STATUTORY INSTRUMENTS

1975 No. 1030

ANIMALS

DISEASES OF ANIMALS

The Zoonoses Order 1975

Made - - - -	23*rd June* 1975
Coming into Operation	14*th July* 1975

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred on them by section 1 of the Agriculture (Miscellaneous Provisions) Act 1972(**a**), as read with the Diseases of Animals Act 1950(**b**), and by sections 1, 10, 11, 20, 45, 50, 59 and 84(1) and (2) of the latter Act, as extended by section 2 of the former Act, and now vested in them (**c**), and of all their other enabling powers, hereby order as follows:—

Citation, commencement and extent

1. This order, which may be cited as the Zoonoses Order 1975, shall come into operation on 14th July 1975 and shall apply to Great Britain.

Interpretation

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

"the Act of 1950" means the Diseases of Animals Act 1950 as amended or extended by any other enactment and, where the context requires, as applied by this order;

"the Act of 1972" means the Agriculture (Miscellaneous Provisions) Act 1972;

"animal" means any kind of mammal, except man, and any kind of four-footed beast which is not a mammal;

"approved disinfectant" means an approved disinfectant for the purposes of the Diseases of Animals (Approved Disinfectants) Order 1972(**d**), as for the time being amended or extended by any other order(**e**), in its application to general orders as therein defined;

"bird" means a bird of any species;

"carcase" means the carcase of an animal or bird, and includes part of a carcase;

"designated organism" means an organism designated by article 3(2) of this order for the purposes of section 1 of the Act of 1972;

(**a**) 1972 c. 62. (**b**) 1950 c. 36.

(**c**) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958: (1955 I, p. 1184)).

(**d**) S.I. 1972/1413 (1972 III, p. 4281).

(**e**) See S.I. 1974/799, 1975/95 (1974 II, p.3059; 1975 I, p.280).

"infected place" means a place which is for the time being declared to be an infected place by virtue of a notice served under article 4(1) of this order;

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

"the Ministers" means the Minister and the Secretary of State, acting jointly; and "the appropriate Minister", in relation to England and Wales, means the Minister and, in relation to Scotland, means the Secretary of State;

"product" means milk, eggs, wool, meat, offal, dung or other substance directly derived from an animal or bird, whether mixed with any other substance or not, and includes used bedding litter;

"specified", in relation to anything required by a notice under this order, means specified in that notice;

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

(2) Expressions used in this order which neither occur in section 1 of the Act of 1972 nor are expressly defined in this order shall, unless the context otherwise requires, have the same meaning as in the Act of 1950.

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

Application of Diseases of Animals Act 1950 to designated organisms

3.—(1) The definition of "animals" in section 84(1) of the Act of 1950 is hereby extended for the purposes of that Act and section 1 of the Act of 1972 as they apply in relation to the presence of designated organisms so as to include every kind of mammal, except man, and every kind of four-footed beast which is not a mammal, and the definition of "poultry" in that section is hereby extended for the same purposes so as to comprise birds of every species.

(2) The following organisms, being organisms which, when carried in animals or poultry, constitute in the opinion of the Ministers a risk to human health, are hereby designated for the purposes of section 1 of the Act of 1972:

(*a*) organisms of the genus salmonella;

(*b*) organisms of the genus brucella.

(3) The provisions of the Act of 1950 referred to in Schedule 1 to this order shall apply, subject to any modifications therein specified, in relation to the presence of a designated organsim in an animal or bird as if the presence of the organism were a disease to which that Act applies.

Infected places

4. (1) Where a veterinary inspector knows or has reasonable grounds for suspecting that there is or has been in any place an animal or bird in which a designated organism is or was present, or the carcase of such an animal or bird, or a product derived from such an animal or bird, he may by notice served on the occupier of that place declare it to be an infected place under section 10 of the Act of 1950 for the purposes of this order.

(2) A veterinary inspector may in the said notice, or by a further notice or further notices served in like manner, prohibit the bringing of any animal, bird,

(a) 1889 c. 63.

carcase or product into the infected place, and may require that all animals, birds, carcases or products then in the infected place, or such of them as may be specified, shall be detained in that place or in a specified part of that place and, if he considers it necessary to prevent the spreading of the organism, that such of them as may be specified shall, so far as reasonably practicable, be isolated from contact with other animals, birds, carcases or products, or from contact with human beings other than persons whose presence is necessary for the purpose of providing care and attention for them.

(3) It shall be the duty of the person on whom a notice is served under this article imposing any such prohibition or making any such requirement as is referred to in paragraph (2) above to ensure, so far as is reasonably practicable, that the notice is complied with, except in so far as any exception is for the time being authorised by a licence issued by an inspector, and no person shall knowingly do anything contrary to any such prohibition or requirement, or cause or permit it to be done except as aforesaid.

(4) A veterinary inspector may by a further notice served in like manner amend or revoke any declaration, prohibition or requirement made in a notice under this article.

(5) "Inspector", in paragraph (3) above, means a person appointed by the Minister to be an inspector for the purposes of the Act of 1950, and includes a veterinary inspector.

Cleansing and disinfection

5.—(1) A veterinary inspector may by notice served on the occupier of an infected place, or of any other place used for an animal or bird in which a designated organism is known or suspected to have been present, require him at his own expense to cleanse and disinfect the place, and any utensils, appliances or other things used there in connection with animals or birds or their carcases or products, in such manner and by such time as may be specified, and the person on whom the notice is served shall comply with it.

(2) A veterinary inspector may by notice served on a person who has used a vehicle for the carriage or an animal, bird, carcase or product in which a designated organism is known or suspected to have been present, or on the owner of such a vehicle, require him at his own expense to cleanse and disinfect the vehicle, and anything used with the vehicle for the purpose of such carriage, in such manner and by such time as may be specified, and the person on whom the notice is served shall comply with it.

(3) Instead of using his powers under either of the two preceding paragraphs, a veterinary inspector may cause any such place or thing as is mentioned therein to be cleansed and disinfected at the expense of the appropriate Minister.

(4) If such a notice as is referred to in paragraph (1) or paragraph (2) above is not complied with, the appropriate Minister may do the work required by the notice, or such part of it as remains undone, and may on demand recover as a civil debt the reasonable cost of so doing from the person on whom the notice was served.

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

(6) Where a person is required by a notice served under this article to carry out disinfection he shall use an approved disinfectant unless the notice specifies to the contrary.

(7) For the purposes of this article a notice requiring the cleansing or disinfection of a place or vehicle may include a requirement to bury or destroy any dung or litter found in it.

Notices

6. A notice under the preceding provisions of this order shall be in writing and may be served in the manner provided in sub-sections (4) and (5) of section 77 of the Act of 1950.

Duty to report presence of designated organisms

7.—(1) Notwithstanding the definitions of "animal" and "bird" in article 2(1)of this order, paragraph (2) of this article shall apply only to the following animals and birds:

(*a*) cattle, sheep, goats, pigs and rabbits;

(*b*) fowls, turkeys, geese, ducks, guinea-fowls, pheasants, partridges and quails.

(2) Where as a result of the identification by laboratory examination of the presence of a designated organism in a sample taken from any animal or bird to which this paragraph applies, or from the carcase, products or surroundings of such an animal or bird, a person knows or has reason to suspect that such an animal or bird is or was a carrier of the organism (whether or not also affected with a disease caused by the organism), he shall, subject to the following provisions of this article, forthwith make to a veterinary inspector or other officer of the Ministry or of the Secretary of State a written or verbal report containing the particulars specified in Schedule 2 to this order.

(3) Each serotype of the genus salmonella shall be regarded as a separate organism for the purposes of this article, and a person shall not be absolved from his duty to make a report in relation to a serotype by the fact that a report in relation to another serotype of the genus salmonella, or to salmonella of an unidentified serotype, has already been made.

(4) Nothing in this article shall require a person to make a report where his knowledge or suspicion results—

(*a*) from an identification made by or on behalf of the Minster or the Secretary of State, or

(*b*) from an identification which he himself, or the laboratory in which he is employed, has made, unless he is or was also the owner or person in charge of the known or suspected carrier or the veterinary surgeon or other person in attendance on it,

nor require a person who has reported the presence or suspected presence of an organism under this article to make within 4 weeks a further report as to the presence or suspected presence of the same organism in the same animal or bird or in another animal or bird of the same species kept in close and regular contact with it.

(5) Where an organism has been deliberately introduced into an animal or bird for research or experimental purposes, and neither the animal or bird, nor any other animal or bird to which the organism might be transmitted, nor any carcase of, or product derived from, any such animal or bird, is to be sold or otherwise disposed of either for consumption by man, animals or birds, or in any other way which will create a risk to human health, the fact that the animal or bird into which the organism has been introduced is or may be a carrier of the organism as a result of such introduction shall not give rise to any obligation to make a report under paragraph (2) above.

(6) Where two or more persons are under an obligation to make a report under paragraph (2) above in respect of the same animal or bird, the making of such a report by one of them containing all the relevant information required in Schedule 2 to this order shall absolve the others from the obligation.

Enforcement by local authorities

8. This order shall, except where otherwise expressly provided, be enforced by the local authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th June 1975.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

23rd June 1975.

William Ross,
Secretary of State for Scotland.

Article 3(3)

SCHEDULE 1

PROVISIONS OF THE DISEASES OF ANIMALS ACT 1950 APPLIED IN RELATION TO THE PRESENCE OF ORGANISMS DESIGNATED IN ARTICLE 3(2).

Provision	Effect	Modification (if any)
Section 1	General	
Section 4	Power to expend money for the eradication of diseases of animals or poultry	
Section 6	Power to obtain information	For the words "sections three and four" substitute the words "section four".
Section 7	False statements and obstruction	For the words "sections three and four" substitute the words "section four".
Section 10 and 11	Infected places	Delete— (*a*) all references to areas; (*b*) in section 10(3), the words "and after communication with the local authority".
Section 20	Regulation of movement	
Section 45	Application to poultry	
Section 50	Cleansing of poultry vehicles	
Section 51	Power to enter premises where poultry are kept	
Section 59	Local authorities	
Section 63	Default of local authorities	
Section 65	Reports to Minister	
Section 71	Powers and duties of constables	
Section 73	General powers of inspectors	
Section 77	Evidence and form and service of instruments	
Section 78	Offences	
Section 79, as amended by section 105(5) of the Agriculture Act 1970	Punishment for offences	
Section 80	Proceedings	
Section 81	Appeal	
Section 83	Procedure	
Section 84, as extended by section 2 of the Act of 1972	Interpretation	
Section 85	Orders, etc., of the Minister	
Section 86	Application to Scotland	

Article 7(2)

SCHEDULE 2

PARTICULARS REQUIRED TO BE GIVEN IN A WRITTEN OR VERBAL REPORT OF THE PRESENCE OR SUSPECTED PRESENCE OF A DESIGNATED ORGANISM IN AN ANIMAL OR BIRD

1. The known or suspected identity of the organism, including the serotype in the case of salmonella.

2. The name and address of either the owner or the person in charge of the animal or bird affected (stating which).

3. The species of animal or bird and the nature of the sample (e.g. cow's milk, turkey's liver, litter from ducks, etc.).

4. The location of the animal or bird.

5. The name and address of the person submitting the report.

6. In the case of a written report, the signature of the person submitting the report and the date.

EXPLANATORY NOTE

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

This order, which is the first to be made under section 1 of the Agriculture (Miscellaneous Provisions) Act 1972, makes a number of provisions dealing with zoonoses, i.e. diseases which man can contract from animals or birds.

The order designates organisms of the genus salmonella and the genus brucella for the purposes of the section and applies certain provisions of the Diseases of Animals Act 1950 to the presence of these organisms in an animal or bird.

Where a mammal or other four-footed creature, or a bird, is known or suspected to be carrying a designated organism, a veterinary inspector can serve a notice declaring the place where it is or has been kept to be an infected place for the purposes of the Act of 1950, and may impose restrictions on movement and require isolation. Exceptions may be made by licence. Provision is made for the service of notices, and a duty to comply with them is imposed on occupiers and others.

The order also enables a veterinary inspector by notice to require persons to cleanse and disinfect places or vehicles where the presence of designated organisms is known or suspected, either at their own expense or at that of the appropriate Minister, who can cleanse and disinfect if the occupier fails to do so.

Where designated organisms are identified in samples taken from animals or birds of certain species, or from their carcases, products or surroundings, anyone who knows or has reason to suspect that an animal or bird of such a species is or was carrying such an organism must report the matter to a veterinary inspector or other officer of the Ministry of Agriculture, Fisheries and Food or the Department of Agriculture and Fisheries for Scotland. There are exceptions where organisms are identified in the course of tests carried out by or on behalf of the Minister or the Secretary of State or (subject to certain safeguards) where they have been deliberately introduced into animals or birds for research or experimental purposes.

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