



Victoria Government Gazette

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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 Governor in 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 24 October 2006 and published in Government Gazette No. G 43 on 26 October 2006; 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 24 October 2006 and published in the Victoria Government Gazette No. G 43 on 26 October 2006 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;

"Sheep 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 [insert new details] 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 Standards, Department of Primary Industries;

"Control Area" means the whole of Victoria;

"flock suspected to be infected" means a flock which the owner has reasonable grounds to believe has been exposed to OJD infection, or in which OJD may exist, based on:–

- (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

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(g) written advice from an inspector –
and which has not met the requirements for resolution of that suspicion, 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;

“**lamb**” means a sheep prior to cutting its first two permanent incisor teeth;

“**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 System;

“**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 Sheep Health Statement**” means a Sheep 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 Standards of the Department of Primary Industries, to an approved veterinarian, an inspector or a person authorised by the Manager, Animal Standards 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 direct to an abattoir or knackery for slaughter, any sheep which originates or comes from an infected flock unless –
- (i) the sheep is a terminal lamb identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is a terminal lamb 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 Sheep Health Statement which is given to the recipient or purchaser of the sheep; or
 - (iv) in accordance with an exemption granted by the Secretary under Section 12(3) of the Act.
- (c) a person is prohibited, except with the permission of an inspector, from selling except direct 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 a terminal lamb identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is a terminal lamb sold with a written declaration ‘For Slaughter Only’; or
 - (iii) the sheep for sale has an ABC score of 1 or more and is accompanied by a true and complete Sheep Health Statement attesting to an ABC score of 1 or more, which is given to the recipient or purchaser of the sheep; or
 - (iv) in accordance with an exemption granted by the Secretary under Section 12(3) of the Act.
- (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 a terminal lamb identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep is a terminal lamb sold with a written declaration ‘For Slaughter Only’; or
 - (iii) the sheep for sale has an ABC score of 1 or 2 and is accompanied by a true and complete Sheep Health Statement which is given to the recipient or purchaser of the sheep, and a prominent sign is placed in the pen or yard displaying the ABC score of the sheep; or
 - (iv) the sheep for sale has an ABC score of 3 or more and is accompanied by a true and complete Sheep Health Statement which is given to the recipient or purchaser of the sheep; or
 - (v) the sheep for sale has an ABC score of 1 or more and is accompanied by a written declaration ‘For Slaughter Only’; or
 - (vi) in accordance with an exemption granted by the Secretary under Section 12(3) of the Act.
- (e) a person is prohibited, except with the permission of an inspector, from exposing in a market, saleyard or other public place any sheep for sale which originates or comes from a High Prevalence Area or a Medium Prevalence Area unless –
 - (i) the sheep is a terminal lamb identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep has an ABC score of 1 or 2 and is accompanied by a true and complete Sheep Health Statement attesting to an ABC score of 1 or more which is to be given to the recipient or purchaser of the sheep, and a prominent sign is placed in the pen or yard displaying the ABC score of the sheep; or

- (iii) the sheep has an ABC score of 3 and is accompanied by a true and complete Sheep Health Statement which is to be given to the recipient or purchaser of the sheep; or
 - (iv) the sheep for sale has an ABC score of 1 or more and is accompanied by a written declaration 'For Slaughter Only'; or
 - (v) in accordance with an exemption granted by the Secretary under Section 12(3) of the Act.
- (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 a lamb; or
 - (ii) the sheep has an ABC score of 1 or more.
 - (iii) in accordance with an exemption granted by the Secretary under Section 12(3) of the Act.

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 a terminal lamb identified by an NLIS (Sheep) ear tag printed with a terminal T symbol; or
 - (ii) the sheep has an ABC score of 1 or more and is accompanied by a true and complete Sheep Health Statement attesting that the sheep has an ABC score of 1 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) the Act; or
 - (iv) in accordance with an exemption granted by the Secretary under Section 12(3) of the Act.
- (b) which originates or comes from an infected flock is prohibited unless –
 - (i) the sheep is a terminal lamb 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 originates and the sheep is accompanied by a true and complete Sheep Health Statement attesting that the sheep has an ABC score of 1 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 has an ABC score of 0 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) in accordance with an exemption granted by the Secretary under Section 12(3) of the Act.

9. Record Keeping

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

Dated 23 April 2007

Responsible Minister

JOE HELPER, MP

Minister for Agriculture

RUTH LEACH
Clerk of the Executive Council

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