

S.I. No. 281 of 2001

**DISEASES OF ANIMALS ACT, 1966 (NATIONAL SHEEP
IDENTIFICATION SYSTEM) ORDER, 2001**

I, Joe Walsh, Minister for Agriculture, Food and Rural Development, in exercise of the powers conferred on me by sections 3, 13 and 30 of the Diseases of Animals Act, 1966 (No. 6 of 1966) (as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order, 1999 (S.I. No. 307 of 1999)) hereby order as follows:

1. (1) This Order may be cited as the Diseases of Animals Act, 1966 (National Sheep Identification System) Order, 2001.
- (2) This Order shall come into operation on the 21st day of June, 2001.
2. (1) In this Order-
 - “the Act” means the Diseases of Animals Acts, 1966 to 2001;
 - “animal” means an animal of the ovine species;
 - “animal identification number” means a number issued in respect of animals of the ovine species on a registered holding pursuant to Article 3;
 - “individual animal identification number” means the number on an ear-tag specific to that animal;
 - “authorised person” means-
 - (i) a person who stands for the time being appointed under Article 21, paragraph (1), or
 - (ii) an authorised person or inspector within the meaning of the Act, including any person authorised to exercise the powers of an authorised person under section 25, paragraph (3), of the Act;
 - “District Veterinary Office” means a district veterinary office of the Department of Agriculture, Food and Rural Development;
 - “the Minister” means the Minister for Agriculture, Food and Rural Development;
 - “registered holding” means a holding which has been registered by the Minister pursuant to Regulation 3;

“registered veterinary practitioner” means a person registered in the register established under the Veterinary Surgeons Act, 1931 (No. 36 of 1931);

“vehicle” means any form of road transport conveyance used for the movement of animals and includes a trailer.

- (2)
 - (a) In this Order a reference to an Article is to an Article of this Order, unless it appears that reference to some other enactment is intended.
 - (b) In this Order a reference to a paragraph or subparagraph is to the paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.
3.
 - (1) Any person who holds or keeps an animal on any holding in the State shall apply to the Minister, in such form as may be specified by him, for registration of the holding as a registered holding.
 - (2) Where, in accordance with paragraph (1), a person is required to apply for registration of a holding, he shall apply for such registration at the District Veterinary Office for the area in which the holding is situated.
 - (3) The Minister shall register any holding specified in an application for registration unless he is satisfied that such application is not a bona fide application or that the holding has been previously registered by him.
4. No person shall have in his possession or under his control on any holding in the State any animal unless the holding has been registered by the Minister as a registered holding.
5. Where in relation to any holding which is a registered holding-
 - (a) there is a change in the person holding or keeping the animals on the holding, or
 - (b) all animals on the holding are slaughtered, sold or otherwise disposed of,

the person who applied for Registration, in accordance with Article 3, paragraph (1) or, in the case referred to in subparagraph (a) of this Regulation, the new person holding or keeping animals on the holding, shall before or on the date of the change, supply the relevant District Veterinary Office with the same particulars as are required for registration as a registered holding in accordance with Article 3 and in such form as the Minister may specify.

6. For the purposes of these Regulations-

- (a) any person to whom a herd number has been allocated for the purposes of the Bovine Tuberculosis (Attestation of the State and General Provisions) Order, 1989 (S.I. No. 308 of 1989) shall be deemed to have applied for registration of the holding and the herd number so issued shall be deemed to be an animal identification number for animals of the ovine species on the holding of that person to which the herd number relates;
 - (b) any person to whom a number has been allocated for the purposes of the following schemes operated by the Minister, that is to say, the Sheep Headage Payments Scheme in Disadvantaged Areas and the EU Ewe Premium Scheme, shall be deemed to have applied for registration of the holding and the number so issued shall be deemed to be an animal identification number for animals of the ovine species on the holding of that person to which the herd number relates.
- 7. 7. Without prejudice to Article 6, the Minister may issue or cause to be issued to each registered holding an animal identification number which varies according to the species of animal held or kept on the holding.
- 8. 8. A person shall not move, nor cause nor permit to be moved, an animal from a holding unless at the time of such movement-
 - (a) the holding is a registered holding
 - (b) the animal has attached to its ear(s) an ear-tag or ear-tags of a type which stands approved for the time being by the Minister in accordance with Article 13 and which bears the animal identification number issued pursuant to the registration of the relevant holding(s) and an individual animal identification number.
 - (c) the animal is accompanied by a document in accordance with Article 15 completed and signed by the holder or keeper of the animal.
- 9. (1) Subject to the provisions of Article 11, a person who holds or keeps animals on a registered holding shall, upon movement of an animal onto the holding, attach to the animal's right ear an ear-tag of a type which stands approved for the time being by the Minister in accordance with Article 13 and which bears the animal identification number of the registered holding in question and an individual animal identification number.
 - (2) Where an animal has previously been kept on two or more registered holdings and already has an ear-tag attached to its right ear on movement onto the registered holding, the ear-tag in its right ear shall be replaced with an ear-tag bearing the animal identification number of the registered holding in question and an individual animal identification number.

10. A person who holds or keeps animals on a registered holding shall, in the case of the loss of an ear-tag previously attached to an animal present on the holding, ensure that:
 - (a) where the lost ear-tag had been attached on the said holding, it is replaced by another ear-tag bearing the information relevant to that holding, or
 - (b) where the lost ear-tag had been attached on a previous holding, it is replaced by a yellow replacement tag of a type which stands approved for the time being by the Minister in accordance with Article 13.
11. (1) Where an animal is imported onto a registered holding from outside of the State the person who holds or keeps animals on the holding shall ensure that a red import tag of a type which stands approved for the time being by the Minister in accordance with Article 13 is, upon movement onto the holding, attached to the ear of the animal which does not bear the tag attached at point of export.

(2) Where such animal as referred to in paragraph (1) is moved to one or more further holdings, the person who holds or keeps animals on those holdings shall ensure that the red import tag is replaced with a red import tag bearing the animal identification number of the registered holding in question and an individual animal identification number.
12. (1) By 15 December 2001 a person shall not hold or keep an animal on a registered holding unless the animal has attached to its ear(s) an ear-tag or ear-tags of a type which stands approved for the time being by the Minister in accordance with Article 13 and which bear(s) the animal identification number issued to the relevant registered holding(s) and an individual animal identification number.

(2) Animals born after 15 December 2001 must be tagged on movement off the registered holding or by 15 December 2002, whichever date is the earlier.
13. (1) Ear-tags may only be supplied by a manufacturer or supplier approved by the Minister.

(2) The Minister may grant approval to a manufacturer or supplier of ear-tags for the purposes of Articles 8, 9, 10, 11 and 12 in accordance with the provisions of this Article.

(3) The Minister may attach such conditions to the approval of manufacturers /suppliers as he may deem necessary for the purposes of this Order or may vary or revoke such conditions.

- (4) Approval granted to a manufacturer/supplier in accordance with paragraph (2) may be withdrawn by the Minister where he is satisfied that the conditions of approval have not been or are not being complied with.
- (5) The Minister shall not-
 - (a) refuse to approve or withdraw approval from a manufacturer or supplier under this Article, or
 - (b) attach a condition to an approval under this Article, or vary or revoke such a condition,without-
 - (i) notifying the holder of, or applicant for, the approval of his intention to refuse the application, withdraw the approval, or attach, vary or revoke the condition, as the case may be,
 - (ii) specifying his reasons for the refusal, withdrawal or the attaching, varying or revoking of the condition, or
 - (iii) affording the holder of, or applicant for, the approval an opportunity of making representations or having representations made on his behalf to the Minister in relation to the proposed refusal, withdrawal, or the attaching, varying or revocation of the condition, as the case may be, within 14 days of the receipt by that person of the notification referred to in subparagraph (i) and having regard to any such representations.
- (6) A person shall not supply ear-tags for the purposes of Articles 8, 9, 10, 11 or 12 other than in accordance with the terms of this Article.
- 14. (1) A person who holds or keeps animals on a registered holding shall keep a record in writing of the individual animal identification numbers attached to the animals.
- (2) In the case of the movement of an animal onto or out of the registered holding, a person who holds or keeps animals on a holding shall record in writing, within seven days of such movement, -
 - (a) the date on which the animal was moved onto or out of the registered holding,
 - (b) the address of the place from or to which the movement took place and the name of the occupier of such place,
 - (c) the individual animal identification number attached to the animal for the purposes of Articles 8, 9, 11 or 12,
 - (d) the name of the vendor or purchaser (if any) concerned.

- (3) A person who holds or keeps animals on a registered holding shall keep a record in writing of all deaths of tagged animals and of all ear-tags attached to animals in replacement of lost tags within seven days of such events.
 - (4) A person who holds or keeps animals on a holding shall keep, in addition to the records required by paragraphs (1), (2) and (3), an up-to-date record of the number of live female animals on the holding which are over twelve months of age or which have given birth on the holding.
 - (5) A person by whom records are kept pursuant to this Article shall annually reconcile the details of the ear-tag(s) attached to each animal on the registered holding with the details as recorded in the records on a date between 1 September and 15 December 2001.
 - (6) A person by whom records are kept pursuant to this Article shall keep the records for a period of three years following the end of the year to which the record relates.
 - (7) The Minister may specify the format in which records required to be kept by this Article shall be kept and, where he does so, records shall be kept in the format so specified.
15. (1) Any person who holds or keeps animals on a registered holding shall, where any such animals are moved from the holding, shall-
- (i) (i) ensure that the animals are accompanied, during such movement, by a document in writing which states –
 - (I) the address of the registered holding from which the animals have come,
 - (II) the animal identification number of the registered holding from which the animals have come,
 - (III) the individual animal identification numbers attached to the animals for the purposes of Articles 8, 9, 11 or 12.
 - (ii) (I) where the animals are moved to a market or collection centre, supply the operator of the market or collection centre, or
 - (II) where the animals are sold directly to a purchaser, supply the purchaser thereof,
 - (III) at the time of movement with the document which has accompanied the animals in accordance with subparagraph (i).

- (2) (2) The Minister may specify the format of the document referred to in paragraph (1) and, where he does so, it shall be a requirement of this Article to ensure that the animals are accompanied during movement with the document, and to supply the document, in the format so specified.
- (3) (3) (a) A person to whom documents are supplied pursuant to this Article shall keep such documents for a period of three years following the end of the year in which the documents were received.
- (b) A person who holds or keeps animals on a registered holding and who supplies a document pursuant to this Article shall keep a copy of such document for a period of three years following the end of the year in which the documents were supplied.
16. (1) Any person who purchases animals at a market shall –
- (a) ensure that the animals are accompanied, while they are being moved from the market to the premises of destination, with the document as specified in Article 15, stating also the lot number relating to the purchase concerned.
- (b) supply the owner or person in charge of the premises of destination with the document referred to in subparagraph (a).
- (2) A person to whom documents are supplied pursuant to this Article shall keep such documents for a period of three years following the end of the year in which the documents were received.
17. The owner or person in charge of a market shall-
- (1) ensure that no animal is accepted for sale which is not identified in accordance with Articles 8, 9, 10, 11 or 12,
- (2) ensure that no animal is accepted for sale which is not accompanied by a document in accordance with Article 15,
- (3) complete the said document with the relevant sale details,
- (4) supply the purchaser of animals with a copy of the said completed document,
- (5) retain a copy of the said completed document for a period of three years following the end of the year in which the document was received.
18. 18. The owner or person in charge of a slaughter-plant shall-

- (1) take reasonable steps to satisfy himself/herself of the provenance of animals presented for slaughter,
- (2) in the case of each consignment of animals which enters onto the premises, record
 - (i) (i) the time of such entry,
 - (ii) (ii) the registration number of the vehicle carrying the
 - (iii) (iii) consignment,
 - (iv) (iv) the name of the person who delivers the consignment of animals,
 - (v) (v) the place from which the animals were collected,
 - (vi) (vi) the nature of the consignment.
- (3) ensure that no animal is accepted for slaughter which is not identified in accordance with Articles 8, 9, 10, 11 or 12,
- (4) ensure that no animal is accepted for slaughter which is not accompanied by a document in accordance with Article 15,
- (5) ensure that the said document is endorsed in a manner specified by the Minister upon acceptance of an animal for slaughter,
- (6) record, for each animal slaughtered or to be slaughtered-
 - (a) in the case of an animal of Irish origin,
 - (i) the country code IE
 - (ii) the animal identification number of the holding from which the animal has most recently come, and,
 - (iii) the individual animal identification number of the animal.
 - (b) in the case of an animal of non-Irish origin,
 - (i) where the animal has moved directly to the slaughter-plant from the point of import, the code of the country of origin and any other information on the ear-tag or tattoo carried by the animal,
 - (ii) where the animal has moved from a holding in the State and is tagged in accordance with Article 11, the animal identification number and the individual number on the red import tag attached to the animal.
- (7) ensure that the record referred to in paragraph (6) is co-related with any other number issued to the animal or carcase in the slaughter-plant records,
- (8) retain a copy of the records referred to in paragraphs (2), (6) and (7) above and the document referred to in (5) above for a period of three years following the end of the year in which the record was created or the document was received.

- (9) ensure that each ear-tag removed in the slaughter-plant is disposed of in a manner specified by the Minister.
19. The owner or person in charge of a slaughter-plant shall affix or cause to be affixed to the finished carcase a label containing the information as specified in Article 18(6).
20. (1) No person (other than an authorised person or a registered veterinary practitioner authorised by the Minister so to do) shall remove an ear-tag attached to a live animal for the purposes of this Order except in the specific circumstances required by the Minister as set out at Article 9 or Article 11.
- (2) Where an ear-tag is removed from a live animal in accordance with paragraph (1) or an ear-tag which has been lost is replaced on a live animal, the person who is obliged to keep records in respect of that animal in accordance with Article 14 shall record full details of such removal or replacement, as the case may be, in the records required to be kept in accordance with that Article.
21. (1) The Minister may appoint in writing such and so many of his officers or other persons as he thinks fit to be authorised persons for the purposes of this Order.
- (2) An authorised person, when exercising any power conferred on him by this Order, shall, if so requested by any person affected, produce evidence in writing of his appointment as an authorised person under this Order or as an inspector or authorised person under the Act
22. A person shall not-
- (1) in purported compliance with-
- (a) Articles 14, 17, or 18, include in a record,
- (b) Articles 15, 17 or 18 include in a document, or
- (c) Article 19 include on a label,
- a particular which he knows to be false or does not know to be true or recklessly include in such a record, document or label, as the case may be, a particular which is false or which he does not know to be true,
- (2) remove, tamper with or alter any ear-tag, marking or label attached or applied pursuant to this Order or attach or apply an ear-tag, marking or label which could be confused with any ear-tag, marking or label so attached or applied,
- (3) have in his possession an animal bearing an ear-tag or to which a marking has been applied which could be confused with any ear-tag or marking attached or applied pursuant to this Order, or

- (4) have in his possession without lawful excuse, an ear-tag bearing an animal identification number other than that issued to him pursuant to this Order.
23. It shall not be lawful for any person to contravene Articles 3(1) (2), 4, 5, 8, 9, 10, 11, 12, 13(1), 14, 15, 16, 17, 18, 19, 20 and 22.

Given under my Official Seal,

this day of June, 2001.

Joe Walsh
Minister for Agriculture, Food and Rural Development.