

STOCK DISEASES ACT 1923

Section 14(4)

Order for course of action NSW BJD Protected Area

I, **Johanne Maree Taylor**, an Inspector under the *Stock Diseases Act 1923* (the Act), pursuant to Section 14(4) of the Act, order all persons within the protected area known as the NSW BJD Protected Areas, declared by the Minister for Primary Industries by Notification No. 1809-BJD published in Government Gazette No. 38 of 28th March 2008 at pages 2572 to 2576 to take the course of action set out in the Schedule.

SCHEDULE

1. A person must not move or sell any cattle from a dairy holding or any cattle that are known or suspected to have Johne's disease, within the NSW BJD Protected Area, unless:
 - (a) the cattle are transported in a vehicle directly, or via an approved facility, to:
 - (i) an abattoir, where they are slaughtered; or
 - (ii) a slaughter-only sale; or
 - (iii) an approved feedlot; or
 - (b) the cattle are steers and are less than 2 years of age; or
 - (c) the cattle are moved or sold in accordance with a written permit issued by an inspector under section 7(6) of the Act in circumstances that are of a kind approved from time to time by the Deputy Director-General, Agriculture, Biosecurity and Mine Safety, the Director, Animal and Plant Biosecurity, or the Chief Veterinary Officer; or
 - (d) the cattle are moved or sold in accordance with an order made by an inspector under section 8 of the Act; or
 - (e) where the cattle are from a dairy holding:
 - (i) the cattle are male calves and are less than 10 days of age; or
 - (ii) the cattle are moved to another property, place or premises, and the owner of the cattle provides a completed Dairy BJD Assurance Score Declaration Form in relation to the cattle, to the person receiving the cattle on delivery; or
 - (iii) the owner of the cattle makes a completed Dairy BJD Assurance Score Declaration Form in relation to the cattle available to prospective buyers, and an Inspector on request AND the owner of the cattle

provides the purchaser of the cattle within 14 days of the sale with a completed Dairy BJD Assurance Score Declaration Form in relation to the cattle; or

- (iv) the agent responsible for the sale of the cattle complies with the following:
 - (1) the Dairy BJD Assurance Score in relation to the cattle presented for sale must be visible to the public at the sale of those cattle;
 - (2) auctioneers must announce to the public the Dairy BJD Assurance Score of the cattle prior to the sale of those cattle (when cattle from dairy holdings are presented at the sale without a Dairy BJD Assurance Score Declaration Form, the auctioneer must announce that the cattle are from a dairy holding and are of unknown Dairy BJD Assurance Score and purchasers buy at their own risk);
 - (3) the completed Dairy BJD Assurance Score Declaration Form (or a copy) in relation to the cattle must be made available to prospective buyers prior to the sale of those cattle; and
 - (4) the Dairy BJD Assurance Score Declaration Form (or a copy) must be provided to any person who buys the cattle to whom the declaration relates within 14 days of the date of the sale of those cattle.

Definitions

approved facility means a facility that is approved from time to time by a District Veterinarian.

approved feedlot means a feedlot that is authorised in writing by the Director-General as a feedlot to which infected stock may be sold.

Chief Veterinary Officer means the Chief Veterinary Officer appointed pursuant to section 66(1) of the *Exotic Diseases of Animals Act 1991*.

Completed Dairy BJD Assurance Score Declaration Form means a form approved for the declaration of Johne's disease status by the Director, Animal and Plant Biosecurity, which has been completed by the person with day to day responsibility for managing the cattle in question. The details on a completed declaration form must include:

- (a) the property identification code (PIC);
- (b) Part A, one box ticked;
- (c) Part C, 'Total score' section completed;
- (d) Declaration section, full name, address, date and signature completed.

Dairy BJD Assurance Score means the score marked in Part C, 'Total Score' of the completed Dairy BJD Assurance Score Declaration Form.

dairy holding means:

- (a) a holding, or part of a holding, on which a milking herd is grazed or kept, or

- (b) a holding, or part of a holding, which has the same Property Identification Code (PIC) and/or is under the same ownership or control as a holding described in paragraph (a) above, and which is used to graze or keep cattle that:
 - (i) are part of the milking herd, or
 - (ii) are the progeny of the milking herd, or
 - (iii) are cattle (including beef breed cattle and dairy/beef cross breed cattle that are grazed or kept for beef production) that have grazed or have been kept on the same land as the milking herd; or
- (c) a holding, or part of a holding, on which cattle which will be used in a milking herd are raised for the owner of that milking herd, or
- (d) a holding, or part of a holding, on which dairy breed cattle are bred and/or raised for sale or supply to a milking herd.

Director, Animal and Plant Biosecurity means the Director, Animal and Plant Biosecurity of the NSW Department of Primary Industries.

Director-General means the Director-General of the NSW Department of Primary Industries.

Deputy Director-General, Agriculture, Biosecurity and Mine Safety means the Deputy Director-General, Agriculture, Biosecurity and Mine Safety of the NSW Department of Primary Industries.

holding means:

- (a) a parcel of land, or
- (b) several parcels of land which:
 - (i) are contiguous with one another or are separated from one another only by a road, river, creek or other watercourse, and
 - (ii) constitute or are worked as a single property, irrespective of whether those parcels are held under the same title or different titles or titles of different kinds.

Johne's disease means the form of Johne's disease (*Mycobacterium paratuberculosis*) commonly known as bovine Johne's disease.

NSW BJD Protected Area means the area of NSW which does not form part of the Protected (Control) Area referred to in the Schedule of Notification No. 1809-BJD, 2008.

slaughter-only sale means a sale approved by the Director-General for infected stock.

Dated this the 31st day of March 2008

**INSPECTOR
STOCK DISEASES ACT 1923**