



Victoria Government Gazette

No. S 173 Tuesday 27 July 2004

By Authority, Victorian Government Printer

Livestock Disease Control Act 1994

ORDER DECLARING A CONTROL AREA FOR OVINE JOHNE'S DISEASE AND DECLARING PROHIBITIONS ON ENTRY OF SHEEP INTO VICTORIA

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council, makes the following Order:

1. **Objective**

The objectives of this Order are to –

- (a) revoke the Order declaring a Control Area for ovine Johne's disease and declaring prohibitions on entry of livestock into Victoria, which was made on 22 October 2002 and published in the Victoria Government Gazette No. G 43 on 24 October 2002 at pages 2887–2890; and
- (b) declare the whole of Victoria as a Control Area for ovine Johne's disease; and
- (c) specify requirements which are to operate in the Control Area; and
- (d) prohibit the entry of sheep into the Control Area except in specified circumstances.

2. **Authorising Provision**

This Order is made under section 6 of the **Livestock Disease Control Act 1994** ("the Act").

3. **Revocation**

The 'Order Declaring a Control Area for Ovine Johne's Disease and Specifying Prohibitions on Entry of Susceptible Livestock into Victoria' which was made on 22 October 2002 and published in the Victoria Government Gazette No. G 43 on 24 October 2002 at pages 2887–2890 is revoked.

4. **Commencement**

This Order comes into operation on the day it is published in the Government Gazette.

5. **Definitions**

In this Order –

"**ABC score**" means the number of credit points allocated, or entitled to be allocated to a sheep, a group of sheep or a flock of sheep in accordance with the ABC Scheme;

"**ABC Scheme**" means the nationally agreed Assurance Based Credit scheme of assurance based credit points for measuring the risk of OJD;

"**Animal Health Statement**" means the declaration in the form or to the like effect of the form specified by the Secretary by notice published in Victoria Government Gazette No. S 144 on 23 June 2004 under section 18A of the **Stock (Seller Liability and Declarations) Act 1993**;

"**approved veterinarian**" means a veterinary practitioner approved under SheepMAP or otherwise approved by the Manager, Animal Health Operations, Department of Primary Industries;

"**Control Area**" means the whole of Victoria;

"**flock suspected to be infected**" means a flock, which has been exposed to OJD infection, or in which OJD may exist, based on:–

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- (a) trace back or trace forward contact with an infected flock; or
- (b) contact with OJD-contaminated land or facilities; or
- (c) reactors in the flock to a ovine Johne's disease test; or
- (d) the flock neighbours an infected flock; or
- (e) the flock has introduced sheep with an ABC score of 0; or
- (f) clinical signs of OJD in the flock; or
- (g) the owner has other reasonable grounds to suspect infection; or
- (h) written advice from an inspector –

and which has not met the requirements for flocks suspected to be infected with OJD no longer being suspected, in accordance with the ABC Scheme;

“High Prevalence Area” means an area defined as a High Prevalence Area under the ABC Scheme;

“infected flock” means a flock in which one or more sheep infected with OJD has/have been found and which has not met the requirements for resolution of infection in accordance with the ABC Scheme;

“inspector” means an inspector of livestock appointed under the Act;

“Medium Prevalence Area” means an area defined as a Medium Prevalence Area under the ABC Scheme;

“NLIS (Sheep) ear tag” means the ear tag for sheep approved under the National Livestock Identification Scheme;

“ovine Johne's disease” and **“OJD”** means an infection of sheep with *Mycobacterium paratuberculosis*;

“SheepMAP” means the Australian Johne's disease Market Assurance Program for Sheep conducted by Animal Health Australia;

“terminal lamb” means a crossbred wether lamb or a crossbred ewe lamb intended for slaughter before cutting any adult teeth;

“true and complete Animal Health Statement” means an Animal Health Statement that is true and complete and signed by or on behalf of the owner of the sheep.

6. **Control Area**

The whole of Victoria is declared to be a Control Area in respect of ovine Johne's disease in respect of sheep.

7. **Requirements in the Control Area**

Within the Control Area –

- (a) an owner of any sheep must –
 - (i) submit the sheep for testing and sampling for ovine Johne's disease, in accordance with any directions that may be issued by the Manager, Animal Health Operations of the Department of Primary Industries, to an approved veterinarian, an inspector or a person authorised by the Manager, Animal Health Operations of the Department of Primary Industries to test and sample sheep for ovine Johne's disease;
 - (ii) provide adequate facilities and sufficient assistance to allow the safe and efficient handling of the sheep during the sampling and testing procedures required under (i);
 - (iii) promptly provide information on the movements of sheep onto and from the property to an inspector upon request;

- (b) a person is prohibited, except with the permission of an inspector, from selling except to an abattoir or knackery for slaughter, any sheep which originates or comes from an infected flock unless –
- (i) the sheep is/are terminal lambs(s) identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is/are terminal lamb(s) sold with a written declaration ‘For Slaughter Only’; or
 - (iii) the owner has entered into an agreement under Section 17 of the Act and the sheep for sale comply with the conditions of that agreement and are accompanied by a true and complete Animal Health Statement which is given to the recipient or purchaser of the sheep;
- (c) a person is prohibited, except with the permission of an inspector, from selling except to an abattoir or knackery for slaughter, any sheep which originates or comes from a flock suspected to be infected, or any sheep with an ABC score of less than 3 points, unless –
- (i) the sheep is/are terminal lambs(s) identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is/are terminal lamb(s) sold with a declaration ‘For Slaughter Only’; or
 - (iii) the sheep for sale is/are accompanied by a true and complete Animal Health Statement attesting to an ABC score of 1 or more, which is given to the recipient or purchaser of the sheep;
- (d) a person is prohibited, except with the permission of an inspector, from exposing for sale in a market, saleyard or other public place any sheep from an infected flock or a flock suspected to be infected unless –
- (i) the sheep is/are terminal lamb(s) identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is/are terminal lamb(s) sold with a written declaration ‘For Slaughter Only’; or
 - (iii) the sheep for sale is/are accompanied by a true and complete Animal Health Statement attesting to an ABC score of 3 or more which is given to the recipient or purchaser of the sheep; or
 - (iv) the sheep for sale have an ABC score of 1 or more and are accompanied by a written declaration ‘For Slaughter Only’;
- (e) a person is prohibited, except with the permission of an inspector, from exposing in a market, saleyard or other public place any sheep which originate(s) or come(s) from a High Prevalence Area or a Medium Prevalence Area unless –
- (i) the sheep is/are terminal lamb(s) identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is/are accompanied by a true and complete Animal Health Statement attesting to an ABC score of 3 or more which is to be given to the recipient or purchaser of the sheep;
- (f) a person is prohibited, except with the permission of an inspector, from carrying, leading or driving by the side of any highway or thoroughfare any sheep which originates or comes from an infected flock or a flock suspected to be infected unless
- (i) the sheep is/are lamb(s); or
 - (ii) the sheep has/have an ABC score of 1 or more.

8. Prohibition on Entry

For the purposes of preventing the entry into Victoria of ovine Johne's disease, the entry into the control area of any sheep –

- (a) is prohibited unless –
 - (i) the sheep is/are terminal lamb(s) identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is/are accompanied by a true and complete Animal Health Statement attesting that the sheep have an ABC score of 3 or more, which is given to the recipient or purchaser of the sheep; or
 - (iii) in accordance with the prior authority of the Secretary or under a licence issued by the Secretary under Section 10(1) of the Act;
- (b) which originate(s) or come(s) from an infected flock is prohibited unless –
 - (i) the sheep is/are terminal lamb(s) identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the owner has entered into a Property Disease Management Program approved by the Chief Veterinary Officer of the jurisdiction in which the sheep originate(s) and the sheep is/are accompanied by a true and complete Animal Health Statement attesting that the sheep have an ABC score of 3 or more, which is given to the recipient or purchaser of the sheep; or
 - (iii) in accordance with the prior authority of the Secretary or under a licence issued by the Secretary under Section 10(1) of the Act;
- (c) which originate(s) or come(s) from a flock suspected to be infected is prohibited unless –
 - (i) the sheep is/are terminal lamb(s) identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is/are accompanied by a true and complete Animal Health Statement attesting that the sheep have an ABC score of 3 or more, which is given to the recipient or purchaser of the sheep; or
 - (iv) in accordance with the prior authority of the Secretary or under a licence issued by the Secretary under Section 10(1) of the Act;
- (d) which has/have an ABC score of 0, 1 or 2 is prohibited unless –
 - (i) in accordance with the prior authority of the Secretary or under a licence issued by the Secretary under Section 10(1) of the Act; or
 - (ii) accompanied by a written declaration “For Slaughter Only” and transported directly to an abattoir where they are slaughtered.

9. Record Keeping

An Animal Health Statement given to a recipient or purchaser of sheep in accordance with 7(b)(iii), 7(c)(iii), 7(d)(iii), 7(e)(ii), 8(a)(ii), 8(b)(ii), 8(c)(ii) or 8(d)(ii) must be retained for a period of 5 years and made available to an inspector upon request.

Dated 27 July 2004

Responsible Minister:
BOB CAMERON MP
Minister for Agriculture

DIANE CASEY
Clerk of the Executive Council

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