

(d) Pleuro-Pneumonia.

THE PLEURO-PNEUMONIA ORDER OF 1928. DATED MARCH 23,
1928.

1928, No. 205.

(4605.)

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under the Diseases of

(a) S.R. & O. 1925, No. 1117 (not printed in S.R. & O. series).

Animals Acts, 1894 to 1927, and of every other power enabling him in this behalf, hereby orders as follows :—

Notice of Disease.

1.—(1) Every person having or having had in his possession or under his charge an animal or carcase affected with or suspected of being affected with pleuro-pneumonia shall with all practicable speed give notice of the fact of the animal or carcase being so affected or suspected to a constable of the police force for the police area wherein the animal or carcase so affected or suspected is or was.

(2) The constable receiving such notice shall immediately transmit the information to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1, by telegraph.*

(3) The constable shall also forthwith give information of the receipt by him of the notice to an Inspector of the Local Authority, who shall forthwith report the same to the Local Authority.

Notification of Disease by Veterinary Surgeons.

2.—(1) A veterinary surgeon who examines any animal or the carcase of any animal, and is of opinion that the animal is affected with pleuro-pneumonia, or was so affected when it died or was slaughtered, or suspects that the animal or carcase is or was so affected, shall with all practicable speed give notice of the affection or suspicion of affection :—

(a) to a constable of the police force for the police area in which the animal or carcase is who shall immediately transmit the information to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1, by telegraph,* and also

(b) to an Inspector of the Local Authority of the District in which the animal or carcase is who shall forthwith report the same to the Local Authority.

(2) A veterinary surgeon who under and in accordance with this Article gives notice of the existence or suspected existence of pleuro-pneumonia shall be entitled to receive from the Local Authority a fee of two shillings and sixpence for each notification.

(3) Where two or more animals or carcasses are examined by a veterinary surgeon on the same premises and at the same time and are found to be affected with pleuro-pneumonia or are suspected of being so affected, one fee only shall be payable to him in respect of the notification of the existence or suspected existence of pleuro-pneumonia in such animals or carcasses.

* Telegrams should be priority telegrams and addressed "Important, Agrif, Westrand, London."

Procedure of Inspector of Local Authority. Declaration of Infected Place.

3.—(1) An Inspector of a Local Authority who (a) receives notice under the preceding Articles or (b) has reasonable ground for suspecting that pleuro-pneumonia exists or has within fifty-six days existed on any premises shall forthwith serve a Notice (in the Form A set forth in the Schedule to this Order or to the like effect) on the occupier of the premises on which there is or was the animal or carcase to which the notice of disease refers, or on the occupier of the premises on which he has reasonable grounds for suspecting that pleuro-pneumonia exists or has within fifty-six days existed as the case may be, and shall in such Notice specify the limits of the Infected Place.

(2) On service of such Notice the premises shall become an Infected Place within the limits specified by the Notice and be subject to the Rules contained in Article 5 of this Order.

(3) The Inspector of the Local Authority shall forthwith send a copy of the Notice (Form A) to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1, and shall at the same time send copies of the Notice to the Local Authority and to the police officer in charge of the nearest police station of the district.

(4) Every such Inspector on leaving any premises on which pleuro-pneumonia exists, or is suspected to exist, shall thoroughly disinfect his boots and hands and shall also disinfect his clothes if they have been brought in contact with infection.

(5) Subject as hereinafter provided, the rules applied to an Infected Place by a Notice under this Article shall continue in force until such Notice is withdrawn by a further Notice (in the Form B set forth in the Schedule to this Order or to the like effect) served by an Inspector or Officer of the Ministry on the occupier of the Infected Place.

(6) The limits of an Infected Place may at any time be altered by an Inspector or Officer of the Ministry by Notice in writing served on the occupier of the Infected Place. Copies of any Notice so served shall be sent by the Inspector or Officer to the Ministry, the Local Authority and the police officer in charge of the nearest police station of the district.

Veterinary Enquiry by Local Authority as to existence of Pleuro-Pneumonia.

4.—(1) A Local Authority on receiving information of the existence or suspected existence of pleuro-pneumonia shall forthwith cause enquiry to be instituted as to the correctness of such information with the assistance and advice of a Veterinary Inspector. The opinion of such Inspector as to the existence or otherwise of pleuro-pneumonia shall be subject to confirmation by the Minister.

(2) Every such Veterinary Inspector before entering any premises in which pleuro-pneumonia exists, or is suspected to

exist, shall put on suitable boots and overall clothing which are capable of being disinfected, and immediately before leaving such premises shall thoroughly disinfect his boots, overall clothing and hands with an approved disinfectant.

(3) The Local Authority shall supply to every such Veterinary Inspector the boots, overall clothing and disinfectants required to be used under the foregoing provision.

(4)—(a) The owner and occupier of any premises on which there is or has been an animal affected with, or suspected of being affected with pleuro-pneumonia or the carcass of any such animal, and the veterinary surgeon, if any, who has been attending or been consulted respecting the said animal or carcass, and any person who has been in charge of the animal or carcass or in any manner exposed to infection by contact with it or otherwise shall give all reasonable facilities for an enquiry under this Article and generally for the due execution and enforcement of the provisions of this Order by the Ministry, the Local Authority and their Officers.

(b) Any such owner, occupier, veterinary surgeon, or person as aforesaid shall, if so required by the Ministry or Local Authority or their Officers, give all such information as he possesses as to the animal or carcass.

Rules to be observed on an Infected Place.

5.—(1) Any premises declared to be an Infected Place under Article 3 of this Order shall be subject to the following Rules, namely :—

Rule 1. No animal shall be moved into or out of an Infected Place except with a licence granted by an Inspector or Officer of the Ministry and in accordance with such conditions as may be specified therein.

Rule 2. No carcass shall be removed out of an Infected Place except with a licence granted by an Inspector or Officer of the Ministry and in accordance with such conditions as may be specified therein.

Rule 3. No fodder, litter, dung, utensil, pen, hurdle, vehicle or other thing shall be removed out of an Infected Place except with a licence granted by an Inspector of the Ministry and in accordance with such conditions as may be specified therein.

(2) An Inspector of the Ministry acting under the direction of the Minister may by Notice in writing to the occupier of an Infected Place direct that :—

(a) Such additional Rules as may be specified in such Notice shall apply to the Infected Place; or

(b) Any of the Rules prescribed by this Article shall cease to apply to the Infected Place or shall be modified or altered to the extent or in the manner specified in such Notice.

Removal of Dung or other things.

6. It shall not be lawful for any person to send or carry, or cause to be sent or carried, on a railway, canal, river, or inland navigation, or in a coasting vessel, or on a highway, road or lane, any dung, fodder, litter, or thing that have been in an Infected Place, or that has been in any place in contact with or used about an animal affected with pleuro-pneumonia or suspected of being so affected, except with a licence granted by an Inspector and in accordance with such conditions as may be stipulated therein.

Disinfection for Pleuro-Pneumonia.

7.—(1) An Inspector of the Ministry may cause or require any shed or other place which has been used for an animal while affected with or suspected of being affected with pleuro-pneumonia and any utensil, pen, hurdle or other thing used for or about such animal, to be cleansed and disinfected to his satisfaction.

(2) The owner and occupier and person in charge of any shed or other place which has been used for any animal while affected with or suspected of being affected with pleuro-pneumonia shall give all reasonable facilities to an Inspector or Officer of the Ministry for the cleansing and disinfection of such place, and of any utensils, pens, hurdles, or other things used for or about such animal.

Prohibition of Movement of Animals Exposed to Infection.

8.—(1) Where an Inspector of a Local Authority receives in any manner whatsoever information or has reason to believe that there is in the district of the Local Authority an animal which there is reasonable ground to suspect has been in contact with any animal affected with pleuro-pneumonia or otherwise exposed to the infection of pleuro-pneumonia he shall, and in any other case in respect of any animal in the district, if he considers it expedient so to do for the purpose of preventing the spread of the disease, may, forthwith serve a Notice (in the Form D set forth in the Schedule to this Order or to the like effect) as herein provided on the owner or person in charge of the animal; provided that if the animal is in any of the places referred to in (a) to (f) of Article 11 of this Order the Inspector shall before the service of the Notice (Form D) cause the animal to be seized and moved to some convenient and isolated place approved by him for the purpose of the detention of the animal under the said Notice.

(2) An Inspector of the Ministry may, in any case if he considers it expedient so to do for the purpose of preventing the spread of disease, serve a Notice (in the Form D set forth in the Schedule to this Order or to the like effect) as herein provided on the owner or person in charge of any animal.

(3) After the service of a Notice under paragraphs (1) or (2) of this Article it shall not be lawful for any person, until the operation of the Notice terminates or the Notice is withdrawn by a further Notice in writing (in the Form E set forth in the Schedule to this Order or to the like effect) signed by an Inspector of the Local Authority or of the Ministry as the case may be—

- (a) to move the animal from or out of any place from or out of which movement is prohibited by the Notice ; or
- (b) to move from or out of such place any other animal that may be thereon or therein ; or
- (c) to move any other animal on to or into such place ; or
- (d) to permit any animal to which the Notice applies to stray out of such place or to come into contact with any other animal.

(4) Where in the opinion of the Minister or of an Inspector of the Ministry it is expedient, with a view to determine whether an animal in respect of which a Notice has been served under this Article is affected with pleuro-pneumonia that a veterinary examination of it should be made, the Local Authority shall at the request of the Minister or of an Inspector of the Ministry acting under any general or special directions given by the Minister, cause such examination to be carried out forthwith by a Veterinary Inspector of the Local Authority. The result of the examination shall forthwith be communicated to the Minister or to the Inspector of the Ministry as the case may be.

Power to require separate Isolation of Animals subject to a Notice (Form D).

9.—(1) Notwithstanding anything contained in the preceding Article an Inspector of the Ministry may by Notice in writing served on a person on whom a Notice in the Form D or to the like effect has been served, direct that until the operation of the Notice Form D terminates or the Notice is withdrawn in the manner prescribed by this Order any animal subject to the Notice shall be isolated from all other animals (whether subject to the Notice Form D or not) in a specified field, shed, sty, or other place forming part of the premises to which the Notice Form D applies.

(2) The Inspector may insert in such Notice such conditions or restrictions as the Inspector acting under the general direction of the Minister may prescribe.

Prohibition from Exposing or Moving Animals affected with or Suspected of Pleuro-Pneumonia.

10.—(1) Subject to any other provisions of this Order authorising or directing the movement of animals it shall be unlawful for any person :—

- (a) to expose an animal affected with, or suspected of being affected with pleuro-pneumonia in a market, fair-ground, sale-yard, place of exhibition, or other public

or private place where animals are commonly exposed for sale or exhibition; or

(b) to place such animal in a lair or other place adjacent to or connected with a market, fair-ground, or sale-yard, or where animals are commonly placed before or after exposure for sale or exhibition; or

(c) to send or carry, or cause to be sent or carried, such animal on a railway, canal, river or inland navigation, or in a coasting vessel; or

(d) to carry, lead, or drive, or cause to be carried, led, or driven, such animal on a highway, road or lane; or

(e) to place or keep such animal on common or uninclosed land, or in a field or place insufficiently fenced, or in a field adjoining a highway, road or lane unless that field is so fenced or situate that animals therein cannot in any manner come in contact with animals passing along that highway, road or lane or grazing on the sides thereof; or

(f) to graze such animal on pasture being on the sides of a highway, road or lane; or

(g) to allow such animal to stray on a highway, road or lane or on the sides thereof, or on common or uninclosed land, or in a field or place insufficiently fenced.

(2) The provisions of Article 11 of this Order with respect to the seizure and detention of animals under that Article shall apply in the case of any animal exposed or otherwise dealt with in contravention of this Article.

Pleuro-Pneumonia found or suspected in a market, railway station, or other like place, or during transit.

11. If an animal is found to be affected with pleuro-pneumonia or is suspected to be so affected:—

(a) while exposed for sale or exhibited in a market, fair-ground, sale-yard, place of exhibition, or other public or private place where animals are commonly exposed for sale or exhibition; or

(b) while in a lair or other place where animals are commonly placed before or after exposure for sale or exhibition; or

(c) while in or on a landing-place or wharf or railway station or other place during transit; or

(d) while in course of being moved by land or by water; or

(e) while on common or uninclosed land; or

(f) while in any other place not in the possession or occupation or under the control of the owner of the animal or his authorised agent;

the following provisions shall apply (namely);

(Seizure of Animals.)

- (i) An Inspector of the Local Authority shall cause to be seized any animal affected with or suspected of being affected with pleuro-pneumonia and also any animal being in or on the market, fair-ground, sale-yard, place of exhibition, lair, landing place, wharf, railway station, common, uninclosed land, or other such place as aforesaid and shall forthwith transmit the information to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1, by telegraph*.
- (ii) The Inspector of the Local Authority shall cause any such animal so seized to be detained at the place where it is seized, or to be moved to some convenient and isolated place and there detained.
- (iii) The Inspector of the Local Authority shall cause, so far as practicable, any animal affected with or suspected of being affected with pleuro-pneumonia to be kept separate during such movement and detention from animals not so affected or suspected.
- (iv) An animal so seized and detained shall not be moved from the place of detention except at the direction or with a licence of an Inspector of the Ministry.

(Declaration of Infected Place by Minister only.)

- (v) The market, fair-ground, sale-yard, place of exhibition, lair, landing-place, wharf, railway station, common, uninclosed land or other such place as aforesaid, or any part thereof, in or on which an animal affected with or suspected of being affected with pleuro-pneumonia is found in any case in which this Article applies shall not by reason thereof be declared to be an Infected Place or part of such an Infected Place except by direction of the Minister, and then subject to such Rules as may be specified by him.

(Expenses.)

- (vi) The Local Authority may recover summarily as a civil debt the expenses of the execution by them or by their Inspector or other Officer of the provisions of this Article from the owner of any animal seized, or from the consignor or consignee thereof, who may recover the same from the owner by proceedings in any court of competent jurisdiction.

(Imported Animals Wharves, etc.)

- (vii) Nothing in this Article shall apply to an Imported Animals Wharf or Landing Place or to an Imported Animals Quarantine Station.

* Telegrams should be priority telegrams and addressed "Important, Agrif, Westrand, London."

Food and Water during Detention.

12. An Inspector, Officer or constable seizing or detaining an animal shall cause it to be supplied with requisite food and water and shall make all necessary provision for its comfort and well-being during its detention; and the expenses incurred by him in respect thereof may be recovered summarily as a civil debt from the person having charge of the animal or from its owner.

Transmission of Copies of Notices.

13.—(1) An Inspector shall with all practicable speed send copies of any Notice served by him under this Order to the Local Authority, to the Police Officer in charge of the nearest police station of the District, and to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W. 1.

(2) This Article, in so far as it requires copies of Notices served to be sent to the Secretary of the Ministry, shall not apply in the case of any Notice (Form D or Form E) served by an Inspector of the Local Authority under Article 8 of this Order.

General Provisions as to Movement.

14.—(1) An animal while being moved under this Order, shall as far as practicable be kept separate from all other animals and, if moved with a licence, shall be moved by the nearest available route and without unnecessary delay to the place of destination specified in the licence, and not elsewhere, and where the place of destination is a slaughterhouse, it shall be there detained until it is slaughtered.

(2) A licence under this Order shall accompany the animal being moved thereunder and shall forthwith after completion of the movement be delivered up at, or sent by post to the nearest police station of the District by the person in charge of the animal at the time of completing the movement.

(3) Any person in charge of an animal or thing being moved, where under this Order a licence or other permission is necessary, shall, on demand by a constable, or an Inspector or other Officer of the Ministry or of a Local Authority, produce the licence and allow a copy of or extract from it to be taken, and shall, also if required, give his name and address.

Change of Occupation of Premises.

15.—(1) Where by reason of the termination of his right of occupation of any land the owner of any live stock on such land is unable to remove the same therefrom by reason of any restriction of movement imposed by any Order of the Minister relating to pleuro-pneumonia, the person entitled to the occupation of the land on such termination aforesaid:—

(a) shall afford the owner of the live stock, and any person authorised by him, all such facilities for feeding,

tending or otherwise using the stock, or for the sale of the stock, as the owner thereof may reasonably require; or

- (b) where the owner thereof is unable or unwilling to avail himself of such facilities, shall take all such steps as are reasonably necessary for the proper feeding, tending or otherwise using the stock.

(2) These provisions shall continue to apply so long as the restriction on movement prevents the removal of the stock, and for seven days after such restriction ceases to operate, and the owner of the stock shall be liable to pay to the person who affords any such facilities or renders any such services as aforesaid in compliance with this Article, such sums by way of remuneration or recoupment of expenses as may be just and reasonable, the amount in default of agreement to be determined by arbitration under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1923,^(a) in England and Wales, and the Agricultural Holdings (Scotland) Act, 1923,^(b) in Scotland.

Power to revoke Licences.

16. Without prejudice to any power of revocation of the Minister under this Order or otherwise a Local Authority may revoke any licence or permission granted by them under this Order.

Offences.

17. Any person committing, or aiding, abetting, counselling or procuring the commission of any breach of the provisions of this Order, or of any rules made hereunder shall be liable, on summary conviction, to the penalties provided by the Diseases of Animals Acts, 1894 to 1927.

Local Authority to enforce Order.

18. The provisions of this Order shall, except where it is otherwise provided, be executed and enforced by the Local Authority.

Interpretation.

19. In this Order, unless the context otherwise requires:—

“ Animals ” means cattle, and includes bulls, cows, oxen, heifers, and calves.

“ Approved Disinfectant ” means a disinfectant approved for the time being by the Minister for use for the purposes of the Diseases of Animals (Disinfection) Order of 1926^(c) if used at the dilution at which it is so approved.

(a) 13-4 G. 5 c. 9.

(b) 13-4 G. 5. c. 10.

(c) S.R. & O. 1926 (No. 545), p. 69.

“ Carcase ” means the carcase of any animal and includes part of a carcase, and the meat, bones, hide, skin, hoofs, horns, offal, or other part of the animal separately or otherwise, or any portion thereof.

“ Disinfect ” and “ disinfect ” means disinfect or disinfect with an approved disinfectant.

“ Infected Place ” means any premises declared to be an infected place by a notice served by an Inspector.

“ Inspector ” includes Veterinary Inspector; and includes Inspector of the Ministry and of the Local Authority unless otherwise expressly stated.

“ Lair ” means any place used for the reception or temporary detention of animals before or after their exposure for sale or exhibition.

“ Minister ” means the Minister of Agriculture and Fisheries.

“ Ministry ” means the Ministry of Agriculture and Fisheries.

Revocation.

20. The Pleuro-Pneumonia Order of 1895^(a) is hereby revoked.

Extent.

21. This Order extends to England, Wales and Scotland.

Commencement.

22. This Order shall come into operation on the first day of April, nineteen hundred and twenty-eight.

Short Title.

23. This Order may be cited as the Pleuro-Pneumonia Order of 1928.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twenty-third day of March, nineteen hundred and twenty-eight.

(L.S.)

J. Jackson.

Authorised by the Minister.

(a) S.R. & O. 1895, No. 99 (printed in London Gazette, February 26, 1895, not in S.R. & O. series).

Schedule.**FORMS.****FORM A.**
(Article 3.)**DISEASES OF ANIMALS ACTS.****PLEURO-PNEUMONIA ORDER OF 1928.***Notice Defining Infected Place.*

To A.B., of

I, the undersigned, being an Inspector appointed by the Local Authority for the (county) of _____ hereby give you notice as the occupier of the under-mentioned premises, that in accordance with the provisions of the Order of the Minister under which this Notice is served the under-mentioned premises are hereby declared to be a Pleuro-Pneumonia Infected Place for the purposes of the said Order, and that the said premises accordingly become subject to the Rules set out below. Any person infringing these Rules is liable to heavy penalties.

This Notice remains in force until it is withdrawn by a subsequent Notice (Form B) served by an Inspector or Officer of the Ministry on the occupier of the Infected Place.

Dated this _____ day of _____ 19__.

(Signed)

(Address)

Description of Infected Place, stating Parish.

NOTE.—The Inspector is with all practicable speed to send a copy of this Notice to the Secretary, Ministry of Agriculture and Fisheries, Whitehall Place, London, S.W.1, to the Local Authority, and to the police officer in charge of the nearest police station of the District.

Rules to be Observed on a Pleuro-Pneumonia Infected Place.

(Insert Rules as set out in Article 5.)

FORM B.

(Article 3.)

DISEASES OF ANIMALS ACTS.**PLEURO-PNEUMONIA ORDER OF 1928.***Withdrawal of Notice Defining Infected Place (Form A).*

To A.B., of

I, the undersigned, being an Inspector (or Officer) of the Ministry, hereby withdraw, as from this _____ day of _____ 19__, the Notice (Form A) signed by _____ and served upon you on the _____ day of _____ 19__.

Dated this _____ day of _____ 19__.

(Signed)

Of the Ministry of Agriculture and Fisheries.

NOTE.—If the limits of the Infected Place have been altered by a Notice served by an Inspector or Officer of the Ministry, this Notice applies to the Infected Place as so altered.

The Inspector (or Officer) is with all practicable speed to send copies of this Notice to the Ministry, to the Local Authority, and to the police officer in charge of the nearest police station of the district.

Form D.

(Article 8.)

DISEASES OF ANIMALS ACTS.

PLEURO-PNEUMONIA ORDER OF 1928.

Notice to Owner or Person in Charge prohibiting Movement of Animals.
To E.F., of

I, the undersigned, being an Inspector appointed by the Local Authority of the (county) of (or being an Inspector of the Ministry), hereby prohibit the movement of the following animal, namely, from or out of (*here describe the farm, field, shed, sty, or other place where the animal is to be detained*), and I hereby require you to take notice that, in consequence of this Notice and the provisions of the Order of the Minister under which this Notice is issued, it is not lawful for any person (until the day of nineteen hundred and , on which date the operation of this Notice terminates or)* until this Notice is withdrawn—

- (a) to move such animal from or out of such place as aforesaid; or
 - (b) to move from or out of such place as aforesaid any other animal that may be thereon or therein; or
 - (c) to move any other animal on to or into such place as aforesaid;
- or
- (d) to permit any animal to which the Notice applies to stray out of such place or to come into contact with any other animal.

Dated this day of 19 .

(Signed)

(Address)

WARNING.—Any person committing or aiding, abetting, counselling or procuring the commission of any breach of the provisions of this Notice is liable, on summary conviction, to the penalties provided by the Diseases of Animals Acts, 1894 to 1927.

The Inspector is with all practicable speed to send copies of this Notice to the Local Authority and to the police officer in charge of the nearest police station of the district.

Form E.

(Article 8.)

DISEASES OF ANIMALS ACTS.

PLEURO-PNEUMONIA ORDER OF 1928.

Withdrawal of Notice (Form D).

To E.F., of

I, the undersigned, being an Inspector appointed by the Local Authority for the (county) of (or being an Inspector of the Ministry), hereby withdraw, as from this day of

* Strike out if inapplicable.

19 , the Notice (Form D) signed by _____
and served upon you on the _____ day of _____ 19 ,
prohibiting movement of the animal referred to in that Notice.

Dated this _____ day of _____ 19 .

(Signed)

(Address)

The Inspector is with all practicable speed to send copies of this Notice to the Local Authority and to the police officer in charge of the nearest police station of the district.