

1973 No. 744

ANIMALS

DESTRUCTIVE ANIMALS

The Grey Squirrels (Warfarin) Order 1973*Laid before Parliament in draft**Made - - - - 16th April 1973*

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by section 19 of the Agriculture (Miscellaneous Provisions) Act 1972(a) and of all other powers enabling them in that behalf after such consultation as they consider appropriate with such organisations as appear to them to represent the interests concerned hereby make the following order, a draft whereof has been laid before, and approved by a resolution of, each House of Parliament:—

Citation, extent and interpretation

1.—(1) This order, which may be cited as the Grey Squirrels (Warfarin) Order 1973, shall apply to England and Wales, save that article 4 hereof shall apply to all parts of England and Wales other than the counties specified in the Schedule to this order.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Specification of poisons

2. Warfarin (3-(α -acetylbenzyl)-4-hydroxycoumarin) and the soluble salts of warfarin, in each case distributed evenly over a bait comprising whole grains of wheat at a concentration of not more than 0.02 per cent. weight of warfarin for weight of bait, are hereby specified as poisons for use for the purpose of destroying grey squirrels.

Manner of use

3. Each of those poisons may be used for that purpose inside a building in any part of England and Wales in such a manner that all reasonable precautions are taken to prevent injury by the poison to dogs, cats, fowls or other domestic animals and wild birds.

(a) 1972 c. 62.

(b) 1889 c. 63.

4.—(1) Elsewhere than in a building, those poisons may be used for that purpose in the manner specified in this article in any part of England and Wales not comprised in one of the counties specified in the Schedule to this order.

(2) At all times during its use for the purpose of destroying grey squirrels the poisoned bait shall be in a hopper made up of two components—

- (a) a tunnel not less than 230 millimetres in length and not more than 100 millimetres in internal diameter or internal square dimensions, and
- (b) a container of any convenient size and shape to hold a supply of poisoned bait.

The container shall be firmly attached to one end of the tunnel and, when holding any poisoned bait, securely closed so that the bait is accessible only to animals which have entered and passed along the length of the tunnel. The only means of access by an animal to the poisoned bait shall be at the junction of the tunnel and the container through a gap not more than 20 millimetres high and no wider than the tunnel.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th April 1973.

(L.S)

Joseph Godber,

Minister of Agriculture, Fisheries and Food.

Given under my hand on 16th April 1973.

Peter Thomas,

Secretary of State for Wales.

SCHEDULE

Articles 1 and 4.

COUNTIES IN WHICH SPECIFIED POISON MAY BE USED ONLY INSIDE A BUILDING

Northumberland	Anglesey
Cumberland	Caernarvon
Westmorland	Denbigh
Durham	Flint
Lancashire	Merioneth
Norfolk	Cardigan
East Suffolk	Montgomery
Isle of Wight	Carmarthen

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is made for the purposes of the Agriculture (Miscellaneous Provisions) Act 1972, section 19, specifies warfarin and the soluble salts of warfarin as poisons for use for the purpose of destroying grey squirrels and specifies the manner of their use. To the extent that it relates to the use of those poisons inside a building, the order applies throughout England and Wales: as respects the use of those poisons elsewhere than inside a building, the order applies only to specified parts of England and Wales.

The said section 19 provides a defence in proceedings for an offence against section 8(b) of the Protection of Animals Act 1911 (c. 27) (which restricts the placing on land of poison and poisoned substances) and so much of section 5(1)(a) of the Protection of Birds Act 1954 (c. 30) as relates to poisoned or poisonous substances if it can be shown that the act alleged to constitute the offence was done for the purpose of destroying grey squirrels and that the poison used and the manner of its use were in compliance with the provisions of this order.

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