

Statutory Document No. 173/97

DISEASES OF ANIMALS (PREVENTION) ACTS 1948 TO 1975
BOVINE SPONGIFORM ENCEPHALOPATHY (AMENDMENT) ORDER 1997

Coming into operation : 21 May 1997

In exercise of the powers conferred on the Department of Agriculture, Fisheries and Forestry by sections 3 and 4 of the Isle of Man Diseases of Animals (Prevention) Act 1948(a), and of all other powers enabling it in that behalf, the following Order is hereby made :-

Citation

1. This Order may be cited as the Bovine Spongiform Encephalopathy (Amendment) Order 1997 and shall come into operation on 21 May 1997.

Amendment of G.C. 263/88

2. In the Bovine Spongiform Encephalopathy Order 1988(b) -
- (a) in article 2 -
 - (i) after the definition of "the disease" insert -
"exposed animal" means a bovine animal which has been exposed to the infection of the disease;"
 - (ii) after the definition of "slaughterhouse" insert -
"specified risk material" means -
 - (a) the head (including the brain but excluding the tongue), spinal cord,

spleen, thymus, tonsils and intestines of a bovine animal over 6 months of age at death;

- (b) the thymus and intestines of a bovine animal 2 months old or over but less than 6 months at death;
- (c) the thymus and intestines of a bovine animal under 2 months old which has been slaughtered for human consumption;
- (d) the head of a sheep or goat and includes any product derived therefrom but does not include the tongue where this has been removed immediately after slaughter;
- (e) any solid matter resulting from the slaughter of bovine, ovine or caprine animals, or from the subsequent processing of their carcasses, which is collected in any part of the drainage system draining any place where specified risk material is handled, and includes anything left attached to such material after dissection of the carcass and any animal matter which comes into contact with the material after it has been removed from the carcass, but does not include a whole carcass;"

(b) in article 4(4) -

- (i) after "animal", where the word first occurs,
insert "or the carcass of such an animal";
 - (ii) after "animal", where the word secondly occurs,
insert "or carcass";
- (c) after article 4 insert -

"Veterinary inquiry and requirements as respects
exposed animals

4A. (1) If the Chief Veterinary Officer has reasonable grounds for supposing that there is an exposed animal or the carcass of such an animal on any premises he shall take, or cause to be taken, such steps as may be necessary to establish the correctness of that supposition.

(2) For the purposes of such an inquiry an inspector may -

- (a) examine any bovine animal or carcass on the premises;
- (b) make such tests and take such samples from any bovine animal or carcass on the premises as he may consider necessary for the purpose of diagnosis;
- (c) mark for identification purposes any bovine animal or carcass on the premises.

(3) The occupier of the premises and his employees, and any person who is or has been in possession or charge of any animal or carcass which is or has been on the premises, shall -

- (a) provide such reasonable facilities and

comply with such reasonable requirements as are necessary for the purposes of the inquiry; and

- (b) if so required by an inspector give such information as he possesses as to -
 - (i) any animal or carcase which is or has been on the premises;
 - (ii) any other animal or carcase with which any animal or carcase which is or has been on the premises may have come into contact; and
 - (iii) the location and movement of any animal or carcase which is or has been in his possession or charge.

(4) If, on the completion of the inquiry, the inspector is of the opinion that there is an exposed animal, or the carcase of such an animal on the premises he shall -

- (a) in the case of an animal, serve a notice in Form D or Form E, as the case requires, on the owner or person in charge of that animal; and
- (b) in the case of a carcase serve a notice in Form D on the owner or person in charge of the carcase.

(5) A Notice in Form D shall cease to have effect if the animal or carcase to which the notice relates is removed from the premises under the authority of a

licence issued by an inspector.

(6) A Notice in Form D or E may at any time be withdrawn by a notice in Form B served by an inspector on the owner or person in charge of the animal or carcase to which the original notice relates.

(7) On the service of a notice in Form D or Form E, the requirements contained in the notice shall have effect.";

(d) in article 5A, for "specified bovine offal", wherever occurring, substitute "specified risk material";

(e) in article 5B, at the end add -

"(4) Paragraph (1) shall not apply to the feeding to its own calf of any milk produced by a cow.";

(f) in article 6C(1), for "specified bovine offal", wherever occurring, substitute "specified risk material";

(g) in article 8(a), after "4(2)(c)" insert "or 4A(2)(c)";

(h) article 9 and Form C in the Schedule shall cease to have effect;

(i) in the Schedule, at the end add Forms D and E set out in the Schedule to this Order.

article 2(i)

SCHEDULE

FORMS D AND E ADDED TO G.C. 263/88

FORM D

THE ISLE OF MAN DISEASES OF ANIMALS (PREVENTION) ACT 1948

THE BOVINE SPONGIFORM ENCEPHALOPATHY ORDER 1988

(Article 4A)

NOTICE IMPOSING REQUIREMENTS AS RESPECTS AN EXPOSED ANIMAL

To
of
.....

I, the undersigned, being an Inspector of the Department of Agriculture, Fisheries and Forestry, hereby give you notice in accordance with the provisions of the above Order that, as the owner/person* in charge of the bovine animal specified below you are required -

- (a) to detain the said animal on the premises known as (insert description of premises including full postal address)
.....
.....

except that the animal may be -

- (i) slaughtered on such premises under the written authority of an inspector,
 - (ii) moved off such premises direct to a research establishment under the authority of a licence issued by an Inspector and in accordance with any conditions subject to which the licence is issued, or
 - (iii) in the case of an animal in a slaughterhouse or market, moved direct to such place as may be specified in a licence issued by an Inspector and in accordance with any conditions subject to which the licence is issued;
- (b) in the event of the said animal dying (otherwise than as a result of being slaughtered) on such premises, immediately to inform the Chief Veterinary Officer of this fact and to retain the carcass of the animal and to surrender it to an Inspector on request;
 - (c) in the event of the said animal dying or being slaughtered on the



premises -

(i) to dispose of the carcass of the animal on the premises if so required by an Inspector, and

(ii) except where it is surrendered to a Veterinary Inspector in accordance with paragraph (b) above, not to permit the carcass of the animal to be moved off the premises except under the authority of a licence issued by an Inspector and in accordance with any conditions subject to which the licence is issued;

This notice shall cease to have effect if the animal/carcass is removed under licence as specified in paragraphs (a) and (c) above.

Breach of the requirements of this notice may constitute an offence against the Isle of Man Diseases (Prevention) Act 1948 and render a person liable to penalties on conviction.

The bovine animal to which this notice applies is specified in the table below.

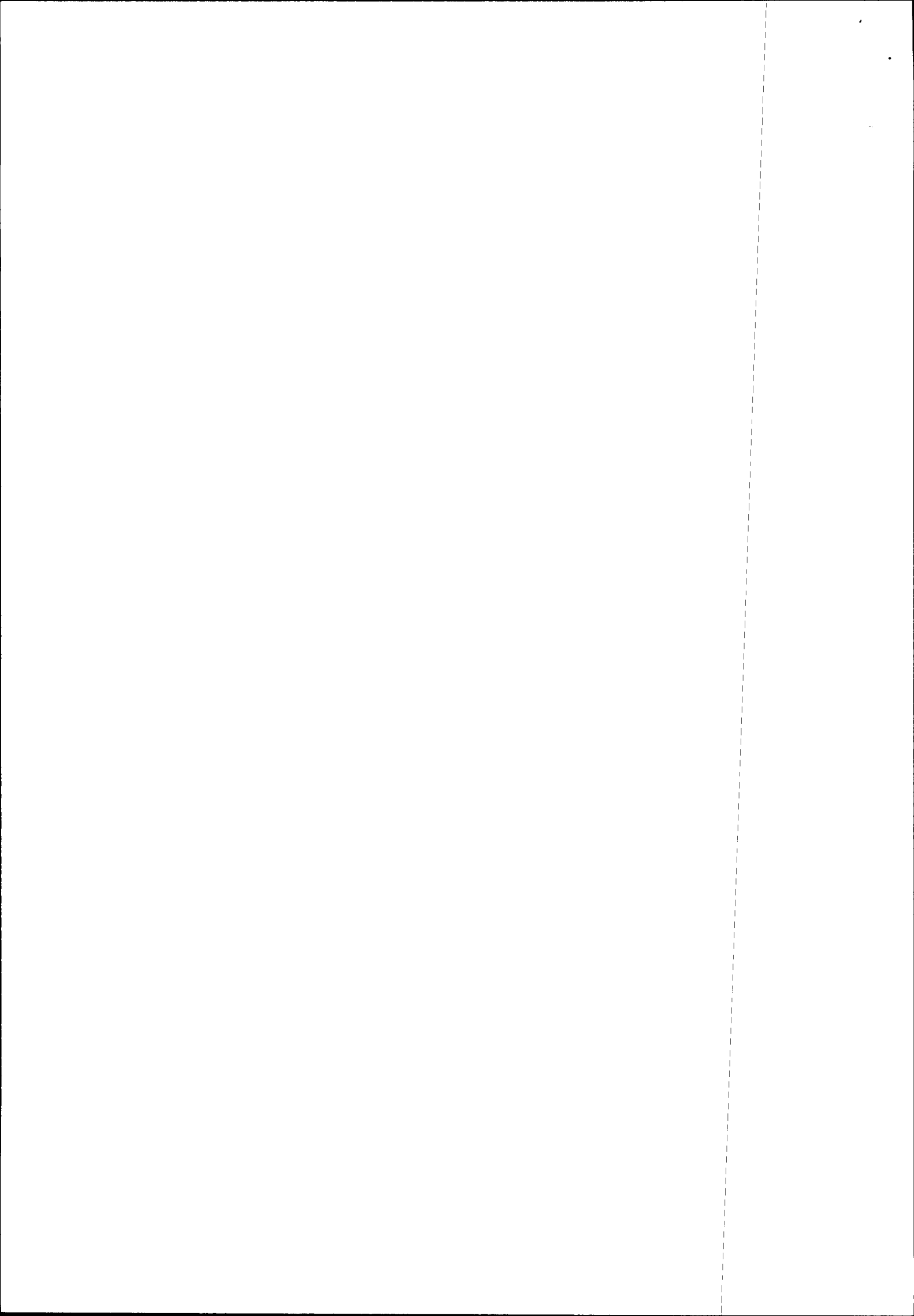
Official ear mark	Description of bovine animal to include age, breed and sex
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Signed Dated 19..

Name in block letters

Official address

* delete as appropriate



FORM E

THE ISLE OF MAN DISEASES OF ANIMALS (PREVENTION) ACT 1948

THE BOVINE SPONGIFORM ENCEPHALOPATHY ORDER 1988

(Article 4A)

NOTICE IMPOSING REQUIREMENTS AS RESPECTS THE ANIMAL DETAILED BELOW

To

of

.....

I, the undersigned, being an Inspector of the Department of Agriculture, Fisheries and Forestry, hereby give you notice in accordance with the provisions of the above Order that, as the owner/person* in charge of the bovine animal specified below you are required -

- (a) to notify the Chief Veterinary officer within 5 days in the event of the said animal being moved from the premises known as (insert description of premises including full postal address)

.....

.....

and to give written notice of the location to which it is moved and of the name of the person who is then the owner or person in charge of the animal.

- (b) in the event of the said animal dying (otherwise than as a result of being slaughtered) on such premises, immediately to inform the Chief Veterinary Officer of this fact and to retain the carcass of the animal and to surrender it to an Inspector on request;
- (c) in the event of the said animal dying or being slaughtered on the premises -

- (i) to dispose of the carcass of the animal on the premises if so required by an Inspector, and
- (ii) except where it is surrendered to a Veterinary Inspector in accordance with paragraph (b) above, not to permit the carcass of the animal to be moved off the premises except under the authority of a licence issued by an Inspector and in accordance with any conditions subject to which the licence is issued;

This notice shall cease to have effect -

- (i) if the carcass is removed under licence as specified in paragraph (c) above, or
- (ii) if the animal is moved in accordance with paragraph (a) above.

Breach of the requirements of this notice may constitute an offence against the Isle of Man Diseases (Prevention) Act 1948 and render a person liable to penalties on conviction.

The bovine animal to which this notice applies is specified in the table below.

Official ear mark	Description of bovine animal to include age, breed and sex
-------------------	--

Signed Dated 19..

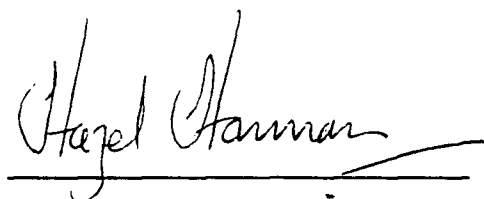
Name in block letters

Official address

* delete as appropriate

Made this 25th April

1997

A handwritten signature in cursive script, reading "Hazel Stanman", is written over a solid horizontal line.

Minister for Agriculture Fisheries and Forestry

EXPLANATORY NOTE

(This note is not part of the Order)

The Order amends the Bovine Spongiform Encephalopathy Order 1988. The Order introduces new powers to make veterinary enquiries in respect of bovines which are suspected to have been exposed to the infection of BSE. Where it is confirmed that animals have been exposed to the infection of BSE appropriate action can be taken. In addition the restrictions on the materials which may not be fed to animals have been extended.