

# STATES OF JERSEY



## **DRAFT EUROPEAN COMMUNITIES LEGISLATION (IMPLEMENTATION) (BOVINE SEMEN) (JERSEY) REGULATIONS 200**

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**Lodged au Greffe on 14th March 2008  
by the Chief Minister**

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**STATES GREFFE**



Jersey

# **DRAFT EUROPEAN COMMUNITIES LEGISLATION (IMPLEMENTATION) (BOVINE SEMEN) (JERSEY) REGULATIONS 200**

## **REPORT**

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### **Introduction**

In April 2007 the Chief Minister received a joint request from the RJA&HS council and the JMMB requesting the removal of the current prohibition on the importation of cattle semen in the Artificial Insemination of Domestic Animals (Jersey) Law 1952 (the “**1952 Law**”).

This would be achieved by implementing in Jersey European Council Directive 88/407/EEC of 14th June 1988 laying down the animal health requirements applicable to intra-Community trade and imports of semen of domestic animals of the bovine species, as amended (OJ L 194, 22.7.1988, p.10) (“**Directive 88/407**”). Save to the extent that Article 30 of the Treaty establishing the European Community applies, Directive 88/407 is applicable to Jersey pursuant to Protocol 3 of the Act concerning the Conditions of Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community and the Adjustments to the Treaties (OJ 1927 L 73) and European Council Regulation (EEC) No. 706/73 of 12th March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products.

Directive 88/407 will be implemented by the proposed European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200- (the “**Regulations**”) and the future Artificial Insemination of Domestic Animals (Bovine Semen) (Jersey) Order 200- and the Artificial Insemination of Animals (Jersey) Order 200- (the “**Orders**”).

Although the Orders are not subject to amendment by the States and will not be made unless the Regulations are approved, they form an essential element of the overall package as they provide the control framework within which the import, export, disease testing, storage and use of cattle semen will be regulated. For this reason they are appended to this report for information. The Orders will be made to come into force on the same date as the Regulations come into effect. The future Artificial Insemination of Domestic Animals (Bovine Semen) (Jersey) Order 200- regulates the collection, use, importation and exportation of bovine semen and the future Artificial Insemination of Animals (Jersey) Order 200- allows the Minister to control by a system of licensing those people involved in carrying out artificial insemination of cattle.

The request from the industry followed a positive vote by registered milk producers at a meeting held to discuss the issues surrounding semen imports, organised by the RJA&HS. When the above meeting was held there were 33 registered dairy farmers in Jersey supplying milk to the JMMB, of which 26 voted in the RJA&HS ballot. All registered milk producers were given the opportunity to participate in the ballot.

The ballot gave a very clear result in favour of importing semen, with 79% of those registered milk producers participating casting their vote in favour of the proposition (representing 62% of the total dairy farmers). Those farmers voting in favour managed between them 2,632 milking cows (75%) out of an Island total of 3,490 milking cows. In addition one registered milk producer managing a large dairy herd of 275 milking cows, not attending or voting at the RJA&HS meeting, wrote directly to the Chief Minister to signify his agreement to the importation of semen. The RJA&HS checked with producers again in February 2008, as 4 producers had by then left the industry, and the result was the same with 60% of dairy farmers voting for importation of semen and they are responsible for managing approximately 75% of the Island herd.

Registered milk producers are those currently running commercial dairy farming businesses in Jersey and therefore have a vested interest in a sustainable future for the industry. The above ballot has demonstrated it is their majority view that semen importation is crucial to the future efficiency of their farms and the future sustainability of the industry as a whole. Their request is endorsed by the Council of the RJA&HS and the Jersey Milk Marketing Board and has been given favourable consideration in the recent reviews undertaken by dairy consultants Promar International and Dr. Maurice Bichard OBE, PhD, FIBiol of the University Reading. The Scrutiny Sub-Panel Report “Review of the Dairy Industry” states “One of the most divisive issues for the dairy producers is the question of the importation of genetic material. It is not disputed, however, that the cumulative financial benefits of using imported genetics begin to outweigh the costs after approximately seven years”.

The following report therefore sets out the issues surrounding the importation of bovine semen and argues in favour of adopting the provisions contained in the proposed Regulations which would remove the current ban on the importation of cattle semen and together with the related Order put in place the animal health requirements applicable to intra-Community trade in bovine semen as set out in Directive 88/407.

### **Scientific evidence in favour of semen importation**

Due to the reduced number of animals after the restructuring of the Dairy industry in 2002, the RJA&HS commissioned in July 2003 Dr. Maurice Bichard OBE, PhD, FIBiol of the University of Reading, who is a highly respected animal geneticist, to carry out a review of the Island dairy herd (“Sustainable Development of the Island’s Dairy Cattle”) and to make recommendations as to the future management and development of the herd, on a sustainable basis.

The report shows the Island herd is some 15% to 20% behind the genetics of Jersey herds internationally in terms of average milk yields. It also demonstrates that genetic progress from 1988 to 2007 has been slow (0.6% per annum) principally because of the small cattle population and lack of uptake by producers. In addition it also highlighted the effect of the dairy industry restructuring in 2002 which reduced the population (from 4,500 cows to 3,300) to a level where even genetic maintenance, because of inbreeding, may not be achievable in the medium to long term.

Dr. Bichard concluded that *“it would be of benefit to Island farmers and their customers, if importation of Jersey breed semen were permitted”*. Since that time continuing changes in the marketplace for milk has resulted in a further reduction in the Island herd which now stands at some 3,000 breeding cows. The RJA&HS Council has stated that they believe that this renders the Island herd unsustainable as a closed population in the context of the accepted minimum threshold of 5,000 breeding females.

The RJA&HS have calculated that Island cows are over 15% less productive than the UK Jersey population in milk production efficiency and even further behind those of international Jersey populations. The use of international genetics would also be used to improve other traits of economic and welfare importance to Jersey dairy farmers. including longevity, butterfat and protein %, concentrate feed usage and susceptibility to mastitis infection.

### **Economic Advantages of importing bovine semen**

#### *Milking herd efficiency*

A financial analysis of importing semen by the States livestock advisor (endorsed by Promar-International) clearly shows that over a 10 year period significant gains can be made in milk yields per cow, as well as savings in feed use per litre of milk produced. Based on an average 120 cow herd, the extra profitability generated over 10 years of exclusively using genetically superior bull semen would amount to approx£74,000. From year 10 onwards, the annual increase in profitability equates to approx£200 per cow or 3.9 pence per litre. It also demonstrates that for the first 3 years there is no increase in milk yield coupled with higher costs being incurred and it takes 6 to 7 years for extra profit from improved genetics to be generated, thereafter the advantages can add up to over £20,000 per annum on an average 120 cow herd. The reason that using imported semen is so advantageous is that an individual dairy business can either continue to grow milk output without increasing cow numbers and fixed costs involved in production (such as housing, labour, rent and machinery, etc.), or reduce cow numbers while producing the same amount of milk and thereby reducing its costs. Fixed costs are currently very high in Jersey, they are notoriously difficult to reduce and are one of the main reasons for low profitability in most of the Island herds, as shown by the Dairy Industry Costings Scheme.

#### *Export trade in pedigree cattle*

In addition to milking herd efficiency, the importation of bovine semen will reinvigorate the export trade for pedigree Jersey Island cattle and could potentially in the medium result in the resumption of semen exports. Historically the trade in Jersey cattle was a mainstay of the farming industry in the Island, but currently this trade is virtually non-existent. The main reason for the decline is the lack of genetic progress in the island breed over the last 20 years. The RJA&HS regularly receive inquiries for livestock which cannot be filled because potential customers want breeding stock with modern genetics, and do not value the production inefficiencies of the current Island’s herd. Jersey has some of the best breeders of Jersey cattle in the world and it could be argued they are undertaking this task with one hand tied behind their backs owing to the prohibition on the importation of world class genetics into Jersey.

### **Current EU arrangements for the trade in bovine semen**

Subject to satisfactory safeguards for disease control there is a presumption of the free movement of agricultural goods and products in intra-Community trade. Although restrictions on trade, such as exist under the 1952 Law, to prohibit the importation of cattle semen into Jersey, may be the subject of criticism and legal argument as to their validity, there are arguments that can be applied to resist such claims. It is unnecessary in

this Report to go into such areas, but sufficient to advise members that if there is a difficulty at present, then in so far as that difficulty relates to cattle semen, the proposed Regulations remove this difficulty. There are other aspects of the 1952 Law which may need to be returned to on a similar basis at a later date.

The proposed Regulations will, together with the Orders, implement in Jersey Directive 88/407, as amended, laying down the animal health requirements applicable to intra Community trade in and imports of semen of domestic animals of the bovine species.

Imports of bovine semen from outside the EU would have to come via a EC semen storage centre and will be subject to the same conditions and certification as intra community traded semen. Therefore the provisions of Directive 88/407 relating to imports from outside the EU have to be met, for example the semen has come from countries and semen centres approved under Directive 88/407.

Notification of movement and certification would be through TRACES. TRACES is an internet-based system for the creation of health certificates and notification of the movement of products/animals between Member States. It allows the creation of a health certificate by central authorities for animals or their products to be exported to another member state. It is used to inform the authorities in the region of destination of the movement and to record animal movement in case of a notifiable disease. It is also a tool for monitoring animal welfare. It is also used for movement notification between the Channel Islands, IOM and UK Mainland and UK Northern Ireland.

Imports of bovine semen to Jersey from other places in the British Islands (internal movements for which intra-Community trade certification cannot be used) would be controlled by an export health certificate (EHC) agreed with DEFRA, for the UK. We have such agreements for pig, sheep and goat semen and the States Veterinary Officer would agree similar arrangements for the import of bovine semen.

#### *Disease controls*

Directive 88/407 ensures that bovine semen traded in the EU, and the animals from which it was collected, have been certified free of the relevant diseases, including:

- • Foot and Mouth disease
- • Rabies
- • Tuberculosis
- • Brucellosis
- • Anthrax
- • Blue Tongue
- • Bovine Viral Diarrhoea
- • Enzootic Bovine Leucosis.

The above is not an exhaustive list but is included in this document to indicate the professional way semen trading is undertaken throughout the EU. This comprehensive disease testing regime together with 30 day quarantine of semen following collection, and the operation of EU trade regulations means there is a negligible risk of bovine disease being transferred via semen imports. The future Artificial Insemination of Domestic Animals (Bovine Semen) (Jersey) Order 200- gives full effect to Directive 88/407 in Jersey by establishing a control regime for the collection, storage, disease testing and use of semen, both within the Island and for semen that is either imported or exported.

#### **Safeguards to the pedigree of the Jersey Island cow**

Since its foundation in 1833 the RJA&HS has been dedicated to the improvement of the Jersey cow. The export trade in Jersey cattle was already well established when the society was founded, and flourished over the next 100 years with many of the finest animals bred in the Island being exported at very high prices. The Jersey Herd Book was started in 1866 with other national societies following and all having adopted the same principles of pedigree registration. Other important milestones were animal identification and the classification and linear profile for each animal. Today there are over one million pedigree Jersey's registered with national societies all affiliated to the World Jersey Cattle Bureau. Jersey holds less than 1/10th of 1% of the world's pedigree Jersey cattle population however Jersey is the home of the breed from which all pedigree Jersey cattle around the world can trace their ancestry.

#### *Pedigree safeguards*

To safeguard the pedigree of the Island breed the RJA&HS Council have resolved to only register the offspring of bulls with a pedigree that shows that all its forebears have a pure Jersey pedigree for at least 7 generations. This safeguard will ensure only semen from bulls with a pure Jersey ancestry will have offspring included in

the Jersey Island pedigree register. The inclusion of pure Jersey bloodlines, from the international pedigree registered herd book, will not alter the size, colour or beauty of Jersey Island cattle to the casual observer. The general public or visitors to the Island will continue to see the same Jersey cow in her island home.

#### *DNA testing*

DNA testing is routinely undertaken to check the parentage of bulls selected for semen collection. DNA testing is carried out when Jersey bulls are selected for semen collection in USA, Canada, Denmark, Australia and New Zealand and these are the most likely sources of improved genetics. DNA testing is used to positively establish the sire and dam of any bull within a 99.999% accuracy, a negative test is 100% accurate.

The RJA&HS has resolved to DNA test semen from each imported bull on consignment when the straws arrive at their AI centre thereby eliminating the possibility of a mistake involving animal identity or the inclusion of another breed. In addition the RJA&HS already undertakes DNA testing to establish the parentage of Island bulls prior to their inclusion in the Island Herd Book this practice will continue post semen imports again insuring the purity of the breed. Wetherby's, a highly respected livestock company with a worldwide reputation, have been approached to undertake DNA testing on behalf of the RJA&HS to safeguard the purity of any future semen imports. As a final safeguard, the legislation allows for the destruction of any progeny of any semen which it is found after the event did not satisfy the import conditions.

#### *Use of imported semen is optional*

The use of imported bovine semen will not be compulsory, and those farmers who wish to continue breeding their cows to traditional bloodlines will be able to make that choice. To ensure choice is available, the RJA&HS intend to continue with the collection of semen from Island-bred bulls and offer their semen for use to dairy farmers. In addition, the RJA&HS has maintained a bank of semen from every bull that has been collected over the last 20 years and this is available to dairy farmers wishing to breed traditionally.

#### *Importation of non-Jersey Semen*

The fact that semen imports could not legally be limited on genetic grounds to only pure Jersey semen was made clear to registered milk producers prior to the ballot being undertaken. However, the niche opportunity exists to improve the efficiency and volume of beef production in Jersey by the use of semen from selected beef breeds. There is currently some interest in local meat production, including beef; however a pure bred Jersey steer lacks the growth rate, feed efficiency and carcass quality of breeds specifically designed for beef production. The ability to import semen from selected beef breeds could help the economics of beef production in the Island, satisfy the growing trade in local meat, improve the throughput of the upgraded abattoir and reduce the number of unwanted calves born in Jersey.

Therefore it is possible that some beef breed semen may be used in a limited way. As explained in the previous sections, the pedigree status of the Jersey herd will be protected, and indeed as all cattle in the Island are recorded by the Society, as demanded by legislation, then there is full traceability. In Guernsey some 70 beef animals are raised each year for the local beef market, and the integrity of the pedigree Guernsey herd is not affected by this. In Guernsey, where imported semen has been used for decades, niche beef production has been seen as a means of complimenting the income of dairy units without jeopardising the existence of the local breed.

#### *Other dairy breeds*

The JMMB Rules of Supply, which are obligatory for registered dairy farmers supplying milk to the Five Oaks dairy, states that only milk from recorded pure Jersey cows will be collected for processing. This JMMB rule removes the incentive for dairy farmers to use non-Jersey dairy bulls. It is understood that the JMMB or any successor company would continue with the above rule, ensuring milk supplied to its customers will continue to be of pure Jersey origin. The industry representatives are clear that there are many logistical and practical reasons which would stop other dairy breeds appearing in Jersey. As described, the RJA&HS will only deal in pedigree traceable Jersey semen, and through the Herd Book rules, the pedigree status of the Islands herd will be protected.

In Guernsey, dairy farmers have been at the forefront of a Guernsey breed worldwide improvement program for the last 30 years following allowance of the importation of semen. International pedigree Guernsey bul semen has been used widely to improve the genetics of the Island strain. Milk yields and other traits in Guernsey have improved in line with the world population and because of the skill of the local breeders have an international reputation as a centre of breed excellence. The import of bovine semen into Guernsey has not resulted in the loss of the breed but has contributed to the strength of the breed in its Island home without jeopardising that Island's controls on imported liquid milk. The only milk-producing cattle in the Island are Guernseys and, as in Jersey, the local milk market is supplied by the local herd.

#### **Impact on the controls on liquid milk imports**

The importation of liquid milk in to Jersey is only allowed by licence under the provisions of the Import and Export (Control) Jersey Law 1946, as amended. There is no intention to relax the current policy of not licensing milk imports unless local supply does not meet local demand or that policy is subjected to a successful legal challenge.

This import control strategy was challenged in 2001 by a referral to the European Commission and the Island was invited to present its comments on the legality of that strategy under EU law, which it did. It was argued that due to the small market size, the viability of the Island's herd and the maintenance of the gene pool the controls needed to be maintained. It was argued that the aim of protecting the health and status of this unique, iconic and historically valuable Jersey herd was compatible with Community law and was justified and proportionate. It was also justified under the 1992 Convention on Biodiversity.

Although the EU did not formally reply, the Island authorities were advised by the UK Permanent Representative to the EU (UKREP) that the item was no longer on the European Commission's list for further action, and that it had decided to take no further action on the complaint. Therefore, although there is no formal EU derogation supporting our laws controlling the importation of liquid milk, the present position is that the European Commission, having been notified of the existence of the import controls and an objection asserted against them, does not consider that they should be challenged.

There is currently a presumption by some that due to the case being based partly on a closed-herd argument that if importation of semen was allowed this would weaken the case. While it is a reasonable assumption that the closed herd argument was helpful in persuading the Commission to take no further action and that while future strategy should be made as compatible with this case as possible, there have been fundamental changes in the industry since the case was originally presented.

Since then the herd size has reduced by about 30% and is now about 3,100 milking cows, this is below the 4,000 to 5,000 that it was argued in the case as the minimum needed to allow for increased production efficiency and maintain the genetic integrity of the Island breed. Analysis of the factors affecting profitability of the industry, as shown by the Dairy Industry Costing Scheme, demonstrates that while the Dairy relocation will help increase profitability in the short term, the next step to improved profitability will come from higher productivity and increased efficiency at farm level. The JMMB have also stated that unless genetics are imported, they cannot achieve their aim of providing their consumers with milk at value-for-money prices which they believe will also negate challenges against the strict imposition of milk importation controls.

The industry maintains that the greatest threat to the importation of milk will be NOT to allow import of genetics, as leading producers are clear that they will not carry on in production without imported semen. This would probably lead ultimately to an under-supply of liquid milk, and milk will have to be imported to make good the shortfall.

### **Summary and conclusion**

The majority of producers argue that this change is necessary for the future of the industry, and fundamentally the pedigree status of the Jersey herd will be protected, it will not be compromised. It has been voted for by a majority of producers twice in the last 12 months.

Using imported pedigree Jersey semen will not change the look of the Jersey cow. The RJA&HS have stated categorically that to the layman the Jersey cattle in Jersey fields will look exactly as they do now. There is also no compulsion to use imported genetics and those that want to use semen collected in Jersey previously can do so or use semen from their own bulls.

Milk importation is not necessarily more likely with the adoption of this legislation; in fact the leading producers state that the failure to adopt it will trigger a decline in the industry that will ultimately lead to the importation of milk and loss of the historic herd.

It is sometimes argued by those against this change that Jersey has too much milk already and this would just make it worse. This is not the case, the recently reduced supply to Jersey Dairy is now just sufficient to guarantee an all year round supply of milk for the local liquid milk market and the profitable added value product lines. The use of genetics helps the efficiency of the herd; this can mean getting the same amount of milk for less costs (e.g. less feed, less cows). By making the herds more efficient and future expansion of production to meet market demand for value added products will be delivered from a lower cost base.

While there is the potential for non-Jersey type cattle in the Island, there is evidence as discussed that, as in Guernsey, there will be a niche amount if any. Their presence will not affect the pedigree status of the Island Jerseys.

The RJA&HS are confident that they can restore Jersey's place in the world Jersey community, this will create an export opportunity for semen and stock (currently Jersey semen has almost zero value outside the island). Importing semen is not just about milk yield or efficiency of production but also gives benefits such as animal

longevity and other health benefits. Due to the legislative controls proposed in future Orders there is negligible health risk.

It must be remembered that this request comes from the majority of dairy producers, it is a fundamental part of the JMMB's recovery plan and it will have benefits to farmers, their cattle and consumers.

**Financial/manpower implications**

There are no direct financial or manpower implications arising from these Regulations.





Jersey

## DRAFT ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS (BOVINE SEMEN) (JERSEY) ORDER 200-

### Explanatory Note

This Order regulates the collection, use, importation and exportation of bovine semen.



Jersey

## DRAFT ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS (BOVINE SEMEN) (JERSEY) ORDER 200-

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PART 4

MEASURES APPLICABLE TO SEMEN QUARANTINE AT AN EC COLLECTION CENTRE

## **SCHEDULE 3**

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DUTIES OF THE CENTRE VETERINARIAN IN EC STORAGE CENTRES

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## **SCHEDULE 5**

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DUTIES OF THE APPROVED PERSON IN DOMESTIC STORAGE CENTRES

## **SCHEDULE 6**

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DUTIES OF OPERATOR OF ON-FARM BOVINE SEMEN COLLECTION FACILITIES



Jersey

# DRAFT ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS (BOVINE SEMEN) (JERSEY) ORDER 200-

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

**THE MINISTER FOR PLANNING AND ENVIRONMENT**, in pursuance of Article 2 of the Artificial Insemination of Domestic Animals (Jersey) Law 1952, and **THE MINISTER FOR HOME AFFAIRS**, in pursuance of Articles 19 and 73 of the Customs and Excise (Jersey) Law 1999, order as follows –

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## PART 1

### GENERAL PROVISIONS

#### 1 Interpretation

(1) In this Order, unless a contrary intention appears –

“animal health certificate” means the health certificate referred to in Articles 3(d) and 6(1) of the Directive that is in a form approved by the Minister;

“approval” means an approval of a bovine animal under Article 5;

“approved person”, in respect of a domestic bovine semen centre, means the person approved by the Minister in respect of the centre under Article 19;

“bovine” includes the species *Bubalus bubalis* and *Bison bison*;

“bovine semen centre” means an EC bovine semen centre or a domestic bovine semen centre;

“cattle identification Regulations” means the European Communities Legislation (Implementation) (Cattle Identification) (Jersey) Regulations 2002;

“centre veterinarian”, in respect an EC bovine semen centre, means the veterinary surgeon approved by the Minister in respect of the centre under Article 6;

“Directive”, without any further description, means Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species;

“Directive 64/432/EEC” means Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine;

“domestic bovine semen centre” means premises licensed under Article 17;

“domestic collection centre” means premises licensed under Article 17(1);

“domestic storage centre” means premises licensed under Article 17(2);

“EC bovine semen centre” means premises licensed under Article 3;

“EC collection centre” means premises licensed under Article 3(2);

“EC quarantine centre” means premises licensed under Article 3(1);

“EC storage centre” means –

- (a) in respect of a centre in Jersey, premises licensed under Article 3(3); and
- (b) in respect of a centre in any other jurisdiction in the European Community, a centre approved as an EC storage centre under the legislation of that jurisdiction that implements the Directive;

“fresh bovine semen” means bovine semen that has not been frozen;

“inspector” means a person appointed by the Minister to be an inspector for the purposes of this Order;

“licence” means –

- (a) a licence in respect of a bovine semen centre granted under Article 3 or Article 17; or
- (b) a licence authorizing a person to collect bovine semen granted under Article 30;

“member State” means a member State of the European Community;

“Minister” means the Minister for Planning and Environment;

“processing”, in respect of bovine semen, means –

- (a) diluting the semen (except in the course of or immediately after its collection);
- (b) adding any substance to the semen with the intention of prolonging its natural life (except in the course of or immediately after semen collection);
- (c) adding any antibiotic to the semen;
- (d) packing the semen into straws or other appropriate receptacles; or
- (e) freezing the semen;

“straw” means a receptacle intended to be used to contain a single dose of bovine semen;

“teaser animal” means a bovine animal that is used or is intended to be used as an aid in the collection of bovine semen;

“veterinary surgeon” means a person whose name is for the time being entered, under Article 6 of the Veterinary Surgeons (Jersey) Law 1999, on the list of recognized veterinary surgeons maintained under that Article.

- (2) In this Order a reference to a Council Directive is a reference to that Directive as in force on the date this Order comes into force..

## **2 Exceptions**

- (1) This Order does not apply if bovine semen is collected for the artificial insemination of a bovine animal with fresh bovine semen and the animal that is to be inseminated –
  - (a) is in the same ownership and in the same herd as the animal from which the semen was collected; and
  - (b) is kept on the same premises as that animal.
- (2) Nor does this Order apply if bovine semen is collected –
  - (a) for assessing the suitability of an animal for use in breeding;
  - (b) for diagnosing infection or disease in a bovine animal; or
  - (c) for education or research,so long as the semen that is collected is neither –
  - (d) used for artificial insemination; nor
  - (e) the subject of intra-Community or intra-British Islands trade.

## **PART 2**

### **EC PROVISIONS**

### **3 Licensing of EC bovine semen centres**

- (1) The Minister may licence premises as EC quarantine centres, where bovine animals may be quarantined, if the premises –
  - (a) have bovine animal housing, including isolation facilities that have no direct communication with any normal bovine animal housing;
  - (b) are constructed so that the bovine animal housing can be readily cleaned and disinfected; and
  - (c) are constructed or isolated so that contact with livestock outside is prevented.
- (2) The Minister may licence premises as EC collection centres, where bovine semen intended for intra-Community trade or intra-British Islands trade may be collected, processed and quarantined, if the premises –
  - (a) have –
    - (i) bovine animal housing, including isolation facilities that have no direct communication with any normal animal housing,
    - (ii) semen collection facilities, including a separate room for the cleaning and disinfection or sterilisation of equipment,
    - (iii) facilities where semen may be processed, which need not be on the same site, and
    - (iv) a semen storage room, which need not be on the same site;
  - (b) are constructed or isolated so that contact with livestock outside the centre is prevented;
  - (c) are constructed so that the bovine animal housing and the semen collection and processing facilities and the semen storage room can be readily cleaned and disinfected; and
  - (d) are so designed that the bovine animal housing is separated from the processing facilities and both are separated from the semen storage room.
- (3) The Minister may licence premises as EC storage centres, where bovine semen intended for intra-Community trade or intra-British Islands trade may be stored, if the premises –
  - (a) are constructed or isolated so that contact with livestock outside is prevented; and
  - (b) have a semen storage room that can be readily cleaned and disinfected.

### **4 Licences to operate EC bovine semen centres**

- (1) An application for a licence to operate an EC bovine semen centre must –
  - (a) be made in writing to the Minister;
  - (b) be signed by the applicant for the licence and by the centre veterinarian;
  - (c) specify the premises for which the application is made; and
  - (d) specify the type of licence applied for.
- (2) A licence to operate an EC bovine semen centre shall specify –
  - (a) the address of the centre;
  - (b) the licence number of the centre as assigned to it by the Minister;
  - (c) the name of the licence holder;
  - (d) the name of the centre veterinarian;
  - (e) the type of licence that it is; and
  - (f) any conditions to which the licence is subject.
- (3) The licence shall be in writing and may be made subject to such conditions as the Minister considers are necessary –
  - (a) to ensure that this Order is complied with; and

- (b) to protect public or animal health.

## **5 Approval of a bovine animal in an EC bovine semen centre**

- (1) The Minister may approve a bovine animal in an EC quarantine centre for use in an EC collection centre (either for the collection of its semen or as a teaser animal) if –
  - (a) prior to its entry to the EC quarantine centre the animal tested negative for the tests set out in Schedule 1, paragraph 2(1)(a) to (e); and
  - (b) after its entry to the EC quarantine centre the animal tested negative for the tests set out in Schedule 1, paragraph 3(1)(a) to (d) and paragraph 4(1)(a).
- (2) The Minister may approve an animal under paragraph (1) despite a positive result to a serological test set out in Schedule 1, paragraph 2(1)(e)(ii) or paragraph 4(1)(b).
- (3) An application for the approval of a bovine animal under paragraph (1) must be made to the Minister by or on behalf of the owner of the animal.
- (4) The application must –
  - (a) specify the name and breed of the animal;
  - (b) specify the number by which it is identifiable under the cattle identification Regulations; and
  - (c) be made in writing signed by or on behalf of the owner of the animal.
- (5) An approval for a bovine animal under paragraph (1) shall specify –
  - (a) the name and breed of the animal;
  - (b) the number by which it is identifiable under the cattle identification Regulations; and
  - (c) any conditions to which the approval is subject.
- (6) The approval shall be in writing and may be made subject to such conditions as the Minister considers are necessary –
  - (a) to ensure that this Order is complied with; and
  - (b) to protect public or animal health.
- (7) A person must not use a bovine animal (either for the collection of its semen or as a teaser animal) in an EC collection centre unless the animal is approved for that use under this Article.

### *Operation of an EC bovine semen centre*

## **6 EC bovine semen centre to have centre veterinarian**

- (1) An EC bovine semen centre must appoint a veterinary surgeon approved by the Minister to have veterinary supervision of the centre.
- (2) The Minister may appoint in respect of an EC bovine semen centre a veterinary surgeon who may act in the absence or inability to act of the centre's veterinarian.
- (3) References in this Order to the centre veterinarian of an EC bovine semen centre include a person appointed under paragraph (2) when acting in the absence or inability to act of the centre's veterinarian.

## **7 Entry of persons to EC bovine semen centres**

- (1) A person must not, without lawful authority or reasonable excuse, enter an EC bovine semen centre except with the authority of the centre veterinarian.
- (2) A person authorized by the centre veterinarian to enter an EC bovine semen centre must comply with any requirements imposed by the centre veterinarian to ensure compliance with this Order.
- (3) The centre veterinarian of an EC bovine semen centre must ensure that unauthorized persons do not enter the centre.

## **8 Entry of animals to EC bovine semen centres**

- (1) Except as provided by paragraphs (2) and (3), a person must not introduce an animal into an EC bovine semen centre.
- (2) Paragraph (1) does not apply in respect of a bovine animal authorized to enter an EC bovine semen centre under Article 10 or Article 11.
- (3) The centre veterinarian of an EC bovine semen centre may authorize the admission of a domestic animal of a non-bovine species into the centre if –
  - (a) it is necessary to do so for the operation of the centre;
  - (b) the presence of the animal presents no risk of infection to a bovine animal whose semen is to be collected; and
  - (c) any conditions imposed by the centre veterinarian are complied with.

## **9 Requirement to keep records of bovine animals at an EC bovine semen centre**

- (1) The centre veterinarian of an EC bovine semen centre must keep a record of each bovine animal that is moved into or out of the centre.
- (2) The record must show, in respect of each animal –
  - (a) its breed;
  - (b) its date of birth;
  - (c) the number by which it is identifiable under the cattle identification Regulations;
  - (d) all vaccinations administered to it;
  - (e) the tests it has undergone for diseases and their results; and
  - (f) any indication of disease it may have.
- (3) The centre veterinarian must ensure that a record made under this Article in respect of an animal is kept for at least 2 years from the date on which the animal leaves the centre or dies there.

## **10 Restriction on entry of bovine animals to EC quarantine centres**

- (1) A person must not introduce a bovine animal into an EC quarantine centre without the authorization of the centre veterinarian.
- (2) The centre veterinarian of an EC quarantine centre must not authorize a bovine animal to enter the centre unless, prior to its entry, the animal has always belonged to a herd –
  - (a) that was officially tuberculosis free; and
  - (b) that was officially brucellosis free,under Directive 64/432/EEC.
- (3) The centre veterinarian of an EC quarantine centre must not admit a bovine animal to the centre unless for at least the 30 days before the time it is proposed to admit the animal –
  - (a) Jersey has been free from foot and mouth disease; and
  - (b) the premises of origin of the animal have been free from the bovine diseases listed in Annex E(I) to Directive 64/432/EEC.

## **11 Entry of bovine animal to EC collection centre**

- (1) A person must not introduce a bovine animal into an EC collection centre without the authorization of the centre veterinarian.
- (2) The centre veterinarian of an EC collection centre must not admit a bovine animal to the centre unless the animal –
  - (a) has completed at least 28 days' quarantine in an EC quarantine centre; and



- (b) shows no sign of any clinical disease on the day of entry.
- (3) The centre veterinarian of an EC collection centre must not admit a bovine animal to the centre unless for at least the 3 months before the time it is proposed to admit the animal Jersey has been free from foot and mouth disease.
- (4) The centre veterinarian of an EC collection centre must not admit a bovine animal to the centre unless for at least the 30 days before the time it is proposed to admit the animal the EC quarantine centre from which the animal has come has been free from the bovine diseases listed in Annex E (I) to Directive 64/432/EEC.

## **12 General duties of centre veterinarians of EC bovine semen centres**

- (1) The centre veterinarian of an EC bovine semen centre must ensure –
  - (a) that the centre is operated in accordance with this Order;
  - (b) that the conditions of the licence under which the centre operates are complied with;
  - (c) that appropriate standards of hygiene are maintained at the centre to prevent the incursion of disease transmissible by bovine semen; and
  - (d) that the biosecurity of the centre is maintained to prevent the incursion of disease transmissible by bovine semen.
- (2) The centre veterinarian must also ensure that staff at the centre –
  - (a) are technically competent; and
  - (b) have received appropriate training in animal welfare, disinfection procedures and hygiene techniques.
- (3) The centre veterinarian must notify the Minister immediately if the result of a test carried out on a bovine animal at the centre for a disease that must be tested for under this Order indicates a change in the health of the animal.

## **13 Specific duties of centre veterinarians of EC bovine semen centres**

- (1) The centre veterinarian of an EC quarantine centre must carry out the duties specified in Schedule 1.
- (2) The centre veterinarian of an EC collection centre must carry out the duties specified in Schedule 2.
- (3) The centre veterinarian of an EC storage centre must carry out the duties specified in Schedule 3.

## **14 Specific duties of centre veterinarians to keep records of bovine semen**

- (1) On each occasion an EC bovine semen centre supplies bovine semen its centre veterinarian must keep a record of –
  - (a) the name and address of the person to whom the semen was supplied;
  - (b) the date the semen was dispatched and the means of dispatch;
  - (c) the name of the donor animal and its identity under the cattle identification Regulations;
  - (d) the number of straws or other receptacles supplied and their identification code.
- (2) On each occasion an EC bovine semen centre receives bovine semen its centre veterinarian must keep a record of –
  - (a) the name and address of the person who despatched the semen to the centre;
  - (b) the date the semen was received;
  - (c) the name of the donor animal and its identity (if any) under the cattle identification Regulations;
  - (d) the number of straws or other receptacles supplied and the identification code allocated to each batch of straws;

- (e) the number of any straws or other receptacles damaged or destroyed and their identification code.
- (3) If an EC bovine semen centre destroys bovine semen the centre veterinarian must keep a record of –
  - (a) the name of the donor animal and its identity (if any) under the cattle identification Regulations;
  - (b) the number of straws or other receptacles destroyed;
  - (c) the identification code of each straws or other receptacle;
  - (d) the date of destruction.
- (4) The centre veterinarian of an EC bovine semen centre must ensure that a record required to be kept under this Article –
  - (a) is made contemporaneously with the supply, receipt or destruction; and
  - (b) is kept for at least 2 years after the supply, receipt, or destruction of the semen.
- (5) The record may be kept in written or electronic form.

## **15 Restrictions**

The centre veterinarian of an EC bovine semen centre must ensure that –

- (a) any blood sample required for laboratory analysis for a purpose of this Part is taken by the centre veterinarian or by an inspector who is qualified as a veterinary surgeon;
- (b) any test for bovine tuberculosis undertaken for the purposes of this Part is carried out by a veterinary surgeon approved for the purpose by the Minister; and
- (c) any laboratory test required under this Part is carried out by a laboratory approved for the purpose by the Minister.

## **16 Restriction on movement of bovine animals to EC quarantine centres and EC collection centres**

- (1) A person must not move a bovine animal to an EC quarantine centre or an EC semen collection centre otherwise than –
  - (a) if transport is used, in a means of transport that immediately before use had been thoroughly cleansed and then disinfected with an appropriate disinfectant; and
  - (b) under conditions that ensure that the animal does not come into contact with cloven hoofed animals that are not authorized to enter the centre.
- (2) A person must not move a bovine animal from one EC quarantine centre or EC semen collection centre to one in another member State or in another British Island except under Directive 64/432/EEC.

# **PART 3**

## **DOMESTIC PROVISIONS**

### *Licensing of domestic bovine semen centres*

## **17 Licensing of domestic bovine semen centres**

- (1) The Minister may licence premises as domestic collection centres, where bovine semen not intended for intra-Community trade or intra-British Islands trade may be collected, processed and quarantined, if the premises –
  - (a) have –
    - (i) bovine animal housing, including isolation facilities that have no direct

- communication with any normal bovine animal housing,
- (ii) semen collection facilities, including a separate room for the cleaning and disinfection or sterilisation of equipment,
  - (iii) facilities where semen may be processed, which need not be on the same site, and
  - (iv) a semen quarantine room, which need not be on the same site;
- (b) are constructed or isolated so that contact with livestock outside the centre is prevented;
  - (c) are constructed so that the bovine animal housing and the semen collection and processing facilities and the semen quarantine room can be readily cleaned and disinfected; and
  - (d) are so designed that the bovine animal housing is separated from the processing facilities and both are separated from the semen quarantine room.
- (2) The Minister may licence premises as domestic storage centres where bovine semen not intended for intra-Community trade or intra-British Islands trade may be stored if the premises –
- (a) are constructed or isolated so that contact with livestock outside is prevented; and
  - (b) have a semen storage room that can be readily cleaned and disinfected.

### **18 Licence to operate a domestic bovine semen centre**

- (1) An application for a licence to operate a domestic bovine semen centre must –
  - (a) be made in writing to the Minister;
  - (b) be signed by the applicant for the licence and, if different, by the approved person;
  - (c) specify the premises for which the application is made; and
  - (d) specify the type of licence applied for.
- (2) A licence to operate a domestic bovine semen centre shall specify –
  - (a) the address of the centre;
  - (b) any licence number of the centre assigned to it by the Minister;
  - (c) the name of the licence holder;
  - (d) the name of its approved person;
  - (e) the type of licence that it is; and
  - (f) any conditions to which the licence is subject.
- (3) The licence shall be in writing and may be made subject to such conditions as the Minister considers are necessary –
  - (a) to ensure that this Order is complied with; and
  - (b) to protect public or animal health.

#### *Operation of a domestic bovine semen centre*

### **19 Domestic bovine semen centre to have an approved person**

- (1) A domestic bovine semen centre must appoint a person approved by the Minister to supervise the collection of bovine semen and the artificial insemination of bovine animals at the centre.
- (2) The Minister may appoint in respect of a domestic bovine semen centre a person who may act in the absence or inability to act of the centre's approved person.
- (3) References in this Order to the approved person of a domestic bovine semen centre include a person appointed under paragraph (2) when acting in the absence or inability to act of the centre's approved person.

### **20 Entry of persons to domestic bovine semen centres**

- (1) A person must not, without lawful authority or reasonable excuse, enter a domestic bovine semen

centre except with the authority of the centre's approved person.

- (2) A person authorized by the centre's approved person to enter a domestic bovine semen centre must comply with any requirements imposed by the approved person to ensure compliance with this Order.
- (3) The approved person of a domestic bovine semen centre must ensure that unauthorized persons do not enter the centre.

## **21 Entry of animals to domestic bovine semen centres**

- (1) Except as provided by paragraphs (2) and (3), a person must not introduce an animal into a domestic bovine semen centre.
- (2) Paragraph (1) does not apply in respect of a bovine animal authorized to enter a domestic bovine semen centre under Article 27.
- (3) The approved person of a domestic bovine semen centre may authorize the admission of any other domestic animal into the centre if –
  - (a) it is necessary to do so for the operation of the centre;
  - (b) the presence of the animal presents no risk of infection to a bovine animal whose semen is to be collected; and
  - (c) any conditions imposed by the centre veterinarian are complied with.

## **22 Requirement to keep records of bovine animals at domestic bovine Semen centre**

- (1) The approved person of a domestic bovine semen centre must keep a record of each bovine animal that is moved into or out of the centre.
- (2) The record must show, in respect of each animal –
  - (a) its breed;
  - (b) its date of birth;
  - (c) the number by which it is identifiable under the cattle identification Regulations;
  - (d) all vaccinations administered to it;
  - (e) the tests it has undergone for diseases and their results; and
  - (f) any indication of disease it may have.
- (3) The approved person must ensure that a record made under this Article in respect of an animal is kept for at least 2 years from the date on which the animal leaves the centre or dies there.

## **23 General duties of an approved person of a domestic bovine semen centres**

- (1) The approved person of a domestic bovine semen centre must ensure –
  - (a) that the centre is operated in accordance with this Order;
  - (b) that the conditions of the licence under which the centre operates are complied with;
  - (c) that appropriate standards of hygiene are maintained at the centre to prevent the incursion of disease transmissible by bovine semen; and
  - (d) that the biosecurity of the centre is maintained to prevent the incursion of disease transmissible by bovine semen.
- (2) The approved person must also ensure that staff at the centre –
  - (a) are technically competent; and
  - (b) have received appropriate training in animal welfare, disinfection procedures and hygiene techniques.
- (3) The approved person must notify the Minister immediately if the result of a test carried out on a bovine animal at the centre for a disease that must be tested for under this Order indicates a change in the health of the animal.

## **24 Specific duties of approved person of a domestic bovine semen centres**

- (1) The approved person in respect of a domestic collection centre must carry out the duties specified in Schedule 4.
- (2) The approved person in respect of a domestic storage centre must carry out the duties specified in Schedule 5.

## **25 Specific duties of an approved person to keep records of bovine semen**

- (1) On each occasion a domestic bovine semen centre supplies bovine semen its approved person must keep a record of –
  - (a) the name and address of the person to whom the semen was supplied;
  - (b) the date the semen was dispatched and the means of dispatch;
  - (c) the name of the donor bovine animal and its identity (if any) under the cattle identification Regulations;
  - (d) the number of straws or other receptacles supplied and their identification code.
- (2) On each occasion a domestic bovine semen centre receives bovine semen its approved person must keep a record of –
  - (a) the name and address of the person who despatched the semen to the centre;
  - (b) the date the semen was received;
  - (c) the name of the donor animal and its identity (if any) under the cattle identification Regulations;
  - (d) the number of straws or other receptacles supplied and the identification code allocated to each batch of straws;
  - (e) the number of any straws or other receptacles damaged or destroyed and their identification code.
- (3) On each occasion a domestic bovine semen centre uses bovine semen for artificial insemination the centre's approved person must keep a record of –
  - (a) the name of the donor animal and its identity (if any) under the cattle identification Regulations;
  - (b) the number of straws or other receptacles used;
  - (c) the identification codes of the straws or other receptacles;
  - (d) the name of the animal inseminated and its identity under the cattle identification Regulations;
  - (e) the date of insemination;
  - (f) the address of the place where the insemination took place.
- (4) If a domestic bovine semen centre destroys bovine semen its approved person must keep a record of –
  - (a) the name of the donor animal and its identity under the cattle identification Regulations;
  - (b) the number of straws or other receptacles destroyed;
  - (c) the identification code of each straw or other receptacle;
  - (d) the date of destruction.
- (5) An approved person of a domestic bovine semen centre must ensure that a record required to be kept under this Article –
  - (a) is made contemporaneously with the supply, receipt, use or destruction; and
  - (b) is kept for at least 2 years after the supply, receipt, use, or destruction of the semen.
- (6) The record may be kept in written or electronic form.

## **26 Restrictions**

The approved person of a domestic bovine semen centre must ensure that –

- (a) any blood sample required for laboratory analysis for a purpose of this Part is taken by a veterinary surgeon approved for the purpose by the Minister or by an inspector who is qualified as a veterinary surgeon;
- (b) any test for bovine tuberculosis undertaken for the purposes of this Part is carried out by a veterinary surgeon approved for the purpose by the Minister; and
- (c) any laboratory test required under this Part is carried out by a laboratory approved for the purpose by the Minister.

## **27 Restriction on entry of bovine animals to domestic collection centres**

- (1) A person must not introduce a bovine animal into a domestic collection centre without the authorization of its approved person.
- (2) The approved person of a domestic collection centre must not admit a bovine animal to the centre unless for at least the 30 days before the time it is proposed to admit the animal –
  - (a) Jersey has been free from foot and mouth disease; and
  - (b) the premises of origin of the animal have been free from the bovine diseases listed in Annex E(I) to Directive 64/432/EEC.

# **PART 4**

## **THE COLLECTION, PROCESSING AND STORAGE OF BOVINE SEMEN**

## **28 Bovine animals from which semen may be collected**

A person must not collect semen from a bovine animal for use in artificial insemination unless the animal –

- (a) is identified under the cattle identification Regulations;
- (b) shows no clinical signs of disease when the semen is collected; and
- (c) has not been vaccinated against foot and mouth disease within the 12 months preceding the collection of the semen.

## **29 Restriction on places where semen may be collected**

A person must not collect semen from a bovine animal unless for at least the 30 days before the time it is proposed to collect the semen –

- (a) Jersey has been free from foot and mouth disease; and
- (b) the place where the semen is collected has been free from the bovine diseases listed in Annex E(I) to Directive 64/432/EEC.

## **30 Restriction on persons who may collect bovine semen**

- (1) A person must not collect semen from a bovine animal (whether in a bovine semen centre or any other place) unless the person is licensed to do so.
- (2) An application by a person for a licence under paragraph (1) must be made to the Minister.
- (3) The application must –
  - (a) specify the name and address of the person;

- (b) specify any relevant qualifications the person has; and
  - (c) be made in writing signed by the person.
- (4) A licence granted under this Article shall specify –
  - (a) the name and address of the licensed person; and
  - (b) any conditions to which the licence is subject.
- (5) The licence may be made subject to such conditions as the Minister considers are necessary –
  - (a) to ensure that this Order is complied with; and
  - (b) to protect public or animal health.

### **31 Processing of semen**

- (1) A person must not process bovine semen except at –
  - (a) an EC collection centre; or
  - (b) a domestic collection centre.
- (2) Where bovine semen that has been collected at a place that is not a bovine semen centre is to be sent to a domestic collection centre for processing, the operator of the place where the semen was collected must carry out the duties specified in Schedule 6.

### **32 Instruments for collecting and processing semen**

- (1) A person must not use to collect or process bovine semen an instrument (other than a single use instrument) that comes into contact with the semen or with the donor animal during collection or processing unless the instrument has been disinfected or sterilised prior to its use.
- (2) A person must not re-use a single use instrument to collect or process bovine semen.

### **33 Containers for storing or moving semen**

A person must not store or move bovine semen except in a container that is to be used exclusively for that purpose and that –

- (a) has been disinfected or sterilised prior to its use; or
- (b) is a single use container that has not been previously used.

### **34 Storing and moving semen**

A person who stores or moves bovine semen must not allow it to come into contact with material of animal origin (including other germplasm) of a lower health status.

## **PART 5**

### **THE SUPPLY, USE, EXPORTATION AND IMPORTATION OF BOVINE SEMEN**

### **35 Supply of semen for artificial insemination in Jersey**

A person must not supply bovine semen for the artificial insemination of a bovine animal in Jersey unless the semen has been stored –

- (a) in an EC storage centre –
  - (i) in Jersey,
  - (ii) in another British Island, or
  - (ii) in another member State; or

- (b) in a domestic storage centre.

**36 Restriction on persons who may inseminate bovine animals**

A person must not use bovine semen to inseminate a bovine animal (whether in a bovine semen centre or any other place in Jersey) unless the person has been licensed under Article 30 to collect bovine semen.

**37 Use of semen for artificial insemination in Jersey**

A person must not use bovine semen in the artificial insemination of a bovine animal in Jersey unless the semen has been stored –

- (a) in an EC storage centre –
  - (i) in Jersey,
  - (ii) in another British Island, or
  - (iii) in another member State; or
- (b) in a domestic storage centre.

**38 Exportation of semen for artificial insemination**

A person must not export bovine semen to another British Island or other member State for artificial insemination of a bovine animal unless –

- (a) the semen has been collected, processed and quarantined at an EC collection centre and stored at an EC storage centre;
- (b) the semen is accompanied by an animal health certificate; and
- (c) the semen is despatched in containers that have been cleaned and disinfected before use and have been sealed and numbered before despatch.

**39 Importation of semen for artificial insemination**

A person must not import bovine semen for artificial insemination of a bovine animal unless –

- (a) the semen is imported from another British Island or another member State;
- (b) the semen has been stored in an EC storage centre in that other British Island or member State; and
- (c) the semen is accompanied by an animal health certificate.

## **PART 6**

### **ADMINISTRATION AND ENFORCEMENT**

**40 Reasons for refusal of a licence or an approval to be given**

- (1) The Article applies where the Minister –
  - (a) decides to refuse to grant a licence or to give an approval;
  - (b) decides to grant a licence subject to conditions or to give an approval subject to conditions;  
or
  - (c) decides not to amend a notice served by an inspector on a request to do so made to the Minister under Article 47.
- (2) The Minister shall, in writing –
  - (a) give the relevant person reasons for the decision; and
  - (b) explain the right the person has under Article 44 to request a review of the decision.



#### **41 Information to be provided to the Minister**

- (1) An applicant for a licence or the holder of a licence must if required to do so by the Minister –
  - (a) provide any information; or
  - (b) permit any tests and examinations to be carried out,as the Minister considers necessary to enable the Minister to decide whether the licence should be granted or should continue in force.
- (2) An applicant for the approval of a bovine animal under Article 5 or the owner of such an animal must if required to do so by the Minister –
  - (a) provide any information; or
  - (b) permit the bovine animal to be subjected to any tests and examinations,as the Minister considers necessary to enable the Minister to decide whether the approval should be granted, suspended, amended or revoked, as the case may be.
- (3) If the ownership of a bovine animal approved under Article 5 changes, the owner of the animal before the change must, within the 21 days after the change, give the Minister notice of the name and address of the new owner of the animal.
- (4) The owner of a bovine animal approved under Article 5 must, within 21 days of its death, notify the Minister of the death, the circumstances in which the death occurred and the results of any post mortem examination.

#### **42 Suspension and amendment**

- (1) The Minister may suspend or amend a licence or an approval by giving the person who has the benefit of the licence or approval written notice of the suspension or amendment.
- (2) The notice may be given on the grounds that –
  - (a) the person has failed to comply with a condition of the licence or approval or a relevant provision of this Order;
  - (b) in the case of a licence for a bovine semen centre, the centre no longer functions as such or no longer meets the requirement of this Order;
  - (c) in the case of an approval of a bovine animal, the animal has ceased to be suitable for use as a donor animal or no longer meets the requirements of this Order in some other way; or
  - (d) in the case of licence that authorizes a person to collect and use bovine semen, the person is no longer a suitable person to carry out the task.
- (3) A suspension or amendment has immediate effect unless the Minister determines otherwise.
- (4) The notice shall –
  - (a) state what it applies to;
  - (b) state when it comes into effect;
  - (c) give reasons for the suspension or amendment; and
  - (d) explain the right the person has under Article 44 to request a review of the decision to suspend or amend the licence or approval.

#### **43 Revocation of a licence or an approval**

- (1) The Minister may revoke a licence or an approval by giving the person who has the benefit of the licence or approval written notice of the revocation.
- (2) The notice may be given on the grounds that –
  - (a) the Minister has suspend the licence or approval and the period for review under Article 44 has expired;
  - (b) the Royal Court has upheld the Minister's decision to suspend the licence or approval;

- (c) the Minister has previously suspended the licence or approval and there is further non-compliance with a condition of the licence or approval or with a relevant provision of this Order; or
  - (d) in the case of a licence for a bovine semen centre, the Minister is satisfied that the occupier of the premises to which the licence applies no longer uses them for the purpose for which the licence was granted.
- (3) The notice shall –
- (a) state what it applies to;
  - (b) state when it comes into effect;
  - (c) give reasons for the revocation; and
  - (d) in the case of a revocation under paragraph (2)(c) or paragraph (2)(d), explain the right the person has under Article 44 to request a review of the decision to revoke the licence or approval.
- (4) If a person does request a review under Article 44, the revocation remains in force pending the outcome of the review.

#### **44 Review of decision of Minister**

- (1) An aggrieved person may apply to the Royal Court for a review of a decision of the Minister –
- (a) to grant, give, refuse, suspend, amend or revoke a licence or an approval;
  - (b) to grant a licence or to give an approval subject to conditions; or
  - (c) not to amend a notice served by an inspector on a request made to the Minister to do so under Article 47.
- (2) The application must be made within 21 days of the person being notified of the decision or within such longer period as the Royal Court may permit.
- (3) The Court may make such orders as it considers appropriate.

#### **45 Notice prohibiting the use of semen**

- (1) If an inspector thinks it necessary to do so to prevent the spread of any disease, the inspector may serve a notice on a person the inspector reasonably believes –
- (a) is the owner of a bovine animal; or
  - (b) is in possession of its semen.
- (2) The notice may –
- (a) prohibit the person from using semen collected from the animal or from trading in the semen;
  - (b) require the person to destroy semen from the animal;
  - (c) require the person to identify any other person who may be in possession of the animal or its semen.
- (3) A person must comply with a notice served on the person under this Article.
- (4) If the person fails to do so the inspector may –
- (a) enter any premises on which the inspector knows or reasonably suspects semen of the animal is kept;
  - (b) seize any such semen found there; and
  - (c) otherwise arrange for any requirement of the notice to be met.
- (5) A notice served on a person under this Article must –
- (a) give reasons why the notice has been served; and
  - (b) explain the right the person has under Article 47 to request a review by the Minister of a requirement of the notice.

#### **46 Notice concerning illegal consignments**

- (1) If an inspector knows or suspects that bovine semen has been imported in contravention of this Order, the inspector may serve a notice on the person the inspector believes to be in control of –
  - (a) the semen; or
  - (b) any progeny resulting from the use of the semen.
- (2) The notice may require the person –
  - (a) to keep the semen or progeny at a place specified in the notice;
  - (b) to destroy the semen or progeny in accordance with requirements specified in the notice;
  - (c) to take such other action as is specified in the notice.
- (3) A person must comply with a notice served on the person under this Article.
- (4) If the person fails to do so the inspector may –
  - (a) enter any premises on which the inspector knows or reasonably suspects the semen or progeny is kept; and
  - (b) seize any such semen or progeny found; and
  - (c) otherwise arrange for any requirement of the notice to be met.
- (5) A notice served on a person under this Article must –
  - (a) give reasons why the notice has been served; and
  - (b) explain the right the person has under Article 47 to request a review by the Minister of a requirement of the notice.

#### **47 Review of notice served by an inspector**

- (1) An aggrieved person may apply to the Minister for a review of a requirement of a notice served by an inspector under Article 45 or Article 46.
- (2) The application must be made within 7 days of the notice being served on the person or within such longer period as the Minister may permit.
- (3) The Minister may –
  - (a) confirm the notice; or
  - (b) amend it in such manner as the Minister considers appropriate.

#### **48 Provision of false information**

A person must not, to obtain a licence or an approval, provide information that the person knows to be false or misleading in a material detail.

#### **49 Payment of fees**

- (1) A fee is payable –
  - (a) on an application for a licence or approval; or
  - (b) for the provision of any other service by or on behalf of the Minister under this Order.
- (2) The fee payable shall be the sum of –
  - (a) the travel and time costs of any veterinary surgeon and any necessary assistant in relation to the relevant application, test or examination;
  - (b) the costs of considering the relevant application, test or examination; and
  - (c) the costs of any laboratory tests.
- (3) The Minister shall publish the current fees on the website of the administration of the States for which the Minister has responsibility.

**50 Refund of fees**

If an application for a licence or approval is withdrawn before its determination, the Minister may refund all or part of any fee paid under Article 49.

**51 Customs and Excise (Import and Export Control) (Jersey) Order 2006 amended**

The Customs and Excise (Import and Export Control) (Jersey) Order 2006 is amended –

(a) by inserting after Article 3(1)(a) the following sub-paragraph –

“(aa) a person may import or export bovine semen from or to another British Island or a member State of the European Community;” and

(b) by inserting in Schedule 2, after paragraph 1, the following paragraph –

“1A Bovine semen (other than bovine semen imported from another British Island or a member State of the European Community).”.

**52 Citation and commencement**

- (1) This Order may be cited as the Artificial Insemination of Domestic Animals (Bovine Semen) (Jersey) Order 2006.
- (2) It shall come into force 28 days after it is made.

## SCHEDULE 1

(Articles 13(1))

### DUTIES OF THE CENTRE VETERINARIAN IN EC QUARANTINE CENTRES

1

- (1) The centre veterinarian must make a record of any bovine animals to be admitted that –
  - (a) did not belong to a herd officially free of enzootic bovine leukosis under Directive 64/432/EEC; or
  - (b) was produced by a dam that did not, after removal of the bovine animal from it, test negative to a test carried out under Annex D (Chapter II) to Directive 64/432/EEC.
- (2) The centre veterinarian must pass a copy of any record made under sub paragraph (1) to the centre veterinarian of the collection centre to which the bovine animals move, not later than the date of such move.

2

- (1) The centre veterinarian must ensure that within the 28 days preceding the period of quarantine, the bovine animals are subjected to the following tests, with negative results in each case (except for the BVD/MD antibody test referred to in sub paragraph (1)(e)(ii))–
  - (a) for bovine tuberculosis, an intradermal tuberculin test carried out under the procedure laid down in Annex B to Directive 64/432/EEC;
  - (b) for bovine brucellosis, a serological test carried out under the procedure laid down in Annex C to Directive 64/432/EEC;
  - (c) for enzootic bovine leukosis, a serological test carried out under the procedure laid down in Annex D (Chapter II) to Directive 64/432/EEC;
  - (d) for IBR/IPV, a serological test (whole virus) on a blood sample if the bovine animals do not come from an IBR/IPV free herd as defined in Article 2.3.5.3. of the International Animal Health Code; and
  - (e) for BVD/MD –
    - (i) a virus isolation test or a test for virus antigen, and
    - (ii) a serological test to determine the presence or absence of antibodies.
- (2) If any of the tests listed in sub-paragraph (1)(a) to (e)(i) are carried out on samples collected in the quarantine centre, the period of quarantine may not commence before the date of sampling.
- (3) If any of the tests listed in sub-paragraph (1)(a) to (e)(i) prove positive, the centre veterinarian must ensure that the relevant bovine animal is immediately removed from the quarantine centre.
- (4) In the case of group quarantine, the quarantine period does not commence for the remaining bovine animals until the bovine animal which tested positive has been removed.

3

- (1) During quarantine, the centre veterinarian must ensure that the bovine animals are tested as follows –
  - (a) for bovine brucellosis, a serological test carried out under the procedure described in Annex C to Directive 64/432/EEC, at least 21 days after being admitted to quarantine, with negative results;
  - (b) for IBR/IPV, a serological test (whole virus) on a blood sample, at least 21 days after being admitted to quarantine, with negative results;
  - (c) for *Campylobacter fetus* ssp. *venerealis* –
    - (i) in the case of bovine animals less than 6 months old or kept since that age in a single sex group prior to quarantine, a single test on a sample of artificial vagina washings or preputial specimen, at least 7 days after being admitted to quarantine, with negative results,

- (ii) in the case of male bovine animals aged 6 months or older that could have had contact with females prior to quarantine, a test 3 times at weekly intervals (which may start 7 days after admission to the EC quarantine centre) on samples of artificial vagina washings or preputial specimen, with negative results;
- (d) for *Trichomonas foetus* –
  - (i) in the case of bovine animals less than 6 months old or kept since that age in a single sex group prior to quarantine, a single test on a sample of preputial specimen, at least 7 days after being admitted to quarantine, with negative results,
  - (ii) in the case of bovine animals aged 6 months or older that could have had contact with females prior to quarantine, a test 3 times at weekly intervals (which may start 7 days after admission to the EC quarantine centre) on samples of preputial specimen, with negative results.
- (2) If any bovine animal tests positive following a test under sub paragraph (1), the centre veterinarian must ensure that –
  - (a) it is removed immediately from the quarantine centre; and
  - (b) any other bovine animal of the same group is retested for the relevant disease under sub paragraph (1), with the period after which it can be retested starting on the date the positive bovine animal is removed.

#### 4

- (1) During quarantine, the centre veterinarian must ensure that the bovine animals are tested for BVD/MD as follows –
  - (a) a virus isolation test or a test for virus antigen at least 21 days after being admitted to quarantine, with negative results; and
  - (b) a serological test to determine the presence or absence of antibodies, at least 21 days after being admitted to quarantine.
- (2) The centre veterinarian may allow bovine animals to be moved to an EC collection centre or a domestic collection centre only if the serological test finds no seroconversion in any bovine animal which gave a negative result to the serological test under paragraph 2(1)(e)(ii) for BVD/MD antibodies.
- (3) If seroconversion occurs in any bovine animal in the quarantine centre, the centre veterinarian must ensure that bovine animals that are seronegative –
  - (a) remain in quarantine; and
  - (b) are not sent to a semen collection centre until at least 3 weeks have elapsed during which there has been no further seroconversion.
- (4) The centre veterinarian may allow serologically positive bovine animals to be sent to a semen collection centre after –
  - (a) completion of 28 days' quarantine; and
  - (b) they have been tested under sub paragraph (1).

#### 5

The centre veterinarian must make a record of those bovine animals that test positive for antibodies for BVD/MD under the serological tests at paragraph 2(1)(e)(ii) or 4(1)(b) and pass a copy of the record to the centre veterinarian of the collection centre to which the bovine animals move, not later than the date of such move.

## **SCHEDULE 2**

(Article 13(2))

### **DUTIES OF THE CENTRE VETERINARIAN IN EC COLLECTION CENTRES**

#### **PART 1**

#### **RECORDS OF ENZOOTIC BOVINE LEUKOSIS AND MARKING OF SEMEN DOSES**

**1**

- (1) The centre veterinarian must make a record of a bovine animal admitted that –
  - (a) did not belong to a herd officially free of enzootic bovine leukosis under Directive 64/432/EEC; or
  - (b) was produced by a dam that did not, after removal of the bovine animal from it, test negative to a test carried out under Annex D (Chapter II) to Directive 64/432/EEC.
- (2) The centre veterinarian must pass a copy of any record made under sub paragraph (1) to the centre veterinarian of any collection centre to which the bovine animals or their semen may move, not later than the date of such move.

**2**

- The centre veterinarian must ensure that each individual dose of semen collected at the centre is clearly marked in such a way that the following information can be readily established –
- (a) the date the semen was collected;
  - (b) the identity of the donor bovine animal under the cattle identification Regulations;
  - (c) the breed of the donor bovine animal; and
  - (d) the licence number of the centre.

## PART 2

### ROUTINE TESTS AND TREATMENT THAT MUST BE APPLIED TO ALL BOVINE ANIMALS IN EC COLLECTION CENTRES

#### 1

- (1) The centre veterinarian must ensure that all bovine animals at the centre are subjected at least once a year to the following tests –
  - (a) for bovine tuberculosis, an intradermal tuberculin test, carried out under the procedure laid down in Annex B to Directive 64/432/EEC;
  - (b) for bovine brucellosis, a serological test carried out under the procedure described in Annex C to Directive 64/432/EEC;
  - (c) for enzootic bovine leukosis, a serological test carried out under the procedure described in Annex D (Chapter II) to Directive 64/432/EEC;
  - (d) for IBR/IPV, a serological test (whole virus) on a blood sample; and
  - (e) for BVD/MD, a serological antibody test applied only to seronegative bovine animals.
- (2) The centre veterinarian must ensure that bovine animals from which semen is being collected and bovine animals having contact with such bovine animals are subjected at least once a year to tests on samples of preputial specimen for –
  - (a) *Campylobacter fetus* ssp. *venerealis*; and
  - (b) *Trichomonas foetus*.
- (3) The centre veterinarian must ensure that bovine animals from which semen is to be collected after an interval of more than 6 months are tested not more than 30 days prior to collection resuming on samples of preputial specimen for –
  - (a) *Campylobacter fetus* ssp. *venerealis*; and
  - (b) *Trichomonas foetus*.
- (4) Should a bovine animal become serologically positive for BVD/MD, the centre veterinarian must in respect of every ejaculate of that animal collected between the date of the last negative test (or the date that animal arrived at the centre if the positive result is from the first test carried out there) and the date of the positive test –
  - (a) where the ejaculate is held at the centre, ensure that it is –
    - (i) discarded, or
    - (ii) used or supplied only if tested for BVD/MD with negative results; or
  - (b) where the ejaculate has been supplied to any person, notify that person that it is subject to the requirements of sub-paragraph (4)(a).
- (5) A person given notice under sub-paragraph (4)(b) must, if the ejaculate is held by or for the person ensure that it is discarded, used or supplied under sub-paragraph (4)(a).
- (6) Where any person has been supplied with ejaculate, other than from the centre, and that person subsequently supplies that ejaculate to any other person, sub-paragraph (4)(b) applies equally to that other person.

#### 2

- (1) If a test required under paragraph 1 is positive, the centre veterinarian must ensure that–
  - (a) the bovine animal is isolated;
  - (b) semen collected from that animal since the date of the last negative test (or the date that animal arrived at the centre if the positive result is from the first test carried out there) is –
    - (i) if held at the centre, not supplied for intra-Community trade or intra-British Islands trade, and
    - (ii) if supplied to any person from the centre, the subject of notice to that person under paragraph 2;
  - (c) semen collected from any other bovine animal at the centre since the date of the



positive test is –

- (i) if held at the centre –
      - (A) kept in separate storage, and
      - (B) not supplied for intra-Community trade or intra-British Islands trade, until the health status of the centre has been restored to the level required by the Directive and this Order;
    - (ii) if supplied to any person, the subject of notice to that person under sub paragraph (2).
  - (2) Notice shall be given that semen supplied from –
    - (a) the bovine animal that tested positive shall not be supplied for intra-Community trade or intra-British Islands trade; or
    - (b) any other bovine animal at the centre shall be –
      - (i) kept in separate storage, and
      - (ii) not supplied for intra-Community trade or intra-British Islands trade, until the health status of the centre has been restored to the level required by the Directive and this Order.
  - (3) Where any person has been supplied with semen, other than from the centre, and that person subsequently supplies that semen to any other person, sub-paragraph (2) applies equally to that other person.
- 3** Person given notice under paragraphs 1 and 2 must ensure that semen held by or for that person is kept or supplied in accordance with that notice.
- 4** Paragraphs 2 and 3 are subject to the exception that ejaculate from a bovine animal that tested positive under paragraph 1 for BVD/MD may be supplied for intra-Community trade or intra-British Islands trade if the ejaculate tests negative for BVD/MD.

### **PART 3**

#### **MEASURES APPLICABLE TO PROCESSING FACILITIES AT AN EC COLLECTION CENTRE**

- 1** The centre veterinarian must ensure that –
- (a) semen processed at the centre is collected at an EC collection centre in Jersey or in another British Island or in a member State;
  - (b) semen collected, processed and quarantined at EC collection centres and intended for intra-Community trade or intra-British Islands trade does not come into contact with and is not stored in the same room as any other semen processed at the centre;
  - (c) products of animal origin used in the processing of semen, including additives and diluents, are obtained from sources that present no animal health risk or are so treated prior to use that such risk is removed;
  - (d) the cryogenic agent used has not been previously used for other products of animal origin;
  - (e) each individual dose of semen is sealed, numbered and clearly marked so that the following information can be readily established –
    - (i) the date the semen was collected,
    - (ii) the identity of the donor bovine animal under the cattle identification Regulations,
    - (iii) the breed of the donor bovine animal, and
    - (iv) the licence number of the centre where the semen was collected; and
  - (f) the format used for identifying semen is notified to the Minister.
- 2**
- (1) Subject to sub paragraph (2), the centre veterinarian must ensure that the antibiotics streptomycin, penicillin, lincomycin and spectinomycin are added to produce the following concentrations in the final diluted semen –
    - (a) not less than 500 µg streptomycin per ml final dilution;

- (b) not less than 500 International Units penicillin per ml final dilution;
    - (c) not less than 150 µg lincomycin per ml final dilution; and
    - (d) not less than 300 µg spectinomycin per ml final dilution.
  - (2) An alternative combination of antibiotics which has an equivalent effect against campylobacters, leptospire and mycoplasmas may be used.
- 3** The centre veterinarian must ensure that, immediately after the addition of antibiotics, the semen is kept at a temperature of at least 5°C for a period of not less than 45 minutes.

#### **PART 4**

### **MEASURES APPLICABLE TO SEMEN QUARANTINE AT AN EC COLLECTION CENTRE**

- 1**
- (1) Prior to the initial dispatch of semen from bovine animals identified as serologically positive for BVD/MD, the centre veterinarian must ensure that a semen sample from each bovine animal is subjected to a virus isolation or virus antigen ELISA test for the BVD/MD virus.
  - (2) In the event of a positive result, the centre veterinarian must ensure that the bovine animal is removed from the collection centre and its semen destroyed.
- 2** The centre veterinarian must ensure that frozen semen is kept in the semen quarantine facilities for at least 30 days before it leaves the centre.
- 3** The centre veterinarian must not allow any semen to leave the centre unless the premises where it was collected remain clear of –
- (a) foot and mouth disease; and
  - (b) the bovine diseases listed in Annex E(I) to Directive 64/432/EEC,
- for 30 days after collection or, in the case of fresh bovine semen, until the date of dispatch of the semen.
- 4** With regard to a bovine animal that –
- (a) did not belong to a herd officially free of enzootic bovine leukosis under Directive 64/432/EEC; or
  - (b) was produced by a dam which did not, after removal of the bovine animal from it, test negative to a test carried out under Annex D (Chapter II) to Directive 64/432/EEC,
- the centre veterinarian must not allow its semen to leave the centre until the bovine animal has reached the age of 2 years and has tested negative for enzootic bovine leukosis, under a serological test carried out under the procedure described in Annex D (Chapter II) to Directive 64/432/EEC.
- 5** With regard to a bovine animal vaccinated against foot and mouth more than 30 days before, but within 12 months of, a collection, the centre veterinarian must not allow its semen to leave the centre unless 5% (with a minimum of 5 straws) of each collection have tested negative to a virus isolation test for foot and mouth disease.

### **SCHEDULE 3**

(Article 13(3))

#### **DUTIES OF THE CENTRE VETERINARIAN IN EC STORAGE CENTRES**

The centre veterinarian must ensure that –

- (a) only semen is stored at the centre;
- (b) semen is only stored at the centre if it has not come into contact with any other semen and –
  - (i) it has been collected and processed at EC collection centres, or at centres otherwise approved for semen collection under the Directive, or
  - (ii) following collection and processing at EC collection centres or at centres otherwise approved for semen collection under the Directive, it has been stored at EC storage centres or at centres otherwise approved for semen storage under the Directive;
- (c) the cryogenic agent used has not been previously used for other products of animal origin; and
- (d) each individual dose of semen is sealed, numbered and clearly marked in such a way that the following information can be readily established –
  - (i) the date the semen was collected,
  - (ii) the identity of the donor bovine animal under the cattle identification Regulations,
  - (iii) the breed of the donor bovine animal, and
  - (iv) the licence number of the centre where the semen was collected (if applicable).

## **SCHEDULE 4**

(Article 24(1))

### **DUTIES OF THE APPROVED PERSON IN RESPECT OF A DOMESTIC COLLECTION CENTRE**

#### **PART 1**

##### **MARKING OF SEMEN DOSES**

The approved person in respect of a domestic collection centre must ensure that each individual dose of semen collected at the centre is clearly marked in such a way that the following information can be readily established –

- (a) the date the semen was collected;
- (b) the identity of the donor bovine animal under the cattle identification Regulations;
- (c) the breed of the donor bovine animal; and
- (d) the licence number of the centre.

#### **PART 2**

##### **MEASURES APPLICABLE TO PROCESSING AT A DOMESTIC COLLECTION CENTRE**

- 1** The approved person in respect of a domestic collection centre must ensure that –
  - (a) semen is not stored with semen of a different health status and semen must be identifiable by a marking different from that used in EC collection or storage centres for semen for intra-Community trade or intra-British Islands trade;
  - (b) products of animal origin used in the processing of semen, including additives or dilutents, are obtained from sources that present no animal health risk or are so treated prior to use that such risk is removed;
  - (c) the cryogenic agent used has not been previously used for other products of animal origin;
  - (d) each individual dose of semen is sealed, numbered and clearly marked so that the following information can be readily established –
    - (i) the date the semen was collected,
    - (ii) the identity of the donor bovine animal under the cattle identification Regulations,
    - (iii) the breed of the donor bovine animal, and
    - (iv) the licence number of the centre where the semen was collected (if applicable).
- 2** The approved person in respect of a domestic collection centre may not admit for processing semen not collected at the centre unless the semen is accompanied by a document that shows –
  - (a) the name and address of the person who despatched the semen to the centre;
  - (b) the date the semen was received;
  - (c) the name of the donor animal and its identity under the cattle identification Regulations;
  - (d) the number of straws or other receptacles supplied and the identification code allocated to each batch of straws;
  - (e) the number of any straws or other receptacles damaged or destroyed and their identification code.
- 3**
  - (1) Subject to sub paragraph (2), the approved person in respect of a domestic collection centre must ensure that the antibiotics streptomycin, penicillin, lincomycin and spectinomycin are added to produce the following concentrations in the final diluted semen –
    - (a) not less than 500 µg streptomycin per ml final dilution;
    - (b) not less than 500 International Units penicillin per ml final dilution;

- (c) not less than 150 µg lincomycin per ml final dilution; and
  - (d) not less than 300 µg spectinomycin per ml final dilution.
- (2) An alternative combination of antibiotics with an equivalent effect against campylobacters, leptospire and mycoplasmas may be used.
- 4 The approved person in respect of a domestic collection centre must ensure that, immediately after the addition of antibiotics, the semen is kept at a temperature of at least 5°C for a period of not less than 45 minutes.

### **PART 3**

#### **MEASURES APPLICABLE TO SEMEN QUARANTINE AT A DOMESTIC COLLECTION CENTRE**

- 1 The approved person in respect of a domestic collection centre must ensure that frozen semen is kept in the semen quarantine unit for at least 30 days before it leaves the centre.
- 2 The approved person in respect of a domestic collection centre must not allow any semen to leave the domestic collection centre unless the premises where it was collected remain clear of –
- (a) foot and mouth disease; and
  - (b) the bovine diseases listed in Annex E(I) to Directive 64/432/EEC,
- for 30 days after collection or, in the case of fresh bovine semen, until the date of dispatch of the semen.
- 3 With regard to a bovine animal that –
- (a) did not belong to a herd officially free of enzootic bovine leukosis under Directive 64/432/EEC; or
  - (b) was produced by a dam that did not, after removal of the bovine animal from it, test negative to a test carried out under Annex D (Chapter II) to Directive 64/432/EEC,
- the approved person in respect of a domestic collection centre must not allow the animal's semen to leave the centre until the animal has reached the age of 2 years and has tested negative for enzootic bovine leukosis, under a serological test carried out under the procedure described in Annex D (Chapter II) to Directive 64/432/EEC.
- 4 With regard to a bovine animal vaccinated against foot and mouth more than 30 days before, but within 12 months of, a collection, the approved person in respect of a domestic collection centre must not allow the animal's semen to leave the centre unless 5% (with a minimum of 5 straws) of each collection have tested negative to a virus isolation test for foot and mouth disease.

## **SCHEDULE 5**

(Article 24(2))

### **DUTIES OF THE APPROVED PERSON IN DOMESTIC STORAGE CENTRES**

The approved person in respect of a domestic storage centre must ensure that –

- (a) only semen is stored at the centre;
- (b) semen is only stored at the centre if it was –
  - (i) collected and processed in accordance with this Order,
  - (ii) lawfully collected and processed in another British Island or in another member State under the Directive before coming to Jersey, or
  - (iii) lawfully stored in another British Island or in another member State under the Directive before coming to Jersey;
- (c) the cryogenic agent used has not been previously used for other products of animal origin;
- (d) each individual dose of semen is sealed, numbered and clearly marked so that the following information can be readily established –
  - (i) the date the semen was collected,
  - (ii) the identity of the donor animal under the cattle identification Regulations,
  - (iii) the breed of the donor animal, and
  - (iv) the licence number of the centre where the semen was collected (if applicable).

## **SCHEDULE 6**

(Article 31(2))

### **DUTIES OF OPERATOR OF ON-FARM BOVINE SEMEN COLLECTION FACILITIES**

- 1** The operator must ensure that the accommodation in which the bovine animals from which semen is to be collected is kept, and the collection facilities (if different), are constructed so that they can be readily cleaned and disinfected.
- 2** The operator must ensure that when the semen collected is moved to a domestic collection centre for processing, it is accompanied by a document that identifies the donor animal under the cattle identification Regulations and certifies that at the time the semen was collected the animal –
  - (a) showed no clinical signs of disease;
  - (b) had not been vaccinated against foot and mouth disease within the preceding 30 days; and
  - (c) had not been allowed to serve naturally since the date of the application for its approval for semen collection.
- 3** The operator must ensure that when the semen collected is moved to a domestic collection centre for processing, it is also accompanied by a document that certifies that for at least the 3 months before the collection of the semen –
  - (a) Jersey had been free from foot and month disease; and
  - (b) the place where the semen was collected had been free from the bovine diseases listed in Annex E(I) to Directive 64/432/EEC.



Jersey

## DRAFT ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS (JERSEY) ORDER 200-

### Explanatory Note

This Order revokes and replaces the Artificial Insemination of Domestic Animals (Jersey) Order 1952 consequent on the making of the Artificial Insemination of Domestic Animals (Bovine Semen) (Jersey) Order 200.



Jersey

## DRAFT ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS (JERSEY) ORDER 200-

### Arrangement

#### Article

1	Application.....
2	Semen of domestic animals – restrictions.....
3	Male animal to be approved.....
4	Premises for storage of semen to be approved.....
5	Revocation and saving.....
6	Citation and commencement.....





Jersey

# **DRAFT ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS (JERSEY) ORDER 200-**

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

**THE MINISTER FOR PLANNING AND ENVIRONMENT**, in pursuance of Article 2 of the Artificial Insemination of Domestic Animals (Jersey) Law 1952, orders as follows –

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## **PART 1**

### **GENERAL PROVISIONS**

#### **1 Application**

This Order does not apply to cattle or to the semen of cattle.

#### **2 Semen of domestic animals – restrictions**

A person must not –

- (a) collect, store, distribute or sell the semen of a domestic animal; or
- (b) artificially inseminate a female domestic animal,

except with and in accordance with a licence granted by the Minister.

#### **3 Male animal to be approved**

A person must not collect semen from a male domestic animal for use for artificial insemination unless the animal has been approved for that purpose by the Minister.

#### **4 Premises for storage of semen to be approved**

A person must not –

- (a) use premises or equipment for storing the semen of domestic animals, or
- (b) employ a method for storing such semen,

unless the premises, equipment or method has have been approved for that purpose by the Minister.

#### **5 Revocation and saving**

- (1) The Artificial Insemination of Domestic Animals (Jersey) Order 1952 is revoked.
- (2) A licence or approval granted or given under the revoked Order and in force immediately before the commencement of this Order continues in force as if granted or given under this Order.
- (3) Paragraph (2) does not apply to a licence or approval granted or given in respect of cattle or to the

semen of cattle.

**6 Citation and commencement**

- (1) This Order may be cited as the Artificial Insemination of Domestic Animals (Jersey) Order 200-.
- (2) It shall come into force on...

[END OF APPENDICES TO REPORT]

## **Explanatory Note**

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These Regulations amend the Artificial Insemination of Domestic Animals (Jersey) Law 1952 to allow Jersey to comply with its obligations under Council Directive 88/407/EEC.

The Directive lays down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species.



Jersey

# DRAFT EUROPEAN COMMUNITIES LEGISLATION (IMPLEMENTATION) (BOVINE SEMEN) (JERSEY) REGULATIONS 200

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

THE STATES, in pursuance of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996<sup>[1][1]</sup> and for the purpose of implementing in Jersey Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species, have made the following Regulations –

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## 1 Article 2 substituted

For Article 2 of the Artificial Insemination of Domestic Animals (Jersey) Law 1952<sup>[2][2]</sup> there is substituted the following Article –

### “2 Control of artificial insemination

- (1) The Minister may, by Order, control the practice of artificial insemination of domestic animals.
- (2) An Order made by the Minister may, in particular, prohibit, subject to such exemptions as may be specified in the Order, the collection, storage, distribution and sale of the semen of domestic animals, except under the authority of a licence granted by or on behalf of the Minister.
- (3) Orders made by the Minister may prescribe fees to be paid in respect of licences granted and other services provided by or on behalf of the Minister under or by virtue of this Law.”.

## 2 Article 3 amended

In Article 3 of the Artificial Insemination of Domestic Animals (Jersey) Law 1952–

- (a) paragraph (1) is deleted; and
- (b) in paragraph (3)(a) “cattle,” is deleted.

## 3 Citation and commencement

- (1) These Regulations may be cited as the European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200.
- (2) They shall come into force 7 days after they are made.

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[\[1\]\[1\]](#)

*chapter 17.245*

[\[2\]\[2\]](#)

*chapter 01.480*