



Statutory Document No. 223/07

ANIMAL HEALTH ACT 1996

BOVINE IDENTIFICATION AND TRACEABILITY ORDER 2007

Approved by Tynwald: 17th April 2007

Coming into operation in accordance with Article 1

In exercise of the powers conferred on the Department of Agriculture, Fisheries and Forestry by sections 1, 6 and 56 of the Animal Health Act 1996**(a)**, and of all other enabling powers, the following Order is hereby made:-

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(a) 1996, c.22

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PART I

Introduction

Title and commencement

1. This Order may be cited as the Bovine Identification and Traceability Order 2007 and shall come into operation on the day it is approved by Tynwald.

Application and Interpretation

2. (1) This Order shall apply in relation to all cattle.

(2) In this Order –

“the 1997 Order” means the Marking and Cattle Records Order 1997**(a)**;

“the Act” means the Animal Health Act 1996;

“authorised officer” means a veterinary officer or veterinary surgeon or any other person for the time being authorised by the Department for the purposes of this Order;

“bovine animal” means a domestic animal of the bovine species (including Bison bison and Bubalus bubalis);

“cattle” means bovine animals;

“cattle passport” means a document containing the information set out in Schedule 2 on the form issued for the purpose by the Department with sufficient space for it to be completed by a succession of keepers;

“dam”, other than in the phrase “genetic dam”, means the female parent of a calf whether or not the calf was the product of an implanted ovum or embryo and excludes female cattle from which the ovum or embryo has been taken;

“Department” means the Department of Agriculture Fisheries and Forestry;

“the Directive” means Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals¹;

“ear tag”, save where the context otherwise requires, means an ear tag or ear tags of a pattern approved by the Department for the purposes of this Order; and

(a) in article 10 (other than sub-paragraph (2)(b)) and in articles 14, 16, 18 and 19, references to ear tags include references to ear tags attached in accordance with the provisions of the Regulation under the laws of a member State other than the United Kingdom or EEA State; and

(a) SD 604/97 which was amended by SD 561/98, SD 672/99 and SD 66/03

¹ OJ No L355, 5.12.92, p 32

(b) in article 10 (other than sub-paragraph (2)(b)) and in article 18, references to ear tags also include references to identification marks applied to cattle in a country outside the United Kingdom otherwise than in accordance with the Directive;

“ear tag number” means the particulars comprised in an ear tag pursuant to article 12(1) and (3) and 13(1);

“EEA State” means a State which is a Contracting Party to the EEA Agreement other than the United Kingdom but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein; and “the EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2 May 1992 as adjusted by the Protocol signed at Brussels on 17 March 1993;

“farm” means any holding on which cattle are kept for the purpose of breeding, raising or fattening them;

“genetic dam” means the genetic female parent of a calf from which the ovum or embryo has been taken for implanting in the calf’s dam;

“geographic identifier” means the numeric code which indicates the Island;

“holding” means any establishment, construction or, in the case of an open air farm, any place in which cattle are held, kept or handled, but does not include a border inspection post specified for the purposes of importing live cattle from outside the European Union;

“holding number” means the numeric code which is allotted to the holding by the Department;

“import” and “export” mean import and export into and out of the Island;

“keeper” means any natural or legal person having care and control of cattle, even on a temporary basis;

“knackers’ yard” has the same meaning as in Part 2 of Schedule 2 to the Food Act 1996¹;

“market” means a market place or sale-yard or any other premises or place to which cattle are brought from other places and exposed for sale; and includes any place adjoining those premises used by visitors to the market for parking vehicles and any lairage adjoining a market and used in connection with it;

“market operator” means the person for the time being responsible for managing the reception or the sale of cattle in a market;

“member State” means a member State of the European Community;

¹ 1996, c 8

“movement card” means a card in a form approved by the Department for notifying cattle movements;

“official veterinary surgeon” means a veterinary surgeon designated under regulation 8 of the Fresh Meat (Hygiene and Inspection) (No. 2) Regulations 1997¹;

“passport” means a cattle passport except where the context decrees otherwise;

“premises” includes land with or without buildings thereon and any market, sale-yard fairground, place of exhibition or lairage;

“registration application form” means a document in such form as may be approved by the Department for the purposes of applying for registration of cattle in accordance with article 23 or 24;

“the Regulation” means Commission Regulation EC 911/2004 setting out detailed rules on ear tags²;

“sire” means the genetic male parent of a calf, whether or not the calf was the product of an implanted ovum or embryo;

“slaughterhouse” means a slaughterhouse or knackers’ yard as defined in Parts 1 and 2 of Schedule 2 to the Food Act 1996;

“temporary calf passport” means a document in such form as may be approved by the Department containing the information as required for a cattle passport for the purposes of moving calves under 28 days old;

“third country” means a country other than a member State or an EEA State;

“veterinary officer” means any veterinary officer of the Department;

“veterinary surgeon” means a person registered in the Register of Veterinary Surgeons maintained by the Royal College of Veterinary Surgeons;

“via holding” means a market, lairage, show or fairground where cattle are held for less than one calendar day.

(2) Any licence or notice issued under this Order shall be in writing and may be made subject to conditions and may be amended or revoked by notice in writing at any time.

¹ SD 365/97

² OJ No L163, 30.04.04, p 65

PART II

Notification

Department may make and maintain a database

3. The Department may make and maintain a database in respect of holdings and of births, importations, deaths, exportations and movements of cattle and of any associated information compiled from notifications required to be made under this Order.

Cattle Passport Centre

4. (1) Subject to paragraph (2) and article 5, all notifications to the Department under this Order sent by post using a movement card or in such other form as may be provided by the Order shall be sent to –

DAFF Cattle Passport Centre, FREEPOST,
PO Box 101,
Douglas,
Isle of Man,
IM87 6DQ.

(2) Paragraph (1) shall not apply to a notification of death when the notification is by means of giving the cattle passport to the occupier of the slaughterhouse.

(3) When cattle arrive at a slaughterhouse, the keeper of the cattle shall give to the occupier of the slaughterhouse the passport for each animal duly completed.

Electronic notification

5. (1) The Department may authorise any person to make notifications by electronic means rather than by post.

(2) An authorisation under this article –

(a) may be generic or specific;

(b) shall be in writing;

(c) shall specify –

(i) the format in which the data shall be transmitted; and

(ii) the method of transmission;

(d) may be made subject to conditions; and

(e) may be amended, suspended or revoked by notice in writing or electronic means, at any time.

(3) Notification by electronic means shall be made within the period specified for postal notification.

(4) The Department may maintain a register of persons authorised under this article.

Notification of holdings

6. (1) Subject to paragraph (2), the keeper of cattle on a holding shall ensure that the Department is notified in writing of –

(a) the address of the holding;

(b) the name and address of the owner or occupier of the holding;

(c) the identification number of the holding (if known to the person giving the notification); and

(d) the extent of the holding,

in such form as the Department may approve.

(2) Where the particulars required by paragraph (1) in respect any holding have been notified to the Department in compliance with the Cattle Database Order 1998, the requirement of paragraph (1) shall be deemed to have been satisfied.

(3) In the case of a holding established after this Order comes into operation, the keeper of cattle on the holding shall comply with the requirement of paragraph (1) within seven days of the movement of cattle onto the holding.

(4) The keeper of cattle on a holding shall ensure that the Department is notified in writing of any change to the particulars required to be notified under paragraph (1) within one month of such change, or within seven days of the movement of any cattle onto or off the holding.

(5) The keeper of any cattle on the holding shall give the notified particulars to an authorised officer if requested to do so.

Notification of birth

7. A notification of birth shall be by means of an application for a cattle passport in accordance with this Order and shall be made with seven days of the marking of the cattle unless the cattle have already been moved with temporary calf passports in accordance with article 27, and in any event before 28 days of age.

Notification of cattle movement

8. (1) The keeper of cattle on a holding shall ensure that, in respect of any movement onto or off a holding, the Department is notified of such movement either electronically within three days, or by means of posting a movement card within five days of such movement –

(a) identifying –

- (i) the holding number;
- (ii) the ear tag numbers of all cattle moved;
- (iii) the address of the holding;
- (iv) the name of the keeper;

(b) indicating whether the movement is on or off a holding (or, in the case of a via holding, that the cattle have moved through the via holding);

(c) showing the date of the movement.

(2) In the case of notification by means of a movement card, the movement card shall contain the name and signature of the keeper.

Notification of death

9. (1) The keeper of cattle on a holding shall ensure that, in respect of the death of any cattle, the Department is notified within seven days of such death, either by surrendering the appropriately completed passport to the Department or electronically, provided that the appropriately completed passport is subsequently surrendered on demand.

(2) When cattle die other than through being slaughtered at a slaughterhouse or killed at a knackers' yard, the keeper must ensure that the Notification of Death box is completed on the cattle passport with –

- (a) the date of death;
- (b) the holding number where death occurred;
- (c) the method of disposal; and
- (d) the signature of keeper.

(3) If cattle to which this Order applies do not have cattle passports, the keeper must ensure that the Department is notified of the death in writing within seven days of the death, and the notification shall include –

- (a) the ear tag numbers of the cattle;
- (b) the date of death;

- (c) the holding number and address where death occurred; and
- (d) the method of disposal.

Part III

Records

Records of cattle

10. (1) The keeper of cattle on a holding shall ensure that a record is made containing the information set out in Schedule 3, in respect of –

- (a) each movement of cattle to or from the holding;
- (b) the birth of any cattle on the holding; and
- (c) the death of any cattle on the holding.

(2) A record under this article which relates -

- (a) to the movement of cattle shall be made within three days of the movement;
- (b) to the birth of any cattle shall be made within seven days of the cattle's being tagged in accordance with this Order and in any event within 27 days of birth;
- (c) to the death of cattle shall be made within seven days of the death;
- (d) to the replacement of an ear tag shall be made within one day of the replacement.

(3) The reference in the form set out in Schedule 2 to a dam's identification mark is to the ear tag number.

(4) A record made before the coming into force of this Order in compliance with the Cattle Marking and Records Order 1997 shall be regarded as though made under this order for the purposes of articles 10 and 11 of this Order.

Retention and production of records under article 10

11. (1) The person who makes or made any record under paragraphs (1), (2) and (4) of article 10, or the person in charge of the record, if different, shall retain it for a period of ten years.

(2) Any person who is for the time being in charge of any record required to be retained under this article shall, on demand made by an inspector at any reasonable time, produce the record and allow a copy of it or an extract from it to be taken.

(3) Where a record required to be retained under this article is retained in electronic or magnetic form, references in paragraph (2) -

- (a) to production of the record are, if the inspector so requires, references to its production in written form; and
- (b) to taking of copies of the record are references to the taking thereof in written form.

Part IV

Identification of cattle

Attachment of ear tags to cattle

12. (1) Subject to paragraph (2), the keeper of any cattle shall ensure that two ear tags are attached as provided by paragraph (3), one to each ear in the case of any cattle born or imported on or after the coming into operation of this Order, in accordance with the provisions of paragraph (4) or (5).

(2) Paragraph (1) does not apply to imported cattle to which an ear tag has been attached in compliance with the Directive in accordance with provisions of the law of a member State or an EEA State.

(3) The ear tags shall both comprise the following particulars -

- (a) the country code "UK" and the geographic identifier;
- (b) the holding number;
- (c) a unique number, being a number approved by the Department for the purposes of this Order and allotted to the cattle by the keeper;
- (d) the triskelion logo in a form approved by the Department; and
- (e) a check digit based upon the geographic identifier, holding number and unique number;
- (f) no other information in the case of the primary tag, and in the case of the secondary tag may include such further information in such a form as the Department may permit.

(4) In the case of cattle born in the Island, two ear tags shall be attached to them within 20 days of birth; and in any event, before they are moved from the holding where they were born.

(5) In the case of cattle which have been imported into the Island and to which ear tags have not been attached in compliance with the Regulation in accordance with provisions of the law of a member State or an EEA State, two ear tags shall be attached to them before they are moved from the holding to which they were moved immediately upon importation.

(6) Paragraph (1) shall not apply in the case of cattle which, on importation into the Island from a country other than a member State or an EEA State, are moved immediately to a slaughterhouse.

(7) Any person who has possession of any ear tags which may be, but have not been, attached to cattle under this article shall –

(a) keep them in a secure place; and

(b) on demand made by an inspector at any reasonable time, produce them and allow a record of them to be taken.

(8) No person other than an authorised officer, the keeper or a person authorised by the owner shall mark any cattle for the purposes of this Order.

Illegible or lost tags

13. (1) Where any ear tags which have been attached to cattle become illegible or are lost, it shall be the duty of the keeper of the cattle to ensure that an approved replacement tag is attached to the cattle as soon as practicable after the illegibility arises or the tags are lost; and

(a) in the case of an ear tag which had been attached to cattle in compliance with the 1997 Order, or which had been attached to cattle on or after the coming into force of this Order under article 12, the replacement tag shall comprise of the same information as was originally present on the lost or illegible tag;

(b) in the case of an approved identification on imported cattle, the replacement tag shall bear either -

(i) the same particulars as the approved identification; or

(ii) such information as the Department directs.

(2) Where an ear tag bears –

(a) a new number in accordance with sub-paragraph (1)(b), that number shall be cross-referenced in the record maintained pursuant to article 10(1) to the number last allocated to the animal (whether under article 12(3)(c) or under sub-paragraph (1)(b)); or

(b) particulars in accordance with sub-paragraph (1)(c)(ii), the record maintained pursuant to article 10(1) shall include a cross-reference to the relevant approved identification.

(3) Where ear tags which have been attached to cattle under this article become illegible or are lost, this article shall have effect in relation to those tags as it has in relation to –

(a) tags which had been attached under article 12; or

- (b) tags which had been attached in compliance with the Regulation in accordance with provisions of the law of a member State or an EEA State,

as the case may require.

Temporary marks

14. Without prejudice to the provisions of article 12, in the case of cattle to which ear tags are not attached, for the purpose of the temporary identification of that animal –

- (a) the keeper of it shall, if so directed in writing by an inspector, apply to it a distinguishing mark in accordance with the direction or

- (b) an authorised officer may apply a distinguishing mark to it.

Permitted additional ear tags

15. (1) Subject to paragraph (2), save in accordance with the provisions of this paragraph, no person shall attach to any cattle an additional ear tag which could be confused with the ear tag or tags attached –

- (a) under any other provision of this Order;

- (b) in compliance with the Regulation in accordance with provisions of the law of a member State or an EEA State.

(2) Nothing in paragraph (1) shall preclude the attaching to the ear of any cattle of an ear tag comprising information similar in all respects –

- (a) to that comprised in an ear tag attached under article 12(1) save for the country code “UK” and the triskelion logo; or

- (b) to that comprised in an ear tag which has been attached in compliance with the provisions of the law of a member State or an EEA state.

Removal of ear tags

16. Save in accordance with an authority issued by an authorised officer, no person shall

–

- (a) remove any ear tags from cattle; or

- (b) replace ear tags attached to cattle otherwise than in replacement of one which has become illegible or which has been lost,

other (in either case) than an ear tag which has been attached to any cattle in accordance with article 13(2).

Construction of ear tags

17. (1) No person shall attach an ear tag to cattle under this Order unless the ear tag is of a pattern approved by the Department for the purposes of this Order.

(2) No person shall supply to any other person ear tags which may be attached to cattle under this Order unless the ear tags are so constructed as –

- (a) not to affect adversely the well-being of the cattle to which they are attached;
- (b) to be legible for the life of the animal to which they are attached;
- (c) to be incapable of being altered in such a way that the fact of alteration cannot be readily observed; and
- (d) to be incapable of re-use.

(3) For the purposes of article 12(1) the Department shall classify an ear tag approved under paragraph (1) as being of a primary or secondary type. When two ear tags are required they shall consist of either one primary and one secondary type or two primary type tags.

Prohibition on alteration, etc. of identification marks

18. No person shall –

- (a) alter, obliterate or deface or attempt to alter, obliterate or deface an ear tag (other than an ear tag which has been attached to any cattle in accordance with article 15(2) or, subject to article 16, to remove an ear tag; or
- (b) alter, remove, obliterate or deface or attempt to alter, remove, obliterate or deface an approved identification mark applied to any cattle under the 1997 Order.

Restriction on movement, etc. of unidentified cattle

19. (1) Except in the circumstances described in article 12(6), 20 or 21(2) or (3), no person shall move any cattle on or off any holding unless ear tags are attached to them.

(2) No person shall sell cattle or expose them for sale, or cause them to be sold or exposed for sale, unless –

- (a) ear tags are attached to the cattle; and
- (b) the tags are clearly visible and legible.

(3) In this article, "ear tag" means –

- (a) an ear tag or tags attached to any cattle as required by this Order;

- (b) in the case of cattle born before the coming into force of this Order, an approved identification mark applied to the animal under the 1997 Order; or
- (c) an ear tag which had been attached in compliance with the Regulation in accordance with provisions of the law of a member State or an EEA State.

Ear tags missing at a market

20. (1) In the case of cattle at a market which should have been tagged in accordance with article 12 and which are not so tagged, the Department may issue a licence to the keeper permitting the cattle to be moved from the market to a holding specified in the licence.

(2) No person shall move an animal in contravention of any condition of the licence.

Ear tags missing at a slaughterhouse

21. (1) No person shall slaughter or cause or permit the slaughter of any cattle to which all the ear tags required to be attached by Article 12 of this Order, or in the case of imported cattle are required to be attached in compliance with the Directive in accordance with provisions of the law of a member State or an EEA State, are not so attached at the time of slaughter.

(2) The carcasses of any cattle slaughtered in breach of paragraph (1) of this article shall be identified as specified risk material in accordance with the Specified Risk Material Regulations 1998¹ unless the official veterinary surgeon is satisfied as to the identity of the cattle and serves a notice on the operator of the slaughterhouse allowing them to be used for human consumption.

(3) If at a slaughterhouse any cattle, to which more than one ear tag are required to be attached by article 12 of this Order or, in the case of imported cattle, are required to be attached in compliance with the Directive in accordance with provisions of the law of a member State or an EEA State, have only one ear tag attached, the operator of the slaughterhouse may apply to the Department for a licence to slaughter the animal for human consumption without replacing the missing ear tag, in which case the slaughter of the animal will not be in breach of paragraph (1) of this article.

(4) If at a slaughterhouse any cattle, to which ear tags are required to be attached by article 12 of this Order or, in the case of imported cattle, are required to be attached in compliance with the Directive in accordance with provisions of the law of a member State or an EEA State, have no ear tags attached, the operator of the slaughterhouse shall apply to the Department for a licence to enable them to be returned to the previous keeper and shall so return them in accordance with any conditions specified in the licence. Should such a licence not be granted, the cattle shall be killed and the operator of the slaughterhouse shall identify the carcasses as specified risk material in accordance with the Specified Risk Material Regulations 1998¹.

Part V

¹ S.D. No. 67/98

Cattle Passports

Passports – general

22. (1) An application for a cattle passport shall be made to the Department and shall be in such form as the Department shall reasonably approve, containing the information set out in Schedule 2.

(2) Any passport issued under the provisions of this Order shall remain the property of the Department and shall be produced or surrendered to an officer of the Department on demand.

(3) If a person applies for a cattle passport outside the time limits specified in this Order, the cattle passport shall not be granted unless in the opinion of the Department it is reasonable to grant it taking into account all the circumstances of the case.

(4) No persons shall alter or deface any information about the cattle entered, whether by the Department or by an earlier keeper, in a cattle passport before it came into their possession.

Application for a cattle passport for cattle born in the Island

23. (1) Subject to the provisions of article 27 on temporary calf passports, any person who keeps cattle which were born in the Island shall apply for a cattle passport within seven days of the cattle being tagged in accordance with this Order.

(2) The keepers of cattle on a holding shall ensure that, when new passports are issued, they must sign them on receipt to make them valid.

Application for a passport when cattle are imported

24. (1) Any person who keeps cattle which have been imported into the Island shall apply for a cattle passport within seven days of arrival, unless they are legally imported from a third country for immediate slaughter.

(2) If imported cattle are accompanied by cattle registration documents, cattle passports or their equivalent from an EEA State, the documents shall be surrendered to the Department at the time of application for cattle passports in accordance with paragraph 1.

Retention of passports

25. (1) The keepers of cattle on a holding shall ensure that, once passports have been completed for any cattle, the passports are kept on that holding at all times that the cattle are on the holding.

(2) Whenever cattle are transported, the transporter shall ensure that each animal are accompanied throughout its journey by its passport duly completed.

(3) When the cattle are sold, the seller shall give each animal's passport duly completed to the buyer.

Movement of cattle with passports.

26. (1) Subject to paragraph (2) and other provisions of this Order, no person shall move cattle on to or off any holding, unless they are accompanied by passports which have been issued and duly completed in accordance with this Order and which bear the same number as the ear tags attached to the cattle.

(2) The Department may at any time issue a licence for cattle to be moved without a passport if it is satisfied that it is necessary to do so and that it is not practicable to obtain a passport.

(3) In the case of cattle imported other than for slaughter, the requirement for cattle to be accompanied by a passport shall not apply to the movement between the place where the cattle enter the Island and the place of destination declared on the health certificate accompanying the cattle, but they must be accompanied by a passport in compliance with Regulation EC 1760/2000.

(4) In the case of cattle which have died, the requirement for cattle to be accompanied by a passport shall not apply to the movement between the place where the cattle died and place of disposal, if such place of disposal is other than a slaughterhouse, provided that the keeper of cattle complies with article 9(1).

Movement of calves under 28 days without a cattle passport

27. (1) The requirement for a cattle passport shall not apply in the case of calves born in the Island and under 28 days of age, provided that they remain in the Island and are accompanied by temporary calf passports containing the information in respect of them set out in Schedule 2.

(2) The temporary calf passport shall be issued by the first keeper of the calf and shall be completed by each subsequent keeper with the exception of transporters.

(3) The keeper shall ensure that the temporary calf passport is submitted to the Department before the calf is 28 days old, or earlier and within seven days if the calf dies or is slaughtered before it is 28 days old. In either case, submission of the temporary calf passport shall be accepted as an application for a cattle passport in accordance with the provisions of article 23.

(4) Where the calf is still alive, the Department shall issue a passport within 14 days of receipt of the temporary calf passport showing details of all movements made by the calf as recorded on the temporary calf passport.

(5) A calf may not move more than once between holdings, accompanied by the temporary calf passport. For the purpose of this article, movement between two holdings through a market shall count as one movement.

Completion of passports when cattle are moved off holdings

28. (1) When cattle are moved off the holding of birth (or the first holding after arrival in the Island) for the purposes of sale or slaughter, the keeper shall complete and sign the box headed "*Departure*" in the Movement Summary part of the passport for each animal before it is moved off the holding with –

- (a) the date of the movement;
- (b) the holding number;
- (c) the name of the keeper; and
- (d) the signature of the keeper.

(2) When cattle are moved off any subsequent holding other than a via holding, the keeper shall complete and sign the next empty box headed "*Departure*" in the Movement Summary part of the passport for each animal before it is moved off the holding.

(3) Before moving cattle off a holding, the keeper shall ensure that each passport is completed in accordance with article 29(2) or 30(1), as appropriate.

Completion of passports when cattle are moved on to a holding

29. (1) When cattle are moved on to a holding other than a via holding, the keeper shall complete and sign the next empty box headed "*Arrival*" (whether or not he in fact bought the animal) in the Movement Summary part of the passport for each animal immediately on arrival on the holding with –

- (a) the date of the movement;
- (b) the holding number;
- (c) the name of the keeper; and
- (d) the signature of the keeper.

(2) When cattle are moved onto a via holding other than as set out in article 30(1), the keeper shall complete and sign the next empty box in the Movement Summary part of the passport headed "*Market/Show*" for each animal immediately on arrival on the via holding with –

- (a) the date of the movement;
- (b) the holding number allotted to the via holding;
- (c) the name of the keeper; and
- (d) the signature of the keeper.

Completion of passports at a market

30. (1) When cattle arrive at a market, the keeper shall present the passport for each animal to the market operator for completion, and the market operator shall complete the box in the Movement Summary part of the passport headed "*Market/Show*" for each animal immediately on arrival at the market with –

- (a) the date of the movement;
- (b) the holding number allotted to the market;
- (c) the name of the market operator; and
- (d) the signature of the market operator.

(2) No person shall remove any cattle from a market unless each animal has had its passport completed in accordance with this article.

Slaughterhouses and knackers' yards

31. (1) No person shall accept cattle at a slaughterhouse for slaughter unless each animal which is required to have a passport is accompanied by that document.

(2) When cattle arrive at a slaughterhouse, the person in charge of the cattle shall give to the operators of the slaughterhouse the passport for each animal duly completed.

(3) Notification of death shall be by the operators of the slaughterhouse who shall complete the appropriate section of the cattle passport with –

- (a) the date of slaughter;
- (b) the official stamp of the operators of the slaughterhouse;
- (c) the signature of a person authorised to sign on behalf of the operators of the slaughterhouse.

(4) Following slaughter, the operators of the slaughterhouse shall immediately give the passport duly completed as required in paragraph (3) for each animal slaughtered to the official veterinary surgeon designated under regulation 8 of the Fresh Meat (Hygiene and Inspection) (No. 2) Regulations 1997¹ or his representative.

(5) If any cattle arrive at a slaughterhouse without the passports for those cattle duly completed, they shall not be moved from the slaughterhouse except under the authority of a licence granted by the Department.

¹ S.D. No. 365/97

(6) Without prejudice to paragraph (1) and subject to paragraph (7), if cattle without valid cattle passports are slaughtered in contravention of this article, the operators of the slaughterhouse shall identify the carcasses as specified risk material in accordance with the Specified Risk Material Regulations 1998¹ and dispose of them in accordance with those Regulations unless the official veterinary officer is satisfied as to the identity of the animal and serves a notice on the operator allowing it to be used for human consumption.

(7) If a cattle passport referred to in paragraph (5) is not valid only because it has not been signed by the last keeper, the carcass may be sent for human consumption provided that the keeper or his agent signs the cattle passport within 7 days of slaughter.

(8) Any person who collects any dead cattle which have been killed on a holding or died on a holding other than a slaughterhouse, shall notify the Department within 7 days of collection of the animal of the ear tag number of the animal and the holding of collection.

Lost passports

32. (1) If any passports are lost, stolen or destroyed, the keepers of the cattle to which they relate shall notify the Department within seven days of their becoming aware of the fact in such manner as the Department may approve in accordance with article 22.

(2) The Department shall provide replacement passports, provided that it is satisfied that it can accurately reconstruct the movement details of the cattle –

(a) since birth; or

(b) since the date of importation into the Island in the case of imported animals; or

(c) since the date of registration in the case of –

(i) cattle born in the Island; or

(ii) cattle imported

before 1st January 1998.

(3) Where the Department is unable to provide replacements because it cannot satisfy itself in accordance with paragraph (2), the cattle shall not be used for human consumption and shall not be moved off a holding except under the authority of a licence granted by the Department to a knackers' yard.

(4) A person applying for a replacement cattle passport under the provisions of this article shall pay to the Department a fee of £50 which –

(a) shall be payable in full at the time of application for a replacement passport;

(b) shall be forfeited if the applicants withdraw their application or the Department is unable to obtain sufficient information to issue a replacement passport.

¹ S.D. No. 67/98

(5) If persons who have obtained replacement cattle passports subsequently find the original cattle passports, they shall notify the Department as soon as possible and furnish the original cattle passport to the Department on demand.

Passports for animals born or imported before 1 January 1998

33. The Department may issue a cattle passport in respect of an animal born in the Island or imported into the Island before 1 January 1998 provided that it is satisfied that sufficient evidence exists of the animal's origin and any subsequent movement.

Exportation of cattle

34. Where cattle are exported, it shall be the duty of the keeper to ensure that each animal is accompanied by its duly completed cattle passport.

Lost or stolen animals

35. If any cattle in respect of which cattle passports have been issued are lost or stolen, the keeper shall, within seven days of becoming aware of the fact, ensure that the cattle passports are sent to the Department, together with details of what has occurred in such form as the Department may approve in accordance with article 22.

Part VI

Enforcement and offences

Enforcement

36. (1) The Department or an authorised officer may require persons to furnish such passports, records and other documents as are required to be kept under this Order.

(2) The Department or an authorised officer may retain such passports, records and other documents for such reasonable time as is necessary for the purpose of determining their accuracy.

(3) The Department may serve a notice on a keeper of cattle on a holding restricting the movement of cattle to or from the holding if it is satisfied that it is necessary for the proper enforcement of notification of all movements to and from the holding and all births and deaths of cattle on the holding, together with the dates of these events, within the periods specified in this Order.

(4) Where veterinary inspectors have reasonable grounds for suspecting that the provisions of this Order have not been complied with, they may make such tests on, and take such samples from, any bovine animal or carcase as they consider necessary for the purpose of establishing the correctness of the suspicion.

Offences

37. Any persons who, without lawful authority or excuse, proof of which shall lie with them –

- (a) contravene, or fail to comply with any obligation imposed by, any provision of articles 6 to 32, or 34 to 36;
- (b) knowingly cause or permit the doing of anything which constitutes an offence under sub-paragraph (a); or
- (c) make any entry in a record or statement or give any information for the purposes of this Order which they know to be false in a material particular or, for those purposes, recklessly make a statement or give any information which is false in a material particular,

shall be guilty of an offence against section 46 of the Act.

Part VII

Revocation and transitional provisions

Revocation and transitional provisions

38. (1) The public documents mentioned in column 1 and 2 of Schedule 4 are repealed to the extent specified in column 3 of the Schedule.

(2) References in any other legislation or Scheme approved by Tynwald to the Orders revoked by this article shall be construed as references to this Order.

(3) The correlation tables set out in Schedule 5 is illustrative, not definitive.

INFORMATION FOR INCLUSION IN A REGISTRATION APPLICATION FORM**General requirements**

1. Cattle passport number (to be confirmed by the Department)
2. Ear tag number
3. Holding number
4. Name and address of the holding
5. Breed
6. Sex
7. Date of birth
8. Identity of animal's dam in all cases, and identity of the animal's genetic dam, if different and if known
9. If sire is known Sire's ear tag number; or, for artificial insemination bulls where the ear tag number is not known, the registered pedigree name must be used
10. Such other information as the Department may require
11. Signature of keeper
12. Date of completion by the keeper

Additional information for imported cattle

13. Date of importation
14. Country of origin
15. Herd of origin, if known
16. Holding number of origin, if known
17. Holding number, name and address into which the cattle were first introduced following arrival in the Island
18. In the case of cattle imported from outside the European Economic Area, the identification mark of the cattle at the time of importation into the European Community and a reference to the official importation health certificate.

INFORMATION FOR INCLUSION IN A PASSPORT

Part 1

General requirements

1. Cattle passport number (to be confirmed by the Department)
2. Ear tag number
3. Holding number
4. Name and address of the holding
5. Breed of animal
6. Sex of animal
7. Date of birth of animal
8. Identity of animal's dam in all cases, and identity of animal's genetic dam, if different
9. If sire is known Sire's ear tag number; or, for artificial insemination bulls where the ear tag number is not known, the registered pedigree name must be used
10. Such other information as the Department may require
11. Signature of keeper
12. Date of completion by the keeper

Additional information for an imported animal

13. Date of importation
14. Country of origin
15. Holding number of origin, if known
16. In the case of an animal imported from outside the European Economic Area, the identification mark of the animal at the time of importation into the European Community and a reference to the official importation health certificate

Part 2

Movement summary

Movement from holding of origin

- (a) Date of movement
- (b) Holding number
- (c) Name of keeper
- (d) Signature of keeper.

Movement involving a via holding

- (a) Date of movement
- (b) Holding number
- (c) Name of keeper, this being the market operator in the case of a market;
- (d) Signature of keeper, this being the market operator in the case of a market.

Arrival at a holding

- (a) Date of movement
- (b) Holding number
- (c) Name of keeper
- (d) Signature of keeper
- (e) Name and address of holding

INFORMATION FOR INCLUSION IN A RECORD**General**

1. Name and address of person keeping record.
2. Holding number.
3. Address of holding, if different from the address given at 1.

Manner of entry into the holding

4. If born on the holding –
 - (a) ear tag number;
 - (b) breed;
 - (c) sex;
 - (d) date of birth;
 - (e) dam's ear tag number;
 - (f) if genetic dam is different to dam, genetic dam's official identification mark (ear tag number), if known; or, if not, then registered pedigree name, if known;
 - (g) if sire is known sire's ear tag number; or, for artificial insemination bulls where the ear tag number is not known, the registered pedigree name must be used.
5. If otherwise acquired –
 - (a) ear tag number;
 - (b) date acquired;
 - (c) age when acquired;
 - (d) the holding number of the holding from which it was moved.

Manner of disposal from holding

6. In the case of disposal, sale or slaughter –
 - (a) ear tag number;
 - (b) date of disposal, sale or slaughter;
 - (c) the holding number of the holding to which it is moved.
7. In the case of a death other than at a slaughterhouse –
 - (a) ear tag number;
 - (b) date of death;
 - (c) method of disposal.

REVOCATIONS

S.D. No.	Title of Public Document	Extent of revocation
604/97	Marking and Cattle Records Order 1997	The whole of the Order
605/97	Cattle Passports Order 1997	The whole of the Order
561/98	Cattle Database Order 1998	The whole of the Order
671/99	Cattle Passports (Amendment) Order 1999	The whole of the Order
672/99	Marking and Cattle Records (Amendment) Order 1999	The whole of the Order
66/03	Marking and Cattle Records (Amendment) Order 2003	The whole of the Order
67/03	Cattle Passports (Amendment) Order 2003	The whole of the Order
532/03	Cattle Passports and Database (Amendment) Order 2003	The whole of the Order

CORRELATION TABLES

Part 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Title of former Scheme	Article in former Scheme	Article in this Scheme
Marking and Cattle Records Order 1997 (SD 604/97)	3	10
	4	11
	5	12
	6	13
	7	14
	8	15
	9	16
	10	17
	11	18
	12	19
	12A	20
	12B	21
	13	37
		Schedule 2
Cattle Passports Order 1997 (SD 605/97)	3	22 and 26
	4	27
	5	24
	6	22 and 23
	7	24
	8	28
	9	30
	10	29
	11	31
	12	25
	13	Revoked
	14	32
	14A	33
	15	Revoked
	15A	34
	16	35
	17	22(3)
	18	36
	19	37
	Schedule 2	Schedule 1
Cattle Database Order 1998 (SD 561/98)	3(3)	3
	3(1) and (2)	4
	4	37
	5	6
	6	7
	7	8
	8	9
	9	5
	10	36(3)

Part 2

<i>Column 1</i> Article in this Order	<i>Column 2</i> SD No of former Order	<i>Column 3</i> Article in former Order
3	561/98	3(3)
4	561/98	3
5	561/98	9
6	561/98	5
7	561/98	6
8	561/98	7
9	561/98	8
10	604/97	3
11	604/97	4
12	604/97	5
13	604/97	6
14	604/97	7
15	604/97	8
16	604/97	9
17	604/97	10
18	604/97	11
19	604/97	12
20	604/97	12A
21	604/97	12B
22	605/97	3(2), 3(4) 6(2), 6(3), 7(4) and 17
23	605/97	6(1)
24	605/97	5, 7(1) and 7(3)
25	605/97	12
26	605/97	3
27	605/97	4
28	605/97	8
29	605/97	10
30	605/97	9
31	605/97	11
32	605/97	14
33	605/97	14A
34	605/97	15A
35	605/97	16
36	604/97	14
	605/97	18(1) and 18(2)
	561/98	10
37	604/97	13
	606/97	19
	561/98	4
38	N/A	Inserted
Schedule 1	N/A	Inserted
Schedule 2	605/97	Schedule 1
Schedule 3	604/97	Schedule 2
Schedule 4	N/A	Inserted

Made 9th March 2007

Phil Gawne

Minister for Agriculture, Fisheries and Forestry

EXPLANATORY NOTE

(This note is not part of the Order)

This Order consolidates, with amendments, the –

- Marking and Cattle Records Order 1997 (SD 604/97, as amended);
- Cattle Passports Order 1997 (SD 605/97); and
- Cattle Database Order 1998 (SD 561/98).

The Order removes transitional provisions which no longer apply in respect of the –

- change of ear tag numbers (formerly article 13 of SD 605/97); and
- export of cattle born or imported before 28th September 1998.

The Order revokes the three original Orders and five amending Orders (article 38).

The Order harmonises the time scales for recording and notifying events and changes the time for reporting a movement from seven days to three days.

The Order harmonises to ten years the time records are to be retained for.

The Order changes the number of movements that can be recorded on a Temporary calf passport from two sets to one set.