) .....

Official address.....

.....

*Delete whichever two are inapplicable

†Delete as appropriate

Note.—The inspector is with all practicable speed to send copies of this notice to the veterinary inspector appointed for the time being by the Minister within the area, to the local authority, to the police officer in charge of the nearest police station of the police force for the area and to the Secretary, Ministry of Agriculture, Fisheries and Food, Government Buildings, Block B, Hook Rise South, Surbiton, Surrey KT6 7NF; in these copies there should be added the name and address of any person whose premises have been declared an infected place and from which there is or has been a risk of spread of infection to the premises described in this notice (Form D):—

Name .....

Address .....

.....

Restrictions imposed by this notice

(*a*) no horse or carcase of a horse shall be moved out of the premises specified in this notice except with a licence granted by an inspector of the Ministry and in accordance with such conditions as may be specified therein;

(*b*) no horse in the premises specified in this notice shall be allowed by the occupier or person in charge of the premises to stray therefrom;

(*c*) no horse shall be moved into the premises specified in this notice except with a licence granted by an inspector of the Ministry and in accordance with such conditions as may be specified therein;

(*d*) no feedingstuffs, manure or litter of horses or any vehicle, equipment or any other thing used for or about horses shall be moved out of the premises specified in this notice except with a licence granted by an inspector or other officer of the Ministry and in accordance with such conditions as may be specified therein.

FORM E

Diseases of Animals Act 1950

The Infectious Diseases of Horses Order 1975

(Article 11)

NOTICE CANCELLING RESTRICTIONS AS RESPECTS HORSES EXPOSED TO INFECTION

To .....

of .....

.....

I, the undersigned, being an inspector of the Ministry of Agriculture, Fisheries and Food (or an inspector of the local authority for the..... of.....) hereby cancel as from the date of this notice the notice (Form D) served on you on the.....19 , in respect of the undermentioned premises:

.....

.....

Dated .....19....

(Signed) .....

Official address .....

.....

Note:—The inspector is with all practicable speed to send copies of this notice to the veterinary inspector appointed for the time being by the Minister within the area, to the local authority, to the police officer in charge of the nearest police station of the police force for the area and to the Secretary, Ministry of Agriculture, Fisheries and Food, Government Buldings, Block B, Hook Rise South, Surbiton, Surrey KT6 7NF.

EXPLANATORY NOTE

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

This order applies to horses, asses, mules and zebras and makes certain infectious diseases of horses etc. diseases for all the purposes of the Diseases of Animals Act 1950. These diseases are equine infectious anaemia, equine encephalomyelitis and African horse sickness (Article 3).

The principal provisions of the order are:—

(1) requirements for notification in the case of an outbreak or suspected outbreak of those diseases (Article 4);

(2) provision for the declaration of an infected place on receipt of such notifications, rules to be observed in such places, and the procedure to be followed in conducting a veterinary inquiry following such notifications (Articles 5, 6 and 7);

(3) powers to ensure destruction of articles in an infected place which are not capable of being disinfected, and provisions for disposal of carcases (Articles 8 and 10);

(4) further requirements as to restriction of movement and cleansing and disinfecting etc. which may be applied to prevent the spread of the diseases (Articles 11, 12 and 13).

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