The Ministry of Finance hereby approves of the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 17th day of July 1967.

(L.S.) *James Reid,*
Assistant Secretary.

EXPLANATORY NOTE

(*This note is not part of the Regulations but is intended to indicate their general purport.*)

The purpose of these Regulations is to make provision in exceptional circumstances, and at the discretion of the Ministry, for the acceptance as qualified teachers of persons having suitable experience but who do not possess the formal qualifications normally required by the Regulations.

1967. No. 184 [C]

DISEASES OF ANIMALS

Warble Fly Eradication

ORDER, DATED 10TH DAY OF JULY 1967, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTIONS 1 AND 3B OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958(a).

The Ministry of Agriculture in exercise of the powers conferred on it by Section 1 of the Diseases of Animals Act (Northern Ireland) 1958 and by Section 3B of the said Act (as added by Section 2 of the Diseases of Animals (Amendment) Act (Northern Ireland) 1966(b)) and of all other powers enabling it in that behalf, having consulted with the bodies which appear to it to be substantially representative of the interests concerned and with the approval of the Ministry of Finance by Order hereby makes the following Scheme:—

Citation, Commencement and Termination

1. The Scheme made by this Order may be cited as the Warble Fly (Eradication) Scheme (Northern Ireland) 1967, and shall come into operation on 15th August 1967 and shall remain in operation until 31st July 1968.

Revocation

2. The Warble Fly (Dressing of Cattle) Scheme (Northern Ireland) 1966(c) is hereby revoked.

Interpretation

3. In this Scheme:—

"Animal" means a live bovine animal born before 1st August 1967.

"Approved Dressing" means a systematic insecticide approved by the Ministry for the destruction of the larvae of the warble fly.

(a) 1958. c. 13. (b) 1966. c. 23 (N.I.). (c) S.R. & O. (N.I.) 1966, No. 186.

"Authorised" means authorised by the Ministry.

"Exemption Certificate" means a certificate issued by the Ministry in Form B (as shown in the Schedule).

"Dressing" means the application to an animal of an approved dressing in accordance with the Scheme and "dress" and "dressed" shall be construed accordingly.

"Dressing Certificate" means a certificate issued by the Ministry in Form A (as shown in the Schedule).

"Dressing Officer" means a person appointed by the Ministry to carry out under the control of a Veterinary Inspector the dressing of animals in accordance with this Scheme.

"Import Exemption Certificate" means a certificate issued by the Ministry in Form C (as shown in the Schedule).

"Ministry" means the Ministry of Agriculture.

ARRANGEMENTS FOR CERTIFYING ANIMALS

Examination and Dressing prior to Certification

4. Every animal owner at a date and time notified to him by the Ministry shall:—

(1) Have all his animals together with calves born on or after 1st August 1967 earmarked and assembled for identification and for the dressing of appropriate animals.

(2) Indicate to the Dressing Officer all:—

(*a*) calves born on or after 1st August 1967;

(*b*) animals already dressed or exempted from dressing under this Scheme and produce relevant certificates to this effect;

(*c*) animals destined for slaughter within seven days;

(*d*) animals which are sick, debilitated or under veterinary treatment, have received any medicine within the preceding seven days, are recovering from surgical operations or are in the last month of pregnancy.

(3) Provide assistance for the Dressing Officer by controlling the animals while they are being identified and dressed.

Fees

5. Animal owners shall on demand pay to the Ministry a fee of 2/- in respect of each animal dressed in accordance with this Scheme.

Certificates

6. After payment of the total fees due from him in accordance with the preceding Article and any fees due under the Warble Fly (Dressing of Cattle) Scheme (Northern Ireland) 1966 the owner shall receive:—

(*a*) a dressing certificate in respect of each animal dressed; and

(*b*) an exemption certificate in respect of each of his animals which for veterinary or other reasons cannot be dressed before 30th November 1967 in accordance with this Scheme.

Dressing by Owner's Veterinary Surgeon

7.—(1) Notwithstanding Articles 4, 5 and 6 an owner may, at his own expense, employ his Veterinary Surgeon to dress his animals provided:—

(*a*) the owner notifies the Divisional Veterinary Officer of the Ministry in writing, before such date as may have been notified to him in accordance with Article 4 and in any event before 30th September 1967, that he wishes to employ his Veterinary Surgeon to carry out the dressings; and

(*b*) his Veterinary Surgeon dresses the animals before 1st November 1967 and sends to the said Divisional Veterinary Officer within seven days of the date of dressing a certificate giving the name and address of the owner of the animals and the herd number and certifying:—

(i) the date he carried out the dressing;
(ii) the approved dressing used;
(iii) the ear number of each animal dressed;
(iv) the ear number of each animal which was not dressed stating the reason why he did not dress it; and
(v) that all the animals born before 1st August 1967 in the possession of the owner are included in the certificate.

(2) On receipt of the veterinary certificate referred to in paragraph (1) the Ministry shall issue, free of charge, a dressing certificate in respect of each animal certified by the Veterinary Surgeon as having been dressed and, if the Ministry considers the reasons given as adequate, an exemption certificate where necessary in respect of each animal not dressed.

(3) Should the provisions of paragraph (1) not be complied with in all respects, the provisions of the Scheme shall apply as if paragraphs (1) and (2) were omitted therefrom.

(4) Articles 17 and 18 relating to payment of veterinary fees and compensation shall not apply to animals dressed by the owner's Veterinary Surgeon in accordance with this Article or in reliance on the provisions thereof.

Restriction on Slaughter for Human Consumption

8. No animal shall within the seven days immediately following the date on which it was dressed be sold for slaughter or slaughtered for human consumption.

Notification by Owners of Animals

9. Any owner having in his possession on 12th November 1967 any animal which has not been dressed, or any animal which he has purchased without obtaining a dressing certificate or an exemption certificate shall within 48 hours notify the Divisional Veterinary Officer of the Ministry so that it may be dressed before 30th November 1967.

Restriction on Sale of Animals without Certificates

10. On and after 12th November 1967 it shall be an offence to offer or expose for sale, sell or purchase an animal which is not accompanied by a dressing certificate, an unexpired exemption certificate or an import exemption certificate relating to that animal.

Imported Animals

11. Each animal imported into Northern Ireland from the Republic of Ireland on and after 12th November 1967 shall be issued with an import exemption certificate at the border post.

Possession of Animals without Certificates

12.—(1) On and after 1st December 1967 it shall be an offence for any person to be in possession of an animal unless he can produce a dressing

certificate, an unexpired exemption certificate or an import exemption certificate relating to that animal.

(2) Without prejudice to any other action which the Ministry may take in respect of a person who is in possession of an animal contrary to the provisions of paragraph (1) the Ministry may by Notice in writing require such person to retain such animal on specified land or premises until such time as instructions specified in the Notice concerning the movement or dressing of the animal have been complied with.

Duties in Relation to Undressed Animals

13. Any owner having in his possession on 12th February 1968 an animal in respect of which he does not hold either:—

(*a*) a dressing certificate; or

(*b*) an import exemption certificate

shall within seven days of that date notify the Divisional Veterinary Officer of the Ministry of this fact.

Dressing of Exempted Animals

14. The Ministry may on and after 1st March 1968 dress or approve arrangements for the dressing of any animal in respect of which an exemption certificate has been issued. When such animal has been dressed a dressing certificate shall be issued provided that in the case of an animal dressed by a Dressing Officer a fee of 2/- has been paid by the owner.

Notification of Warbled Animals

15. Notwithstanding the provisions of Article 3 of the Scheduled Diseases (Amendment) Order (Northern Ireland) 1960(a) as from 1st March 1968 warble fly infestation shall be a notifiable disease in accordance with Section 4 of the Diseases of Animals Act (Northern Ireland) 1958 and any person having an animal in his possession or in his charge which is so infested shall with all practicable speed give notice of the fact of the animal being so affected to the Ministry or to a member of the Royal Ulster Constabulary stationed in the district wherein the animal so affected is.

Warbled Animals

16.—(1) If after 1st March 1968 signs of warble fly larvae are found in any bovine animal irrespective of age the Ministry shall dress the animal and the owner shall render assistance by presenting and holding the animal for the purpose of dressing.

(2) If the owner of an animal dressed in accordance with this Article fails to produce at the time of this dressing a dressing certificate then he shall pay a fee of 2/- for the dressing of the animal before receiving a dressing certificate.

(3) If any sign of warble fly larva is found on any animal in respect of which an exemption certificate or import exemption certificate was issued then the certificate shall be regarded as expired and shall be delivered to a dressing officer or other officer of the Ministry.

Veterinary Surgeons' Fees

17. The Ministry shall pay an appropriate fee to a Veterinary Surgeon who is called in to attend a sick animal provided that:—

(a) S.R. & O. (N.I.) 1960, No. 109.

(*a*) the Veterinary Surgeon is called in within three days following the date on which the animal was dressed;

(*b*) he gives the Ministry details of the case;

(*c*) he certifies that in his opinion the illness was due to the dressing; and

(*d*) the treatment is completed within four weeks immediately succeeding the date of dressing or within such longer period as the Ministry may at its discretion approve.

Compensation

18.—(1) If an owner calls in his Veterinary Surgeon before the expiry of the third day following the day of the dressing and the animal dies within four weeks of such dressing (or within such longer period as the Ministry may approve in the particular circumstances) or is slaughtered with the concurrence of the Ministry because of its condition, or if an animal dies suddenly before the expiry of the third day following the day of the dressing the Ministry shall pay compensation to the owner and appropriate fees to the Veterinary Surgeon provided that:—

(*a*) the Ministry is notified of the death and is given reasonable opportunity to inspect the carcase;

(*b*) the death was not due to Anthrax;

(*c*) the owner's Veterinary Surgeon carries out a post-mortem examination and without delay supplies the Ministry with details of the case and a full report of his post-mortem findings; and

(*d*) the Veterinary Surgeon certifies that in his opinion the death (or condition leading to slaughter) was caused by the dressing.

(2) In the event of an animal aborting before the expiry of the seventh day following the day of the dressing the Ministry shall pay compensation of £20 to the owner and an appropriate fee to his Veterinary Surgeon provided that:—

(*a*) the Veterinary Surgeon was called in without delay;

(*b*) the Divisional Veterinary Officer was notified as soon as practicable;

(*c*) the Veterinary Surgeon certified following his examination of the cow and the foetus that apart from the possibility of tests revealing the presence of brucellosis infection he could find no explanation for the abortion; and

(*d*) the Ministry tests did not reveal a brucellosis infection.

(3) Notwithstanding paragraphs (1) and (2) and the preceding Article the Ministry may at its discretion pay appropriate Veterinary Surgeons' fees and compensation for any loss provided it is satisfied that such loss could not be attributed to any cause other than the dressing.

Amount of Compensation

19.—(1) The amount of compensation payable in accordance with Article 18(1) shall be, in the case of an animal which dies, the market value at the time of the dressing and in the case of an animal which is slaughtered, the market value at the time of the dressing less the salvage value of the carcase.

(2) In the event of a dispute as to the market value the question shall be referred to an independent valuer selected by the owner from a list of at least three such valuers submitted to him by the Ministry. If the owner fails within 24 hours to select one of the valuers from the list the Ministry shall

select one to carry out the valuation. The selected valuer (who shall be paid by the Ministry) shall give to the Ministry and to the owner a certificate in writing of his valuation and such valuation shall be final and binding.

Powers of Dressing Officers

20. Dressing Officers or other authorised officers may at any reasonable time, for the purpose of carrying out the provisions of this Order enter any land, building, shed, pen or place where cattle are kept or are suspected on reasonable grounds to be kept for the purpose of inspecting or examining any cattle found there.

Offences

21. Any person who contravenes or fails to comply with any of the provisions or requirements of this Scheme or obstructs or impedes the examination or dressing of animals by a Dressing Officer or Inspector shall be guilty of an offence against the Diseases of Animals Act (Northern Ireland) 1958.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 10th day of July 1967, in the presence of

(L.S.) *A. E. W. Steen,*
Assistant Secretary.

The Ministry of Finance hereby approves the foregoing Order.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 10th day of July 1967, in the presence of

(L.S.) *James Reid,*
Assistant Secretary.

SCHEDULE

FORM A

MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND

Ear No. .....

This is to certify that this animal was dressed in accordance with the Warble Fly (Eradication) Scheme (Northern Ireland) 1967.

Signature .....
Divisional Veterinary Officer.

Date .....

FORM B

MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND

Ear No. ..... [ ]

This is to certify that this animal having been presented for examination under the Warble Fly (Eradication) Scheme (Northern Ireland) 1967, is exempted from dressing until ..... 1968.

This certificate will expire on that date or on such earlier date as Warble Fly larva becomes discernible on the animal's back.

Signature .....
Divisional Veterinary Officer.

Date .....

FORM C

MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND

Import Exemption Certificate

Ear No. .....

This is to certify that this animal having been presented for examination under the Warble Fly (Eradication) Scheme (Northern Ireland) 1967, is exempted from dressing until 31st July 1968.

This certificate will expire on that date or on such earlier date as Warble Fly larva becomes discernible on the animal's back.

Signature .....
Divisional Veterinary Officer.

Date .....

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order enables the Ministry to dress all cattle born before 1st August 1967 with a systemic insecticide for the purpose of controlling Warble Fly infestation with a view to the eventual elimination of this insect pest.

Provision is made for the issue of certificates in respect of all animals born before 1st August 1967 which have been dressed or which were exempted from dressing because of veterinary or other reasons; for the fees payable by the owners of animals which have been dressed; and for the circumstances under which compensation may be paid to the owners of dressed animals. The Order also provides for the dressing of warbled animals in the Spring of 1968.

The Order makes it an offence with effect from 12th November 1967 to sell or purchase an uncertified animal and with effect from 1st December 1967 to be in possession of an uncertified animal. From 1st March 1968 the owner or person in charge of a warble infested animal is required to notify the Ministry of this fact.