STATUTORY INSTRUMENTS

# 1984 No. 1512

## ANIMALS

### ANIMAL HEALTH

# The Warble Fly (England and Wales) (Infected Areas) (Amendment) Order 1984

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| *Made* - - - - | 18*th September* 1984 |
| *Coming into Operation* | 7*th October* 1984 |

The Minister of Agriculture, Fisheries and Food in relation to England and the Secretary of State in relation to Wales, in exercise of the power conferred on them by sections 1, 8(1), 17(1), 23 and 25 of the Animal Health Act 1981(**a**), and of all other powers enabling them in that behalf, hereby order as follows:—

*Title and commencement*

**1.** This Order may be cited as the Warble Fly (England and Wales) (Infected Areas) (Amendment) Order 1984 and shall come into operation on 7th October 1984.

*Amendment*

**2.** The Warble Fly (England and Wales) (Infected Areas) Order 1983(**b**) shall be amended as follows—

(*a*) in article 7(1) (notice of treatment) for the words "given" there shall be substituted the word "give";

(*b*) for paragraph (5) of article 10 (which relates to the movement of cattle from markets in infected areas) there shall be substituted the following paragraphs—

"(5) A licence in form F issued under paragraph (4) above in respect of cattle which have not been treated since the area in which the market is held was declared to be an infected area shall authorise the movement of cattle only to—

(*a*) a slaughterhouse for slaughter within 72 hours of their arrival there;

(*b*) the premises from which they were brought to the market; or

(**a**) 1981 c. 22; the definition of "disease" in section 88(1) of that Act was extended to include the infestation of cattle with warble fly by article 3 of S.I. 1982/234.
(**b**) S.I. 1983/1382.

(*c*) approved holding premises for—

(i) treatment to the satisfaction of an inspector within seven days of their arrival there, or

(ii) for movement, within seven days of their arrival there, to a slaughterhouse for slaughter within 72 hours of their arrival at that slaughterhouse.

(6) For the purposes of paragraph (5) above "approved holding premises" means premises which have been approved by a veterinary inspector under article 10A for the temporary holding of cattle."; and

(*c*) after article 10 there shall be inserted the following article—

*"Approved holding premises for cattle*

**10A.**—(1) A veterinary inspector may, on an application being made to him by the occupier of any premises in an infected area, approve those premises for the temporary holding of cattle if he is satisfied after inspecting them that they are fit to be used for that purpose.

(2) An approval of any premises for the temporary holding of cattle given under paragraph (1) above shall be given in writing and may—

(*a*) be given subject to such conditions as the veterinary inspector giving the approval considers necessary for preventing the spread of the infestation of cattle with warble fly; and

(*b*) be varied, suspended or withdrawn at any time by a notice in writing served by a veterinary inspector on the occupier of the premises."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 18th September 1984.

L.S.

*Michael Jopling,*
Minister of Agriculture,
Fisheries and Food.

*John Stradling Thomas,*
Minister of State for Wales.

18th September 1984.

## EXPLANATORY NOTE

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

This Order amends the Warble Fly (England and Wales) (Infected Areas) Order 1983 ("the 1983 Order").

The changes of substance made by this Order relate to article 10 of the 1983 Order. That article prohibited the holding of a cattle market in an infected area (that is to say an area declared by the Minister of Agriculture, Fisheries and Food to be one in which he believes or suspects that the warble fly exists) except under the authority of a licence and further prohibited cattle leaving a cattle market in an infected area except under the authority of a licence in Form F (as set out in the Schedule to the 1983 Order) which could only authorise the movement of cattle from a cattle market in an infected area to a slaughterhouse or to the premises from which they were brought to the market. This Order amends article 10 of the 1983 Order by (1) providing that a licence in Form F can also authorise the movement of cattle to approved holding premises for treatment or for onward movement to a slaughterhouse for slaughter and (2) enabling a veterinary inspector to approve any premises in an infected area as holding premises for cattle for the purposes of a licence in Form F if he is satisfied after inspecting them that they are fit to be used for that purpose (Article 2(*b*) and (*c*)).

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