

2012 No. 416

EUROPEAN COMMUNITIES

ANIMALS

**Cattle Identification (Miscellaneous Amendments) Regulations
(Northern Ireland) 2012**

Made - - - - *21st November 2012*

Coming into operation - *1st January 2013*

The Department of Agriculture and Rural Development(a), being a Department designated(b) for the purposes of section 2(2) of the European Communities Act 1972(c) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Cattle Identification (Miscellaneous Amendments) Regulations (Northern Ireland) 2012 and shall come into operation on 1 January 2013.

Amendment to the Cattle Identification (No. 2) Regulations (Northern Ireland) 1998

2.—(1) The Cattle Identification (No. 2) Regulations (Northern Ireland) 1998(d) are amended in accordance with this regulation.

(2) In regulation 2 (Interpretation), in paragraph (1), in the definition of “the Commission Regulation”, for “2629/97”, substitute “911/2004(e)”.

(3) In regulation 4 (Form of eartags)—

(a) omit paragraph (1); and

(b) renumber paragraphs (2) and (3) as numbers (1) and (2) accordingly.

(4) In regulation 9 (Imports from third countries), after paragraph (2), insert—

“(3) The person responsible for attaching eartags to the animal in accordance with paragraph (1) shall notify the Department of the original eartag and the new eartag numbers of an animal imported from a country outside the European Union within 15 days from the date that the animal must be tagged.”.

(5) In regulation 12 (Slaughterhouses)—

(a) Formerly the Department of Agriculture for Northern Ireland; see the Departments Order 1999 S.I. 1999/283 (N.I. 1) Article 3(4)
(b) S.I. 1972 No. 1811
(c) 1972 c.68
(d) S.R. 1998 No. 279; as amended by S.R. 2004 No. 420
(e) O.J. L 163, 30.04.2004, p. 65-70

- (a) for paragraph (3), substitute—
 - “(3) The operator of a slaughterhouse shall destroy, in a secure manner which prevents reuse, all eartags on the animals or carcasses entering their premises.”.
- (b) after paragraph (3), insert—
 - “(3A) Paragraph (3) shall not apply when the Department requests the operator of the slaughterhouse to remove the eartags from each animal or carcass at the slaughterhouse and keep the eartags in a secure place and surrender them to the Department on request.”.
- (c) for paragraph (5), substitute—
 - “(5) The Department may authorise in writing the operator of an establishment or plant that is registered or approved under the Animal By-Products (Enforcement) Regulations (Northern Ireland) 2011(a) to remove any eartag from any carcass in their possession, and upon being so authorised that person shall—
 - (a) destroy, in a secure manner which prevents reuse, all tags on animals or carcasses entering their premises; or
 - (b) when requested by the Department, remove the eartags from any such carcass, keep them in a secure place and surrender them to the Department on request.”.

Amendment to the Cattle Identification (Notification of Births, Deaths and Movements) Regulations (Northern Ireland) 1999

3.—(1) The Cattle Identification (Notification of Births, Deaths and Movements) Regulations (Northern Ireland) 1999(b) are amended in accordance with this regulation.

(2) In regulation 2 (Interpretation), in paragraph (2), in the definition of “the Commission Regulation” for “2629/97”, substitute “911/2004(c)”.

(3) In regulation 4 (Address for notification) omit the words “personally” and “of the Department”.

(4) In regulation 6, (Notification of birth)—

- (a) in paragraph (1), for “Article 6.3”, substitute “Article 9”;
- (b) in paragraph (3), for “the keeper who sent it”, substitute “the person who completed it”.

(5) In regulation 7 (Notification of movement)—

- (a) in paragraph (2), for “Article 6.3 of the Commission Regulation”, substitute “Article 7.1 of the Council Regulation”;
- (b) in paragraph (2)(a), for “sent to the Department on the day”, substitute “delivered to the Department within 7 days”; and
- (c) in paragraph (3), for “the keeper who sent it”, substitute “the person who completed it”.

(6) After regulation 7 insert—

“Lost or stolen cattle

7A.—(1) Subject to regulation 9, if an animal is lost or stolen, the keeper shall send written notification of this to the Department within 7 days of becoming aware of the fact, together with written details of what has occurred, and failure to do so is an offence.”.

(7) In regulation 8 (Notification of death), in paragraph (1), omit the words “and Article 6.3 of the Commission Regulation”, and “in accordance with Article 6.4 of the Council Regulation”.

(8) In regulation 9 (Electronic notification of movement)—

- (a) in the title, after “movement”, insert “and lost or stolen animals”;

(a) S.R. 2011 No. 124

(b) S.R. 1999 No. 265; as amended by S.R. 2004 No. 420 and S.R. 2011 No. 349

(c) O.J. L 163, 30.04.2004, p. 65-70

- (b) in paragraph (1), after “7”, insert “, or to report a lost or stolen animal in accordance with regulation 7A,”; and
- (c) in paragraph (3)—
 - (i) after “movement of any”, insert “, or report any lost or stolen”;
 - (ii) omit the words “in relation to that movement”; and
 - (iii) for “regulation 7”, insert “regulations 7 or 7A as the case may be”.

Amendment to the Cattle Passport Regulations (Northern Ireland) 1999

4.—(1) The Cattle Passport Regulations (Northern Ireland) 1999^(a) are amended in accordance with this regulation.

(2) In regulation 2 (Interpretation and application), in paragraph (2), in the definition of “cattle passport”, for “2629/97”, substitute “911/2004^(b)”, and for “820/97” substitute “1760/2000^(c)”.

(3) In regulation 5 (Consignment of animals out of Northern Ireland), in sub-paragraph 5(b), for “2629/97”, substitute “911/2004”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 21st November 2012



C McMaster

A senior officer of the Department of Agriculture and Rural Development

(a) S.R. 1999 No. 324; as amended by S.R. 2004 No. 420
(b) O.J. L 163, 30.04.2004, p. 65-70
(c) O.J. L 204, 11.8.2000, p. 1

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the following Regulations—

Regulation 2 amends the Cattle Identification (No.2) Regulations (Northern Ireland) 1998 (S.R. 1998 No. 279), as amended, requiring the person responsible for an animal imported from outside the European Union to notify the Department of the original and new eartag numbers. It places responsibility on the operator of the establishment for—

- (a) the destruction of eartags from each animal at the slaughterhouse or establishment approved under the Animal By-Products (Enforcement) Regulations (Northern Ireland) 2011 (S.R. 2011 No. 124); or
- (b) the removal on request of the Department of the eartags, their secure retention and surrender.

Regulation 3 amends the Cattle Identification (Notification of Births, Deaths and Movements) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 265), as amended, to—

- (a) remove some barriers to an agent being able to notify the Department of births, deaths or movement of animals; and
- (b) specify notification requirements to the Department for lost or stolen animals.

Regulation 4 amends and updates the references in the Cattle Passport Regulations (Northern Ireland) 1999 (S.R. 1999 No. 324), as amended, from Commission Regulation (EC) No. 2629/97 to Commission Regulation (EC) No. 911/2004.

© Crown copyright 2012

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.00

N5634 11/2012 425634T 19585

ISBN 978-0-337-98960-5



9 780337 989605