

2000 No. 2027

ANIMALS, ENGLAND

ANIMAL HEALTH

The Sheep and Goats Identification (England) Order 2000

Made - - - - 25th July 2000

Coming into force

All articles except for

articles 8, 9, 12 and 15- - 1st September 2000

Articles 8, 9, 12 and 15- - - 1st January 2001

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The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by sections 1 and 8(1) of the Animal Health Act 1981(a) and of all other powers enabling him in that behalf, makes the following Order—

Title, commencement and territorial extent

1.—(1) This Order may be cited as the Sheep and Goats Identification (England) Order 2000 and shall come into force—

- (a) as respects all articles except for articles 8, 9, 12 and 15, on 1 September 2000; and
- (b) as respects articles 8, 9, 12 and 15, on 1 January 2001.

(2) This Order extends to England only.

Interpretation

2.—(1) In this Order—

“collection centre” means any site, including holdings and markets, at which animals originating from different holdings are grouped together to form consignments intended for despatch from that site;

“goat herdmark” means the goat herdmark allocated by the Minister pursuant to article 3;

“holding” means any establishment, construction or, in the case of an open air farm, any place in which sheep or goats are held, kept or handled;

“keeper” means any person having care and control of sheep or goats, even on a temporary basis;

“relevant date” means the date on which article 8 comes into force;

“sheep flockmark” means the sheep flockmark allocated by the Minister pursuant to article 3;

“unique individual identification number” means a unique combination of the letters “UK” followed by the goat herdmark or sheep flockmark of the holding of birth, followed by an individual identification number which has been created by the keeper;

“veterinary treatment” means any treatment or other procedure carried on by or under the supervision of a veterinary surgeon and includes castration.

(2) Any reference in this Order to a numbered article is a reference to the article bearing that number in this Order.

(3) This Order shall apply to live sheep and goats only.

(a) 1981 c. 22. Section 86(1)(c) for a definition of “the Ministers”. In relation to England, the powers of “the Secretary of State for Scotland and the Secretary of State for Wales” were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999, S.I. 1999/3141.

Notification of holdings where sheep or goats are kept

3.—(1) Any person who keeps sheep or goats on a holding shall, within one month of the coming into force of this article or, as the case may be, within one month after he begins to keep the sheep or goats after the coming into force of this article, notify the Minister in writing of—

- (a) the address of the holding;
- (b) the name and address of the occupier of the holding; and
- (c) the species of animals (whether sheep or goats or both) which are usually kept on the holding.

(2) Any person keeping sheep or goats shall notify the Minister in writing of any change in the particulars specified in paragraph (1) above within one month of such change.

(3) On receiving notification under this article the Minister shall, subject to paragraph (4) below, allocate to the keeper of the sheep or goat a sheep flockmark in the case of sheep or a goat herdmark in the case of goats.

(4) Where the holding is an abattoir or market, the Minister shall allocate a sheep flockmark or goat herdmark only where he deems it appropriate to do so.

Records concerning sheep

4.—(1) Any person keeping sheep on a holding (other than a market, abattoir or collection centre) shall record, on or before 31st January in each year, the number of sheep on that holding on 1st January of that year.

(2) Within 36 hours of sheep being moved on or off a holding, the keeper shall record—

- (a) the date of movement;
- (b) the total number of sheep moved;
- (c) one of the following—
 - (i) the temporary mark applied to each sheep under article 13(2); or
 - (ii) the sheep flockmark shown on the eartag or tattoo of each sheep; or
 - (iii) the unique individual identification number shown (if there is one) on the eartag or tattoo of each sheep;
- (d) in the case of a movement off a market, the lot number (if any) allocated at the market; and
- (e) either—
 - (i) the holding from which the sheep have been brought, if they are moved on to the holding, or
 - (ii) the holding to which the sheep are moved if they are moved off the holding.

(3) In the case of sheep being sold without being moved on or off a holding, the vendor shall record, within 36 hours of the sale—

- (a) the date of sale;
- (b) the number of sheep sold; and
- (c) the name and address of the purchaser.

(4) In the case of a sheep marked in accordance with article 9 or re-marked in accordance with article 15(2) or (3), the keeper shall, within 36 hours of marking or re-marking the sheep (as the case may be), record the new sheep flockmark and the previous one, if known.

(5) All records under this article shall be retained by the person making the record for a period of six years.

Additional records for specified sheepmeat producers

5.—(1) In addition to the records required under the preceding article, a keeper who is a sheepmeat producer for the purposes of Council Regulation 3493/90/EEC (laying down general rules for the grant of premium to sheepmeat and goatmeat producers^(a)) shall keep the records specified in this article.

(a) O.J. No. L337, 4.12.90, p.7.

(2) On or before 31st January each year, the keeper shall record the total number of female sheep on the holding on 1st January that year which either were over 12 months old or had given birth, and the date the entry was made.

(3) Within fourteen days of any of the following events—

- (a) the intentional movement on or off the holding of female sheep which were either over 12 months old or which had given birth;
- (b) a female sheep which has not given birth reaching the age of 12 months;
- (c) a sheep under 12 months old giving birth;
- (d) the discovery that a female sheep which was either over 12 months old or which had given birth has been lost from the holding, either because it has died or because it is missing from the holding,

the keeper shall record the total number of female sheep on the holding which have given birth or which are over 12 months old, the date of the entry and the reasons that the total number of such sheep on the holding has changed.

(4) All records under this article shall be retained by the person making the record for a period of four years.

Records concerning goats

6.—(1) Any person keeping goats on a holding (other than a market, abattoir or collection centre) shall record, on or before 31st January each year, the number of goats on that holding on 1st January that year.

(2) Within 36 hours of goats being moved on or off a holding, the keeper shall record—

- (a) the date of movement;
- (b) the total number of goats moved;
- (c) one of the following—
 - (i) the temporary mark applied to each goat under article 13(2) below; or
 - (ii) the goat herdmark shown on the eartag or tattoo of each goat; or
 - (iii) the unique individual identification number shown (if there is one) on the eartag or tattoo of each goat;
- (d) in the case of a movement off a market, the lot number (if any) allocated at the market; and
- (e) either—
 - (i) the holding from which the goats have been brought, if they are moved on to the holding, or
 - (ii) the holding to which the goats are moved if they are moved off the holding.

(3) In the case of goats being sold without being moved on or off a holding, the vendor shall record, within 36 hours of the sale—

- (a) the date of sale;
- (b) the number of goats sold; and
- (c) the name and address of the purchaser.

(4) In the case of a goat marked in accordance with article 9 or re-marked in accordance with article 15(2) or (3), the keeper shall, within 36 hours of marking or re-marking the goat (as the case may be), record the new goat herdmark and the previous one, if known.

(5) All records under this article shall be retained by the person making the record for a period of six years.

Eartags and tattoos

7.—(1) Any eartag attached under this Order shall be—

- (a) either metal or plastic or a combination of metal and plastic;
- (b) tamper-proof;
- (c) printed or stamped with the letters and numbers required under this Order by a method that ensures that they are easy to read for the animal's lifetime;
- (d) incapable of re-use; and
- (e) such that it does not interfere with the well-being of the animal.

(2) An eartag attached under this Order shall not be coloured red unless it is a replacement eartag attached under the provisions of article 15(3)(a).

(3) Any tattoo applied under this Order shall be designed to be legible for the life of the animal.

Marking animals born in England

8.—(1) Subject to the remaining provisions of this article, the keeper of any sheep or goat born in England on or after the relevant date, or which is still on its holding of birth on that date, shall mark it as soon as possible, and in any case before it is moved from the holding of birth, with an eartag or tattoo consisting of—

- (a) in the case of an eartag, the letters “UK” followed by the sheep flockmark or goat herdmark of the holding of birth; or
- (b) in the case of a tattoo, the sheep flockmark or goat herdmark of the holding of birth.

(2) In any case relating to the movement off a holding of sheep or goats which have not been marked in accordance with this article, it shall be a defence in any proceedings under this article for the person moving the animals to prove that the animals—

- (a) in the case of goats, were moved from the holding of birth to premises for the purposes of being tattooed; or
- (b) in the case of sheep or goats (or both), were moved from the holding of birth to premises for the purpose of receiving veterinary treatment, and
- (c) in each case, were returned to their holding of birth as soon as they had been tattooed or had received the veterinary treatment (as the case may be).

(3) An eartag or tattoo may include information additional to that required under this article.

(4) Paragraph (1) above shall not apply in relation to sheep or goats which before the relevant date were marked with an eartag or tattoo indicating the sheep flockmark or goat herdmark of birth, or were marked with an eartag bearing a breed society mark registered pursuant to paragraph (6) below, and which were on the holding of birth at that relevant date.

(5) For a period of one year commencing with the relevant date—

- (a) a keeper may mark animals with a tag which bears the sheep flockmark or goat herdmark of the holding of birth without the prefix “UK”;
- (b) a keeper may mark animals with a tag which does not bear the sheep flockmark or goat herdmark provided that the tag bears a breed society mark which has been registered pursuant to paragraph (6) below.

(6) The Minister shall maintain a register of marks issued by breed societies and shall enter in such register any mark which a breed society applies to him to be registered under this paragraph.

Marking animals imported into England from outside the European Union

9.—(1) If a sheep or goat is imported into England from outside the European Union, it shall be marked by the keeper at the holding of destination, within thirty days of arrival on that holding and in any event before it is moved from that holding, with an eartag or tattoo consisting of—

- (a) in the case of an eartag, the letters “UK” followed by the sheep flockmark or goat herdmark of the holding of destination and the letter “F”; or
- (b) in the case of a tattoo, the sheep flockmark or goat herdmark of the holding of destination and the letter “F”.

(2) Paragraph (1) above shall not apply if the place of destination of the imported animal is a slaughterhouse, and the animal is slaughtered there within 5 days without having been moved from the slaughterhouse.

Marking requirements for animals brought into England from another member State

10. No person shall import sheep or goats from another member State unless they are marked in accordance with Council Directive 92/102/EEC on the identification and registration of animals^(a).

Marking requirements for animals brought into England from another part of the British Islands

11. No person shall bring a sheep or goat into England from another part of the British Islands unless the animal is marked in accordance with the legislation in force in that part of the British Islands.

Marking requirements for the movement of sheep and goats to a destination outside Great Britain

12.—(1) Any person consigning sheep or goats outside Great Britain shall (or, in the case of an animal already marked with a unique individual identification number, may) ensure that each animal is marked at the time of consignment with an eartag or tattoo consisting of a unique combination of the letters “UK”, the sheep flockmark or goat herdmark of the consigning premises, the letter “X”, and an individual identification number.

(2) No person shall consign any sheep or goat outside Great Britain if it is marked with an eartag or tattoo ending with the letter “R” showing that it is a replacement eartag or tattoo.

Marking requirements for the movement of sheep and goats to a destination within Great Britain

13.—(1) Any person moving sheep or goats from a holding to a destination within Great Britain shall ensure that the animals are marked before being moved from the holding in accordance with this article.

(2) Subject to paragraphs (3) and (4) below, every animal shall be marked with a temporary mark which is sufficiently distinctive for the animal to be identified for the purposes of the document required under article 14 and which will last at least until the animal reaches its destination.

(3) In the case of an animal marked with a unique individual identification number or the sheep flock mark or goat herd mark, the requirement to mark it with a temporary mark shall be optional, but if the animal is marked with a temporary mark, the mark shall be recorded in the movement records made under articles 4 and 6 and the transport document carried under article 14.

(4) The requirement to apply a temporary mark that is imposed under paragraph (2) above shall not apply in the case of animals—

- (a) moved for the purposes of veterinary treatment;
- (b) moved for the purposes of dipping or shearing;
- (c) moved to a show if they are due to return to the same holding;
- (d) being moved to an adjacent holding where the sheep or goats remain under the same ownership; or
- (e) in the process of being imported into England from outside the European Union while they are being taken to the holding of destination.

(a) O.J. No. L355, 5.12.92, p.32.

Documentation requirements for the movement of sheep and goats to a destination within Great Britain

14.—(1) Any person moving sheep or goats from a holding to a destination in Great Britain shall ensure that the animals are accompanied by a document which—

- (a) identifies the holding of departure and the holding to which they are being moved;
- (b) gives the date of movement and the total number of animals being moved;
- (c) records the temporary mark applied to each animal under article 13(2) or, if the animal does not have a temporary mark, a unique individual identification mark or the sheep flock mark or goat herd mark;
- (d) if the movement is from a market, gives the lot numbers of the animals; and
- (e) is signed by the owner of the animals or his agent;

and the person moving the animals shall ensure that the document is handed on arrival of the animals to the occupier of the holding of destination.

(2) The requirement for an accompanying document imposed under paragraph (1) above shall not apply in the case of—

- (a) movement between holdings where both holdings are occupied by the same person;
- (b) movement between a holding and any land in respect of which a right of grazing in common with other proprietors is exercisable; or
- (c) movement for the purposes of veterinary treatment, dipping or shearing, or, in the case of goats, for the purpose of being tattooed, or to a show if the animals are due to return to the same holding.

Removal and replacement of eartags and tattoos

15.—(1) Except under the authority of an officer of the Minister, no person shall—

- (a) remove an eartag which has been attached to an animal in accordance with this Order, or replace such a tag, unless the tag has become illegible, has to be removed for welfare purposes or has been lost; or
- (b) remove a tattoo applied to an animal in accordance with this Order, or replace such a tattoo, unless the tattoo has become illegible.

(2) When replacing an eartag or tattoo pursuant to paragraph (1) above, the keeper shall re-mark the animal with an eartag or tattoo with the original number or with an eartag or tattoo bearing the sheep flockmark or goat herdmark of the holding on which the animal is residing, providing that the original identification mark is known and that the original and new identification marks are cross-referenced in the register required under articles 4 and 6.

(3) If it is not possible to re-mark the animal in accordance with the preceding paragraph, the keeper shall re-mark the animal with either—

- (a) an eartag coloured red and consisting of the letters “UK” followed by the sheep flockmark or goat herdmark of the premises of the holding on which it is being tagged followed by the letter “R”; or
- (b) a tattoo consisting of the sheep flockmark or goat herdmark of the premises of the holding on which it is being tagged followed by the letter “R”.

(4) Paragraphs (2) and (3) above shall not apply in the case of an animal at a market or abattoir.

Additional eartags and tattoos

16. No person shall affix to a sheep or goat any eartag or tattoo bearing a sheep flockmark or goat herdmark except in accordance with the provisions of this Order.

Alteration of eartags and tattoos

17. No person shall alter, obliterate or deface the information on an eartag or tattoo applied to a sheep or goat under this Order.

Production of records and documents

18. Any person in charge of any record or document required to be kept under this Order shall produce it to an inspector on demand (or, if it is kept in electronic form, produce a printout of it) and allow a copy to be made.

Enforcement

19. Except where otherwise expressly provided, the provisions of this Order (other than article 5, which shall be enforced by the Minister) shall be executed and enforced by the local authority.

Revocation

20.—(1) Subject to paragraph (2) below, the Sheep and Goats (Records, Identification and Movement) Order 1996^(a) is revoked in so far as it extends to England.

(2) Article 7 of the Sheep and Goats (Records, Identification and Movement) Order 1996 shall continue in force, in so far as it extends to England, until the relevant date.

25th July 2000

Hayman
Minister of State,
Ministry of Agriculture, Fisheries and Food

^(a) S.I. 1996/28.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which implements the provisions relating to sheep and goats of Council Directive 92/102/EEC on the identification and registration of animals (O.J. No. L355, 5.12.92, p.32), makes provision for records and other documentation concerning sheep and goats and for the marking of sheep and goats. It revokes the Sheep and Goats (Records, Identification and Movement) Order 1996, S.I. 1996/28.

The Order requires any person who keeps sheep and goats to notify the Minister (article 3).

The Order requires anyone keeping sheep or goats to keep movement records and, in the case of keepers who are sheepmeat producers for the purposes of Council Regulation 3493/90/EEC laying down general rules for the grant of premium to sheepmeat and goatmeat producers (O.J. No. L337, 4.12.90, p.7) additional records relating to specified events (articles 4 to 6).

The Order makes provision for marking sheep and goats, either by an eartag or by a tattoo. Subject to certain exceptions and transitional provisions, from 1 January 2001 marking is required for all animals born or first moved off the holding of birth after that date and for all sheep and goats imported into England from outside the European Union (articles 7 to 9). The Order prohibits bringing sheep or goats into England from another member State or from another part of the United Kingdom, Channel Islands or Isle of Man unless they are marked (articles 10 and 11).

The order requires marking sheep and goats when they are consigned to a destination outside Great Britain (article 12) and to a destination within Great Britain (article 13). It also provides for documentation to be carried when sheep or goats are moved within Great Britain (article 14). It makes provision for the removal and replacement of eartags and tattoos and the application of additional eartags and tattoos and prohibits the alteration of eartags and tattoos (articles 15 to 17). It also makes provision for the production of records (article 18).

With the exception of article 5, which is enforced by the Minister, the Order is enforced by the local authority (article 19).

Breach of any provisions of the Order is an offence under section 73 of the Animal Health Act 1981 punishable on conviction with a fine of level 5 on the standard scale (currently £5,000).

A regulatory impact assessment has been made and a copy has been deposited in the library of each House of Parliament. Copies can be obtained from the Animal Health (Disease Control) Division of the Ministry of Agriculture, Fisheries and Food, 1A Page Street, London SW1P 4PQ.

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ANIMAL HEALTH

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