

Legal Aspects of Brucellosis Control

Introduction

The main purpose of the Animal Diseases Act, No. 35 of 1984 ("the Act") is to control important and dangerous animal diseases. The Act and its Regulations have general control measures relevant to all diseases but also have specific control measures for certain diseases, such as brucellosis.

Livestock owners must inform certain people of presence of disease

Section 11 of the Act determines that livestock owners must take reasonable steps to prevent their animals from becoming infected and to prevent the spread of disease. This means that an owner is not allowed to knowingly buy infected animals and bring them into his herd. Where treatment is possible and available owners are also obliged to treat infected animals. An owner who suspects that his animals are infected with a controlled disease must report it to the local responsible state veterinarian.

The Regulations also stipulates that an owner who becomes aware of the presence of a controlled disease in his livestock must inform the following groups of people:

- all his neighbours;
- all prospective buyers;
- all buyers who had bought animals from him within the preceding 30 days.

This is the case even if the disease has not been confirmed yet but is suspected.

Precautionary measures that are legally required

Table 2 of the Animal Diseases Regulations determines that all heifers between 4 and 8 months of age must be vaccinated once with an effective vaccine for brucellosis (currently the only approved vaccines available are Strain 19 and RB51). Strain 19 may only be used in heifers between 4 and 8 months of age and it may not be repeated. Follow-up vaccinations with RB51 in female animals may be done, but only with the written permission of the responsible state veterinarian. No bulls may be vaccinated, regardless of their age.

Animals may only be tested by a state veterinarian or official or a private veterinarian. It is not compulsory to test all cattle at this stage, but it is highly recommended, and it might become a legal requirement in the future. In specific circumstances the Director of Veterinary Services may compel an owner to test his animals.

Requirements for a positive herd

If there are any animals that test positive, the laboratory must immediately inform the responsible state veterinarian and if the tests were requested by a private veterinarian, he will also be informed of the results. The state veterinarian will then place the farm under quarantine which means that no susceptible or infected animals may be moved from the farm without the permission of the state veterinarian. A quarantine notice will be given which will contain all the requirements that the

owner will have to adhere to. The requirements in the quarantine notice may differ depending on the situation.

Every owner also has a duty to isolate infected and contact animals and keep them in isolation as soon as he becomes aware of the presence or suspected presence of brucellosis in his herd. An owner that removes his animals knowing that there are positive animals on his farm, commits an offence in terms of the Act, even if he has not been placed under quarantine by the state veterinarian yet.

All contact animals must also be tested by an official or authorized person. Animals which test negative may be vaccinated for brucellosis with the written permission of the state veterinarian.

Positive cattle must be branded with a “C” mark on the right side of their necks. Such animals may only be slaughtered with the written permission of the state veterinarian and at an approved abattoir. Animals may only be moved to the abattoir under cover of a Red Cross permit and may only be moved to the specific abattoir indicated on the permit. Under no circumstances may such animals be sold to any other person or at any other place and a person that does that is guilty of an offence in terms of the Act.

An owner must minimize contact with animals in isolation and only allow persons responsible for the care of the animals and officials responsible for implementing the control measures to have access to them.

Milk from cows that are infected or suspected to be infected with brucellosis may not be used for any purpose unless it has been boiled, pasteurized or sterilized.

The owner also has a duty to disinfect the area where the infected animals had been kept with an effective disinfectant and this includes the vehicles on which such animals were transported. Any equipment that has been potentially infected must also be disinfected in the prescribed manner.

Where any control measures have been performed on the animals, the owner must keep the proof thereof. This includes proof of vaccinations. Where the control measures had been done by an official or private veterinarian, the owner should request a certificate which contains the details of such measures. If an owner had performed some of the measures personally, proof can be provided by way of an affidavit accompanied by empty container and proof of purchase where relevant.

Role of the State Veterinary Services

Both National and Provincial Veterinary Services are mandated to implement and enforce the Act. They can compel an owner to have his animals tested if there is a suspicion that they might be infected. Owners who refuse to cooperate or comply with the requirements can be served with an order which compels him to take certain steps within a required period. They also have the power to enter a property or vehicle in order to conduct an inspection. If an owner, or someone acting on behalf of the owner transgress the Act, criminal charges can be made. In special circumstances, officials may even take control over a property in order to control a disease, whilst the costs of the control measures will be for the owner's account. State Veterinary Services will however only do this in extreme circumstances and always attempt to get the owner's cooperation first.

Voluntary test programmes

The Bovine Brucellosis Scheme (R.2483 of 9 Dec 1988) is currently enforced. There is also an interim manual for the control of bovine brucellosis available, which has been compiled by the Department of Agriculture, Forestry and Fisheries. Since the bovine brucellosis control policy is currently under revision, further details will not be discussed here.

Conclusion

It is important to remember that the Act aims at protecting the national herd, as well as humans against serious diseases such as brucellosis. All the control measures have been put in place for the purpose of this aim and not to punish people. Simply by following the principles of disease control and prevention, it should be easy to remain within the framework of the Act.

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