1969. No. 41 **[C]**

DISEASES OF ANIMALS

Warble Fly Treatment

ORDER, DATED 6TH DAY OF MARCH 1969, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 3B OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958.

The Ministry of Agriculture in exercise of the powers conferred on it by Section 3B of the Diseases of Animals Act (Northern Ireland) 1958(a) (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 appeared 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 and Commencement

1. The Scheme made by this Order may be cited as the Warble Fly (Treatment) Scheme (Northern Ireland) 1969 and shall come into operation on 17th March 1969.

Interpretation

2. In this Scheme—

"animal" means a live bovine animal;

"diseased" means infested with Warble Fly (hypoderma bovis or hypoderma lineatum);

"notification period" means the period beginning on 1st February and ending on 31st August in any year;

"treatment" means the application of a systemic insecticide or other agent approved by the Ministry of Agriculture.

Disease Not Notified

3.—(1) An Inspector finding any animal to be diseased which has not previously been notified to the Ministry within the current notification period under the provisions of the Warble Fly Order (Northern Ireland) 1969(c) shall serve a notice on the owner or person in charge requiring him to have the animal treated in accordance with paragraph (2) and specifying the premises on which the animal is to be kept pending the issue of an official certificate of treatment.

(2) A notice served in accordance with paragraph (1) shall require the owner or person in charge to have the animal treated for disease by a veterinary surgeon as specified in the notice and to submit within a specified time to a Divisional Veterinary Officer of the Ministry a statement in writing from the veterinary surgeon certifying the completion of the specified treatment of the animal.

Disease Notified

4.—(1) Where following notification of disease as provided in the Warble Fly Order (Northern Ireland) 1969 disease is confirmed in an animal the owner shall keep the animal on premises specified by the Ministry pending the issue

(a) 1958. c. 13. (b) 1966. c. 23 (N.I.). (c) S.R. & O. (N.I.) 1969, No. 40.

of an official certificate of treatment and the Ministry shall undertake the treatment of the animal unless the owner chooses to have the animal treated under the provisions of Article 3.

(2) The owner of an animal treated by the Ministry under the provisions of paragraph (1) shall pay the Ministry 5s. 0d. for each animal so treated.

(3) The provisions of Articles 5 and 6 shall apply in respect of any animal treated by the Ministry with a systemic insecticide under the terms of this Article.

Compensation for Animals Treated by the Ministry

5.—(1) The owner of an animal treated by the Ministry with a systemic insecticide under the provisions of Article 4 shall if the animal aborts, dies or becomes ill within seven days after treatment, forthwith advise a Divisional Veterinary Officer of the Ministry. If in the opinion of the Ministry the abortion, death or illness occurring within the seven days after treatment or subsequent death resulting from such illness was directly or indirectly attributable to the treatment, the Ministry shall pay any appropriate veterinary surgeon's fees incurred by the owner and shall in the case of abortion or death of the animal (including slaughter with the Ministry's approval) compensate the owner.

(2) Notwithstanding the provisions of paragraph (1) the Ministry may at its discretion in respect of any animal treated by the Ministry with a systemic insecticide under the provisions of Article 4 pay appropriate veterinary surgeon's fees and compensation for any loss where it is satisfied that such loss could not be attributed to any cause other than the treatment.

Amount of Compensation

6.—(1) The amount of compensation payable under the terms of Article 5 shall be £20 in respect of an abortion and the market value at the time of treatment in respect of an animal which dies or is slaughtered with the Ministry's approval.

(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.

Official Certificate of Treatment

7. On receipt by a Divisional Veterinary Officer of the certificate from a veterinary surgeon referred to in Article 3 or on completion of the treatment by the Ministry referred to in Article 4 and payment of the specified fee, the Ministry shall issue to the owner of the diseased animal an official certificate of treatment in the form specified in the Schedule whereupon the restrictions previously imposed on the movement of the animal shall cease to apply. An official certificate of treatment shall be valid only for the duration of the notification period within which it was issued and shall during this period be transferred to the new owner in the event of a change of ownership.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 6th day of March 1969 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 6th day of March 1969 in the presence of

(L.S.) *James V. Morrison,*
Assistant Secretary.

SCHEDULE

MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND

Official Certificate of Treatment for Warble Fly

Ear No.

This is to certify that this animal was treated by on in accordance with the provisions of the Warble Fly (Treatment) Scheme (Northern Ireland) 1969.

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 specifies the arrangements for treating warble fly infested cattle. It distinguishes between the treatment of those animals which were brought to the Ministry's attention by or on behalf of their owners and those which were not so notified to the Ministry. It specifies the fee to be paid in respect of animals treated by the Ministry.