



Statutory Document No. 108/95

DISEASES OF ANIMALS (PREVENTION) ACTS 1948 TO 1975

MARKING OF CATTLE ORDER 1995

Approved by Tynwald - 16th May 1995
Coming into operation - 1st June 1995

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

Citation and commencement

1. This Order may be cited as the Marking of Cattle Order 1995 and shall come into operation on 1st June 1995.

Interpretation

2. In this Order -

"authorised officer" means a veterinary officer or veterinary surgeon or any other person for the time being authorised by the Department to act as an authorised officer for the purposes of this Order;

"Department" means the Department of Agriculture, Fisheries and Forestry;

"cattle" means any bull, ox, cow, steer, heifer or calf;

"mark" shall be construed in accordance with articles 5 and 6;

"premises" includes land with or without buildings;

"veterinary officer" means any veterinary officer of the Department;

"veterinary surgeon" means a person registered in the Register of Veterinary Surgeons or in the Supplementary Veterinary Register.

(a) Vol.XVII p.311: section 4 was amended by the Improvement of Livestock Act 1949, the Diseases of Animals (Prevention) Act 1969, the European Communities (Isle of Man) Act 1973, the Rabies Act 1975, the Rabies (Amendment) Act 1979 and G.C. 121/86

Prohibition on moving unmarked cattle

3. No person shall move, attempt to move, or cause or permit to be moved, onto or off any premises, any cattle which

- (i) are not marked in accordance with article 6; or
- (ii) are imported cattle and are not marked with such a mark as is described in article 5.

Marking of cattle

4. (1) Subject to paragraphs (2) and (3), all cattle in the Island shall be marked.

(2) All live calves shall be marked within 3 days of birth.

(3) All cattle in the Island which, immediately before the date on which this Order came into operation, were not required to be marked under the Marking of Cattle Order 1991 shall be marked within 28 days of such date.

Imported cattle

5. (1) Subject to paragraph (2), no person shall mark any imported cattle which already bear a mark consisting of a reference code identifying -

- (a) the area of origin;
- (b) the herd of origin; and
- (c) the individual animal.

(2) No person shall replace, alter, deface, obliterate or remove any mark applied to any imported cattle except under and in accordance with the directions of an authorised officer.

Method of marking

6. (1) Where cattle are required to be marked under article 4 they shall be marked in accordance with this article.

(2) A mark shall be approved by the Department and shall consist of a reference code identifying -

- (a) the area of origin;
- (b) the herd of origin; and
- (c) the individual animal.

(3) A mark shall be applied at a site on an ear approved by the Department.

Persons who may mark cattle

7. No person other than an authorised officer, the owner or a person authorised by the owner shall mark any cattle for the

purposes of this Order.

Removal of marks

8. No person shall alter, deface, obliterate or remove any mark applied to any cattle in accordance with article 6 except under and in accordance with the directions of an authorised officer.

Loss of marks

9. If a mark under this order becomes obliterated, defaced or detached, the owner or other person having custody of such cattle shall, within seven days, mark the animal concerned in accordance with the instructions of the Department.

Records

10. (1) The owner of cattle shall maintain, or cause to be maintained, records in such form as may be approved by the Department of the breed, sex and identity of each calf, date of birth and the identity of its dam giving birth to the calf, and, in the case of an implanted ovum or embryo, the identity of the surrogate dam.

(2) Every record under this article shall be retained for a period of 10 years from the date of the making of the entry.

(3) Records under this article shall be produced for inspection at all reasonable times on demand to an authorised person who shall be entitled to make a copy of the record and where the records are kept by means of a computer they shall be produced in a form in which they may be taken away.

Offences

11. (1) Any owner, or person in charge, of cattle who is, or causes another to be, in contravention of article 3, 4(1), 5(1), 5(2), 6(1), 7, 8, 9 or 10 shall be guilty of an offence.

Revocation

12. The Marking of Cattle Order 1991(a) is hereby revoked.

MADE this 27th day of March 1995

John Corrin

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Minister for Agriculture,
Fisheries and Forestry.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order deals with identification and records of cattle and replaces the provisions of the Marking of Cattle Order 1991.

The 1991 Order applied only to breeding cattle that were in the Island from 1st April 1991, and permitted the use of tattoo or other method to mark cattle. An exemption applied to registered pedigree cattle which are marked in a manner approved by the rules of the appropriate breed society.

This Order provides that all cattle in the Island, including pedigree cattle, must be marked with a mark approved by the Department so as to identify the area and herd of origin and the individual animal, whether the animal originated in the Island or elsewhere.

Provisions regarding the keeping of records are the same as in the 1991 Order.
