The provisions include a prohibition against movement of cattle into such an area (except under licence or on certain transit journeys), a power to prohibit the movement of cattle on to or off particular premises in such an area and ancillary provisions designed to prevent the introduction or spreading of tuberculosis.

The Tuberculosis (Attested Herds) Scheme, 1950

1950 No. 1126

Made - - - -	10*th July*, 1950
Laid before Parliament	11*th July*, 1950
Coming into Operation	1*st October*, 1950

In pursuance of Section 20 of the Agriculture Act, 1937(**a**), as amended by Section 4 of the Agriculture (Miscellaneous War Provisions) (No. 2) Act, 1940(**b**) and Section 1 of the Animals Act, 1948(**c**), the Minister of Agriculture and Fisheries, with the approval of the Treasury, hereby makes the following scheme:—

Citation and Interpretation

1. This Scheme (which applies to Great Britain) may be cited as the Tuberculosis (Attested Herds) Scheme, 1950, and shall come into operation on the 1st day of October, 1950.

2.—(1) In this Scheme, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"animal" means bovine animal;

"approved disinfectant" means a five per cent. solution of standard phenol or a disinfectant otherwise approved for the time being by the Minister for the purposes of the Diseases of Animals (Disinfection) Order of 1936(**d**);

"approved premises" means, in relation to an Attested Herd, the premises registered in the Register of Attested Herds as the premises on which that herd is kept and, in relation to a Supervised Herd, the premises on which that herd is kept;

"Attested Herd" means a herd of cattle which is registered in the Register of Attested Herds;

"dealer" means a person habitually engaged in the trade or business of selling cattle (other than cattle bred or reared by him), but does not include a person whose business is to sell for further feeding or for slaughter cattle which he has purchased and fed for that purpose;

"licensed" means licensed under the Milk (Special Designation) (Raw Milk) Regulations, 1949(**e**), or under the Milk (Special Designations) (Scotland) Orders, 1936 to 1949(**f**), or under any modification of those Regulations or Orders for the time being in force;

"Minister" and "Ministry" mean respectively the Minister and the Ministry of Agriculture and Fisheries;

"official test" means a test with tuberculin carried out by a veterinary inspector of the Ministry;

(a) 1 Edw. 8. & 1 Geo. 6. c. 70. (b) 3 & 4 Geo. 6. c. 50.
(c) 11 & 12 Geo. 6. c. 35. (d) S.R. & O. 1938 (No. 191) I, p. 303.
(e) S.I. 1949 (No. 1590) I, p. 1733.
(f) S.R. & O. 1936 (No. 687) I, p. 1832; 1937 (No. 212) p. 1722; 1938 (Nos. 183 and 1158) II, pp. 2173 and 2177; 1941 (No. 1336) I, p. 624; 1944 (No. 1258) I, p. 464; S.I. 1949 (No. 1856) I, p. 2564.

"Register of Attested Herds" means the Register of Attested Herds kept by the Minister;

"Rules" means the Rules contained in the Schedule to this Scheme;

"Supervised Herd" means a herd of cattle which is for the time being subject to the Rules so far as they are applicable to Supervised Herds;

"Tuberculin Tested milk" includes Certified milk;

"veterinary surgeon" means a person registered in the Register of Veterinary Surgeons.

(2) The Interpretation Act, 1889(a), applies to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

3.—(1) The Tuberculosis (Attested Herds) Scheme and the Rules appended thereto made by the Minister on the 16th day of June, 1938, as amended (hereinafter referred to as the Scheme of 1938), are hereby revoked without prejudice to anything duly done thereunder.

(2) Applications which have been duly made by owners of herds of cattle under the Scheme of 1938 and which, on the date on which this Scheme comes into operation, have not been granted or refused shall have effect as if they had been duly made under this Scheme and herds which, immediately before that date, were Attested Herds or Supervised Herds for the purposes of the Scheme of 1938 shall be subject to the provisions of this Scheme and the Rules relating to Attested Herds and Supervised Herds respectively.

Register of Attested Herds

4. The Minister may keep a register to be known as the Register of Attested Herds and may register therein every herd of cattle—

(*a*) which immediately before the coming into operation of this Scheme was registered in the Register of Attested Herds kept under the Scheme of 1938, or

(*b*) which qualifies for registration in accordance with the provisions of Article 5 or Article 6 of this Scheme,

and the premises on which such herd is kept.

Qualification for registration in the Register of Attested Herds

5.—(1) Subject as hereinafter provided, the owner of a herd of cattle (not being a herd kept in an area which is for the time being an eradication area or attested area for the purposes of Section 23 of the Agriculture Act, 1937(b)) may apply to the Minister for an official test with a view to the registration of the herd in the Register of Attested Herds and on so applying he shall be required to—

(*a*) satisfy the Minister that the management of the herd and the conditions in which it is kept are suitable for the observance of the Rules;

(*b*) produce the following evidence of the freedom of the herd from tuberculosis, namely, certificates signed by a veterinary surgeon showing that he has applied a tuberculin test to the herd and that on the last two occasions on which the test was applied no reactor was found; provided that there was an interval of not less than 60 days and not more than 12 months between the two tests and that the second of the two tests was carried out not more than 12 months before the date of application to the Minister for an official test;

(*c*) furnish a declaration that all cattle on the premises on which the herd was kept at the time of the two tests were included in the tests; and

(a) 52 & 53 Vict. c. 63. (b) 1 Edw. 8. & 1 Geo. 6. c. 70.

(*d*) give a written undertaking that he will upon the herd being declared to be a Supervised Herd observe the Rules so far as they are applicable to Supervised Herds, and that pending a decision on his application no cattle will be moved on to the premises on which the herd is kept without the Minister's sanction.

(2) If these requirements are met to the satisfaction of the Minister, he may declare the herd to be a Supervised Herd with effect from a date to be determined by the Minister being a date not earlier than the date of application for an official test and the herd shall from the date of such declaration be subject to the Rules so far as they are applicable to Supervised Herds.

(3) An official test shall not be applied earlier than 60 days from the date of the second of the two tests referred to in sub-paragraph (*b*) of paragraph (1) of this Article and when applied to a herd shall be applied to all animals in that herd.

(4) If the official test discloses no reactor the herd may be registered in the Register of Attested Herds.

(5) If any reactor is found at the official test, the following procedure shall apply—

(*a*) the owner of the herd shall immediately isolate the reactor and remove it from the approved premises as quickly as possible and shall immediately thereafter cause those premises to be disinfected in the manner prescribed in Article 9 of this Scheme ;

(*b*) not earlier than 60 days from the date of completion of the disinfection of the premises a second official test shall be applied to the herd ;

(*c*) if the second official test discloses no reactor the herd may be registered in the Register of Attested Herds ;

(*d*) if any reactor is found at the second official test the procedure described in sub-paragraphs (*a*) and (*b*) of this paragraph shall be repeated until an official test discloses no reactor whereupon the herd may be registered in the Register of Attested Herds.

(6) Where in pursuance of this Article a herd is registered in the Register of Attested Herds it shall cease to be a Supervised Herd and shall thereupon be subject to the Rules so far as they are applicable to Attested Herds.

(7) Notwithstanding the foregoing provisions of this Article—

(*a*) the Minister may, in respect of a herd which on the coming into operation of this Scheme is licensed for the production of Tuberculin Tested milk, waive the requirements of sub-paragraphs (*b*) and (*c*) of paragraph (1) of this Article in the case of an application under the said paragraph made on or before the 31st day of December, 1950, and accompanied by a written undertaking in accordance with sub-paragraph (*d*) of the said paragraph and may declare the herd to be a Supervised Herd with effect from the 1st day of October, 1950, and the herd shall, from the date of such declaration, be subject to the Rules so far as they are applicable to Supervised Herds and may subsequently be registered in the Register of Attested Herds if and when the Minister is satisfied that it is free from tuberculosis and is kept in such conditions that it is likely to remain free from infection ; and

(*b*) the Minister may in any case in which it seems to him expedient so to do waive such of the requirements of this Article or modify them in such manner as in the circumstances of the case he may deem proper.

6. In the case of a new herd being constituted by animals transferred from Attested Herds, the Minister may, if he thinks fit, register such herd in the Register of Attested Herds with effect from such date as he may determine, without an official test, and the herd shall thereupon be subject to the Rules so far as they are applicable to Attested Herds.

Cancellation of Registration of Attested Herd and Direction in respect of Supervised Herd

7. The Minister may at any time cancel the registration of a herd in the Register of Attested Herds, or may at any time direct that a Supervised Herd shall cease to be a Supervised Herd, if in his opinion the owner of the herd has failed to observe any of the Rules or any of the conditions of a permit issued under such Rules or any requirement of the Minister under this Scheme.

Tuberculin Tests

8.—(1) The official tests referred to in this Scheme and in the Rules will be carried out without charge to the owner of the herd.

(2) The Minister may if he thinks fit at any time cause an official test to be made of all or any animals in an Attested Herd or Supervised Herd. If any reactor is found, the owner of the herd shall immediately isolate it and remove it from the approved premises as quickly as possible and shall immediately thereafter cause those premises to be disinfected in the manner prescribed in Article 9 of this Scheme.

(3) To prevent the risk of infection from goats or swine kept on the same premises as an Attested Herd or Supervised Herd, the Minister may test such goats or swine with tuberculin or may by notice in writing require them to be tested with tuberculin by a veterinary surgeon at the owner's expense, and may impose such limitation on the free movement of such goats or swine within the premises as the Minister may consider necessary. The owner of the herd shall immediately isolate any goats or swine that react to the test and remove them from the approved premises as quickly as possible and shall immediately thereafter cause those premises to be disinfected in the manner prescribed in Article 9 of this Scheme.

Disinfection of Premises

9. Where in this Scheme or in the Rules the disinfection of premises is required to be carried out after the removal of cattle, goats or swine reacting to the tuberculin test, such disinfection shall be carried out in the following manner:—

(*a*) after the removal of the reactors from the approved premises and before the removal of manure from such parts of the buildings on those premises as have been occupied by the reactors, the said parts shall be sprayed or saturated with an approved disinfectant;

(*b*) manure shall then be removed from the said parts and stacked in a place remote from cattle, goats and swine and shall not subsequently be spread on pasture land;

(*c*) after the removal of the manure, the said parts and also any other parts of the said buildings with which the cattle, goats or swine or their excretions or sputum may have come in contact shall be thoroughly scraped, the scrapings shall be removed and all those parts shall then be scrubbed and washed thoroughly with a 4 per cent. solution of washing soda in hot water and finally sprayed with an approved disinfectant;

(*d*) all utensils, or other articles, used for and about the cattle, goats or swine shall be thoroughly cleansed and washed with a 4 per cent. solution of washing soda in hot water;

(*e*) the boots worn by and the hands of persons who have carried out the disinfection shall be washed in an approved disinfectant.

Payment of Bonus

10.—(1) Subject as hereinafter provided and subject to the observance by the owner of a herd of the Rules and any condition of a permit issued under the Rules and any requirement of the Minister under this Scheme, the Minister may pay to the owner of a herd which is for the time being a Supervised Herd or an Attested Herd a bonus in accordance with the terms of either Article 11 or Article 12 of this Scheme.

(2) The owner may elect in writing under which of such last mentioned Articles he shall benefit: provided that the Minister may treat any or all of the herds in the same ownership as one herd for the purposes of this paragraph, and may at his discretion, with effect from such date as he may determine, permit the owner to cancel an election made under this paragraph and make a fresh election.

(3) The date as from which bonus shall be payable (hereinafter referred to as " the commencing date ") shall be—

(*a*) in the case of a herd which immediately before the coming into operation of this Scheme was registered in the Register of Attested Herds kept under the Scheme of 1938, the 1st day of October, 1950; and

(*b*) in the case of any other herd, the date with effect from which it was declared to be a Supervised Herd, or if it was registered as an Attested Herd without previously having been a Supervised Herd, the date on which it was so registered: provided that, if in either case that date is not the first day of a calendar month, the commencing date shall be the first day of the following month.

(4) Where bonus has been paid in respect of a herd for a period of six years from the commencing date, no further payment of bonus shall be made:

Provided that, if prior to the commencing date the herd had already been an Attested Herd or a Supervised Herd but had ceased to be such under the provisions of Article 7 of this Scheme, then, in reckoning the said period of six years and in selecting the rate of bonus payable under Articles 11 and 12, the Minister may take into account any period before the commencing date during which bonus was paid under this Scheme in respect of that herd.

(5) Bonus shall not be payable to a dealer in respect of any cattle in his possession or under his charge for the purpose of dealing.

(6) In all matters relating to this Article and Articles 11 and 12 of this Scheme the decision of the Minister shall be final.

Bonus on Milk

11.—(1) The bonus payable under this Article during the period of four years from the commencing date shall be twopence and during the period of two years next succeeding shall be one penny in respect of each gallon of milk which is sold from the herd under the provisions of a milk marketing scheme, or which is produced from the herd and used for the manufacture on the farm comprising the approved premises of cheese the sale of which is approved for payment by a milk marketing board under any scheme or agreement they may have with farmhouse cheese-makers or which is produced from the herd and used for any purpose for the time being approved by the Minister for the purposes of this Article.

(2) Bonus under this Article shall be payable in respect of the aggregate quantity of milk sold or produced and used as aforesaid in each calendar month after the commencing date and shall be payable at the end of that month to the person who is then the owner of the herd:

Provided that, if there is a change in the ownership of the herd during any such calendar month, then, if the herd is a Supervised Herd or an Attested Herd throughout the whole of that month, the bonus for that month shall be apportioned between the former owner and the new owner proportionately to the quantity of milk sold or produced and used as aforesaid during the respective ownerships in that month, but in any other case no bonus under this Article shall be payable to any person for that month.

Bonus on Cattle

12.—(1) The bonus payable under this Article during the period of four years from the commencing date shall be twenty shillings and during the period of two years next succeeding shall be ten shillings in respect of each animal in the herd on the day in June or December, as the case may be, falling within each successive period of six months from the commencing date, on which agricultural statistics are required to be furnished in accordance with regulations made under Section 78 of the Agriculture Act, 1947(a).

(2) Each payment of bonus under this Article shall be deemed to be made in respect of the period of six months in which the said day in June or December, as the case may be, falls and shall be payable at the end of that period of six months to the person who is then the owner of the herd.(b)

SCHEDULE

RULES APPLICABLE TO ATTESTED HERDS AND SUPERVISED HERDS

1. *Records.*—The owner of an Attested Herd or Supervised Herd shall keep accurate records of—

(*a*) all cattle on the approved premises stating breed, age, sex and marking; and name of animal, if any;

(*b*) all births and deaths of cattle on the approved premises including cattle slaughtered; and

(*c*) all cattle moved on to or off the approved premises, showing the addresses of the premises from or to which they were so moved, the name of the vendor or purchaser as the case may be, if available, and the date of such movement.

2. *Marking.*—Every animal in an Attested Herd or Supervised Herd shall be marked by the owner in a manner approved by the Minister.

3. *Fences.*—The fences dividing the approved premises from adjoining land shall be maintained to the satisfaction of the Minister in such a condition as to prevent the infection of the herd by cattle on the adjoining land.

4. *Use of Milk, etc., for feeding animals.*—No milk or dairy by-product shall be brought on to the approved premises for feeding to bovine or other animals except direct from premises at which an Attested Herd is kept unless such milk or dairy by-product has been converted into powder form or is boiled or pasteurised. For the purposes of this Rule "pasteurised" means retained at a temperature of not less than 145° and not more than 150° Fahrenheit for at least thirty minutes, or at a temperature of not less than 162° Fahrenheit for at least fifteen seconds.

5. *Consent of Minister to unofficial tuberculin tests.*—No animal in an Attested Herd or Supervised Herd shall be submitted to a test with tuberculin without the consent of the Minister.

6. *Vaccination.*—No animal in an Attested Herd or Supervised Herd shall be vaccinated against tuberculosis.

(a) 10 & 11 Geo. 6. c. 48. (b) *See* amendment, p. 185 below.

7. *Entry and examination by Inspector.*—The owner of an Attested Herd or Supervised Herd shall give all reasonable facilities for the entry of an Inspector of the Ministry into the approved premises for the purpose of an examination of the premises, and of the bovine or other animals thereon, and of the records required to be kept or permits issued for the purposes of this Scheme, and for the testing of the animals. The owner shall furnish to the Inspector all such information as may reasonably be required by the Inspector for the purposes of the administration of the Scheme.

8. *Regulation of Movement of Cattle*

(1) *Movement Permits.* No animal shall be moved on to approved premises except under the authority of a permit issued by the Minister under this Rule and in accordance with any conditions subject to which the permit is issued: provided that no such permit shall be required in respect of the movement of an animal between two premises situated within the same attested area for the purposes of Section 23 of the Agriculture Act, 1937(a).

(2) *Conditions of Permit.* Every such permit shall be issued subject to the following general conditions, namely:—

(*a*) during the movement the animal shall not be allowed to come into contact with any other cattle not being moved with a similar permit granted in accordance with these Rules, or with any goats or swine;

(*b*) any vehicle in which the animal is conveyed shall be cleansed and disinfected in the following manner immediately before the animal is placed in it;

(i) *in the case of a road vehicle*—

the floor, roof and sides of the inside of the vehicle, and all other parts thereof with which such animal or any fodder, litter or other matter may come in contact, shall be scraped and swept, and the scrapings and sweepings and all dung, sawdust, litter and other matter shall be effectually removed from contact with animals; the same parts of the vehicle shall then be thoroughly washed or scrubbed or scoured with water; and then be disinfected by being thoroughly coated or washed with an approved disinfectant;

(ii) *in the case of a railway vehicle*—

the vehicle shall have been cleansed and disinfected in accordance with Article 24 of the Transit of Animals Order of 1927(b), since it was last used for the conveyance of animals, and in addition to such cleansing and disinfection it shall receive a further coating or washing of the floor, roof and sides of the inside with an approved disinfectant immediately before the animal is placed in it;

(*c*) if it is found necessary to water the animal during the movement, water must be supplied in a clean bucket direct from a tap and not from a water trough;

and subject to such special conditions (if any) as the Minister may consider appropriate in the circumstances of the case. Subject, however, to the Minister's right at any time to vary the conditions of permits applicable to particular types of movement or to withhold the issue of a permit if he thinks fit, permits for the movements referred to in sub-paragraphs (3) to (7) of this Rule will normally be granted subject to the special conditions (if any) specified in those sub-paragraphs.

(3) *Movement to an Attested Herd or to a Supervised Herd from an Attested Herd.* The permit will normally be issued subject only to the general conditions specified in sub-paragraph (2) of this Rule.

(4) *Movement to an Attested Herd or to a Supervised Herd from a Supervised Herd or from a herd (not being an Attested Herd) licensed for the production of Tuberculin Tested milk.* A permit will be granted only if the animal when tested on the last occasion with tuberculin at the premises of origin did not react, or is a calf under 14 days old. The animal will be subjected to an official test after

(a) 1 Edw. 8. & 1 Geo. 6. c. 70. (b) S.R. & O. 1927 (No. 289) p. 57.

the movement has taken place, but not earlier than 60 days after the date of the last test of the animal, or in the case of a calf under 14 days old not earlier than 60 days after its arrival on the premises, and the animal shall be isolated until so tested except for such contact with other animals in the herd as may be necessary for breeding purposes only. If the animal does not react to this test it will be allowed to be added to the Attested Herd or the Supervised Herd as the case may be, but if it reacts the owner of the herd shall immediately isolate it and remove it from the approved premises as quickly as possible and shall immediately thereafter cause those premises to be disinfected in the manner prescribed in Article 9 of this Scheme.

(5) *Movement to an Attested Herd or to a Supervised Herd from a herd other than an Attested Herd, Supervised Herd or a herd licensed for the production of Tuberculin Tested milk.* A permit will be granted only if the animal was tested with tuberculin by a veterinary surgeon within 14 days prior to movement and did not react, or is a calf under 14 days old. The animal (including a calf under 14 days old) will be subjected to an official test after the movement has taken place, but not earlier than 60 days after its arrival on the premises, and the animal shall be isolated until so tested except for such contact with other animals in the herd as may be necessary for breeding purposes only. If the animal does not react to this test it will be allowed to be added to the Attested Herd or the Supervised Herd as the case may be, but if it reacts, the owner of the herd shall immediately isolate it and remove it from the approved premises as quickly as possible and shall immediately thereafter cause those premises to be disinfected in the manner prescribed in Article 9 of this Scheme:

Provided that in exceptional circumstances the Minister may waive the requirement of a tuberculin test within 14 days prior to movement, substitute therefor a condition that the animal shall be tested with tuberculin by a veterinary surgeon at the owner's expense within 7 days after the arrival of the animal on the approved premises, and delay correspondingly the official test.

(6) *Movement from a market, sale or agricultural show.* Permits for the movement of cattle from approved accommodation for return to an Attested Herd or for entry into another Attested Herd or into a Supervised Herd will be granted subject to such special conditions as the Minister may consider appropriate in the circumstances of the case. For the purposes of this sub-paragraph, " approved accommodation " means accommodation set apart for the reception of cattle moved from Attested Herds at any market, showground or other place and approved by the Minister.

(7) *Movement for breeding purposes.* Permits for the movement of animals for breeding purposes between Attested Herds, Supervised Herds and herds licensed for the production of Tuberculin Tested milk will be granted subject to such special conditions as the Minister may consider appropriate in the circumstances of the case.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this tenth day of July, 1950.

(L.S.)

T. Williams,
Minister of Agriculture and Fisheries.

We approve,

Wm. Hannan,
H. W. Bowden,
Two of the Lords Commissioners of His Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Scheme, but is intended to indicate its general purport.)

Under the Agriculture Act, 1937 and during the period limited thereby (extended to the 30th September, 1958, by the Agriculture (Miscellaneous War Provisions) (No. 2) Act, 1940 and the Animals Act, 1948) the Minister of Agriculture and Fisheries may, in accordance with a scheme made by him and approved by the Treasury, pay to the owner of any herd of cattle in Great Britain such sums as the Minister thinks fit to expend for the purpose of securing so far as practicable that the herd will be free from tuberculosis. This scheme, made under that Act, accordingly specifies the conditions on which such payments may be made and the method in which they will be calculated.

The Tuberculosis (Attested Herds) Amendment Scheme, 1950

1950 No. 1803

Made - - - -	*7th November,* 1950
Laid before Parliament	10*th November,* 1950
Coming into Operation	1*st December,* 1950

In pursuance of Section 20 of the Agriculture Act, 1937(**a**) as amended by Section 4 of the Agriculture (Miscellaneous War Provisions) (No. 2) Act, 1940(**b**) and Section 1 of the Animals Act, 1948(**c**), the Minister of Agriculture and Fisheries, with the approval of the Treasury, hereby makes the following scheme :—

1. This Scheme (which applies to Great Britain) may be cited as the Tuberculosis (Attested Herds) Amendment Scheme, 1950 and shall come into operation on the first day of December, 1950.

2. The Tuberculosis (Attested Herds) Scheme, 1950(**d**) shall be amended by the deletion from paragraph (2) of Article 12 of the words " at the end of that period of six months to the person who is then the owner of the herd " and the substitution therefor of the words " immediately after that day to the person who was the owner of the herd at the end of that day ".

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this sixth day of November, 1950.

(L.S.)

T. Williams,
Minister of Agriculture and Fisheries.

We approve,

R. J. Taylor,
Wm. Hannan,
Two of the Lords Commissioners of His Majesty's Treasury.

Dated the seventh day of November, 1950.

(a) 1 Edw. 8. & 1 Geo. 6. c. 70.
(b) 3 & 4 Geo. 6. c. 50.
(c) 11 & 12 Geo. 6. c. 35.
(d) S.I. 1950 No. 1126, p. 177 above.