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DEPARTMENT OF AGRICULTURE

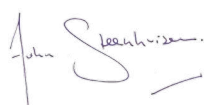
NO. 7423

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ANIMAL DISEASES ACT, 1984
(ACT NO. 35 OF 1984)

CONTROL MEASURES RELATING TO FOOT AND MOUTH DISEASE ROUTINE VACCINATION

The Minister of Agriculture, acting under Section 10 of the Animal Diseases Act, 1984 (Act No. 35 of 1984) hereby establishes the Scheme set out in the Schedule hereto.



MR JH STEENHUISEN, MP
Minister of Agriculture

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SCHEDULE

Definitions

1.
In this Scheme any word or phrase to which a meaning has been assigned in the Act and the Regulations, shall have that meaning, unless the context indicates otherwise -

“**the Act**” means the Animal Diseases Act, No. 35 of 1984;

“**agricultural industries**” mean official associations or organisations of farmers of cloven-hoofed animals affected or potentially affected by FMD;

“**animals**” means, for the purposes of this scheme, domesticated cloven-hoofed animals;

“authorised” means a veterinarian or veterinary paraprofessional authorised by the National Director: Animal Health in terms of the Act and appointed by a participant.

“committee” means the Committee established in paragraph 7;

“department” means the National Department of Agriculture;

“FMD” or **“Foot and Mouth Disease”** means the disease as specified in column 1 of Table 2 of the Animal Diseases Regulations GNR.2026 of 26 September 1986;

“GLN” means Global Location Number;

“Minister” means the Minister of Agriculture;

“National Director” or **“Director”** means the officer in the department referred to in section 2 (1) of the Act also referred to as the National Director Animal Health, unless referring to a Provincial Director.

“officer” means any employee as defined in section 1(1) of the Public Service Act, Proclamation R103 of 1984, acting under delegation from or control of a Provincial or National Director;

“owner” for the purposes of this scheme, includes any person who owns or exercises control over animals or a person authorised as such;

“participant”(s) mean owner(s) of animals participating in the scheme;

“Scheme” means the Routine Vaccination Scheme for Foot and Mouth Disease;

“state veterinarian” means a veterinarian who is an employee of government;

“traceable animal” means any animal marked with a permanent identification mark (branded or tattooed) and, in the case of cattle, adult pigs and small stock, uniquely identified with an eartag. In the case of slaughter pigs, a batch number identifying the week of birth, and in the case of sheep and goats, a batch number recorded on the traceability system;

“traceability system” means a system that enables the identification and tracking of animals (and animal products) throughout their entire life cycle—from birth, through movements and ownership changes, to slaughter or export.

“veterinarian” means a person as defined in section 1 of the Veterinary and Para-Veterinary Professions Act, No. 19 of 1982.

“veterinary paraprofessional” means any person who is registered or deemed to be registered as such in terms of the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982).

Name

2.

- (1) This scheme will be referred to as the Routine Vaccination Scheme for Foot and Mouth Disease (FMD).

Animals and disease (s10(2)(b) and(c))

3.

- (1) The scheme pertains to Foot-and-Mouth Disease, a highly contagious viral illness in animals that causes fever, blisters in the mouth and the hooves, leading to morbidity, mortality in some cases, and a significant economic impact.
- (2) Cloven-hoofed animals are susceptible to Foot-and-Mouth Disease and can spread the disease.

Objects (s10(2)(a))

4.

The objects of this scheme shall be to –

- (1) Function as an adjunct to other legislation, regulations and control measures pertaining to FMD;
- (2) Enable animal owners to mitigate against the impact of FMD by facilitating the voluntarily vaccination against Foot-and-Mouth Disease (FMD) by participating animal owners under the oversight of state veterinary services within the requirements of the scheme;
- (3) Create an opportunity for a public-private-partnership to support FMD control; and,
- (4) Facilitate continued business operations to participants to ensure food security and trade opportunities.

Application and Scope of the Scheme

5.

- (1) The Scheme applies to participating owners of cloven-hoofed livestock, their livestock, and the vaccination of those livestock against Foot-and-Mouth Disease.
- (2) Voluntary participation in the Scheme shall be available nationwide

Duration of the Scheme

6.

- (1) The Scheme will be in force until amended, or revoked by the Minister by notice in the *Gazette*.

Establishment of the Committee in terms of section 10(7)

7.

- (1) The Minister shall establish an expert body called the Committee for Routine FMD Vaccination for cloven-hoofed animals.
- (2) The Committee shall consist of -
 - (a) A veterinary representative of the National Directorate of Animal Health from the Department of Agriculture, nominated by the Director of Animal Health;
 - (b) One State Veterinarian appointed by the nominated by the Director of Animal Health who has experience in the control of FMD and the epidemiology of the disease.
 - (c) One veterinarian nominated by the cattle stud, dairy, and feedlot industries, appointed by the Minister.
 - (d) Two experts in FMD, nominated by the Agricultural Research Council and the University of Pretoria respectively, appointed by the Minister.
- (3) The Committee may at any time co-opt up to three persons as full members of the Committee, including but not restricted to representatives of agricultural industries.
- (4) Alternate members shall be nominated and appointed as set out in subparagraph (2). Alternate members must attend to the activities of the Committee when the primary member is unavailable. Such an alternate shall have the same rights as the Committee member.
- (5) A quorum of the Committee shall be more than 50% of its members as set out in subparagraph (2).
- (6) The Committee shall elect a chairperson and deputy-chairperson from amongst its members.
- (7) The Committee shall endeavour to make decisions by consensus, failing which a majority vote shall determine any matter.
- (8) The Chairperson shall have the casting vote on any matter for which the votes are equally distributed.

- (9) The members of the committee who are not in the full-time employment of the State shall be paid such remuneration and allowances as the Minister of Finance, may determine, and in terms of section 10 (8) of the Act.
- (10) All members and alternate members shall be subject to responsible internal and external communication in terms of section 25 of the Act.
- (11) The Minister may at any time terminate the appointment of any member after calling for representations from the member.

Determinations in relation to tests and additional powers (s10(3) and s10(7))

8.

- (1) The National Director of Animal Health shall, after consultation with the Committee, determine the tests to be conducted in relation to the scheme which may only be done by a state or private laboratory registered in terms of regulation 12B of the Animal Diseases Regulations, 1986.
- (2) The National Director of Animal Health shall, after consultation with the Committee, issue a peer-reviewed FMD manual within 90 days of the promulgation of the scheme which may be amended from time to time, to educate and empower owners of animals.

Powers and obligations of the Committee (section 10(2)(t), section 10(3) and 10(7))

9.

The Committee shall -

- (1) Coordinate and facilitate the implementation of the scheme;
- (2) Establish the requirements for governance and oversight of the scheme;
- (3) Review and communicate amendments to the requirements for participation in the scheme;
- (4) Review the test results pertaining to participants made available to the Committee by the National Director of Animal Health immediately on receipt thereof;
- (5) Advise the National Director of Animal Health on the issuing and cancellation of participation certificates issued in terms of paragraph 13 (3);
- (6) Advise the Director of Animal Health in relation to vaccine requirements to ensure sufficient availability of appropriate vaccine to participants;
- (7) Advise the National Director of Animal Health on granting exemption from any aspect of the scheme to any owner or any group or category of owners and/or animals, and subject such an exemption to any condition;
- (8) Consider information from the Minister, the Department and the National Director to inform the development and responsiveness of the scheme.
- (9) The Committee shall determine and control its internal arrangements, proceedings and procedures.
- (10) The Department, in partnership with industry, shall provide the necessary secretarial and logistical support to the Committee.
- (11) Report to the National Director and the Provincial Director/s on the status of participants in terms of the scheme;
- (12) The Committee shall submit a quarterly report to the Minister and the National Director, containing statistics, trends, risks and recommendations.

Requirements for participation in the Scheme (s10(2)(k))

10.

Any owner of animals may participate in the Scheme, provided that -

- (1) All cloven-hoofed livestock owned by the participant need to comply with the requirements defined by "traceable animal".
- (2) All cloven-hoofed livestock owned by the participant must be recorded on a traceability system.
- (3) The farm/property location with defined boundary fencing where the animals are, must have a GLN / Location coordinate and registered on a traceability system,
- (4) The participant undertakes to comply with the requirements of the Scheme, including an inspection checklist as issued by the Committee as part of the requirements.
- (5) The participant has appointed an authorised veterinarian or authorised veterinary paraprofessional to conduct veterinary acts in relation to the scheme.
- (6) The participant undertakes to submit to audits and inspections under the Scheme.

Responsibilities of the authorised veterinarian or veterinary paraprofessional (s10(2)(d))

11.

Veterinary acts and responsibilities relating to the scheme include –

- (1) Monitoring the receipt of the vaccines from a licensed manufacturer, importer or distributor;
- (2) Auditing cold chain management of FMD vaccines after receiving the vaccines;
- (3) Keeping of a vaccination register with batch numbers and the number of animals vaccinated, per site and participant.
- (4) Oversight over correct vaccination technique by the vaccinator;
- (5) Post-vaccination surveillance;
- (6) Reporting suspected vaccination failure to the Committee;
- (7) Immediately report suspect FMD cases to local provincial state veterinarian;
- (8) Collation of results of laboratory tests, analysis thereof and communicating results to the Committee;
- (9) Provision of a tailored biosecurity plan for every site where animals are vaccinated, of which the participant remains responsible for implementation; and
- (10) Record-keeping and reconciliation of all vaccinations administered and reporting thereof

Objections against decisions of the Committee

12.

- (1) Objections will be managed as per section 23 of the Act.

Application, Refusal and Cancellation (s10(2)(l) s10(2)(m))

13.

- (1) Owners of cloven-hoofed livestock can become participants in the scheme when the Director is satisfied, supported by a recommendation from the Committee, that applicant comply with the requirements of the scheme.
- (2) Participation will be terminated when the criteria set by the scheme, applicable to the type of operation, are not met;
- (3) Participation shall commence upon issuance of a Certificate of Participation by the Director of Animal Health.
- (4) A participant's animals' records will determine whether individual animals are covered by the scheme.
- (5) Participation shall lapse or be cancelled on expiry thereof or material non-compliance.
- (6) Participation shall be cancelled after failure to comply with a compliance notice issued by the committee, within 14 days of delivery of such notice.

Control Periods and surveillance (s10(2)(n))

14.

- (1) For the duration of participation in the scheme, on-farm clinical surveillance must continue, and any suspicious FMD signs must be reported to the state veterinary services.

Information to be Recorded (s10(2)(o))

15.

- (1) A participant must keep the following records updated on his/her traceability system -
 - (a) Certificate of Participation;
 - (b) Identification system;
 - (c) FMD vaccine- and vaccination registers;
 - (d) Records of temperature of vaccine storage fridge for maintenance of the cold chain;
 - (e) FMD vaccine records in terms of the Medicines and Related Substances Act, No. 101 of 1965;
 - (f) Morbidity;
 - (g) Mortality, sales, purchases, births, and/or movement;
 - (h) Audit reports.
 - (i) Any other information that shall assist in determining the FMD status of the animals and effectiveness of the vaccine and other control measures
- (2) All records shall be retained for at least 5 years.
- (3) Where not electronically possible, records shall be submitted to a relevant traceability system for recording.

Facilities to be Provided (s10(2)(p))

16.

- (1) Facilities required for purposes of the performance of any veterinary act, or any other tending, detention, sample collection, treatments or examinations of the animals shall be provided by the participant.

Marks and Identification (s10(2)(q))

17.

- (1) All animals must be marked with a permanent identification mark (branded or tattooed) and, in the case of cattle, adult pigs and small stock, uniquely identified with an eartag. In the case of slaughter pigs, a batch number identifying the week of birth, and in the case of sheep and goats, a batch number recorded on the traceability system;
- (2) Animals must be identified as provided for in paragraph 10(1), and in cases where electronic tagging is not feasible, the Committee may approve alternative mechanisms of marking and identification.
- (3) Tags and permanent identification marks must be recorded in the owner's traceability system.

Certification of Animals (s10(2)(r))

18.

- (1) An animal shall be certified as being vaccinated and having a valid vaccination status, for as long as the animal's FMD vaccination record is recorded on a traceability system, indicating that the animal's vaccinations are completed and up to date to the satisfaction of the Director.

Tariffs (s10(2)(s))

19.

- (1) Vaccine- and vaccination costs shall be borne by the owner of the vaccinated animal.
- (2) Notwithstanding the aforementioned, the Minister may publish guidelines regarding payment for vaccines and the vaccination programme.
- (3) In line with principles of Public-Private-Partnership, consideration should be given to:
 - (a) subsidies or public funding support;
 - (b) cost sharing mechanisms; and
 - (c) phased implementation approaches to promote equitable participation and national coverage.

Area-wide Applicability (s10(2)(u))

20.

- (1) Notwithstanding the voluntary nature of the scheme, the Minister may publish control measures, which may require mandatory action by participants and responsible persons.

Non-compliance

21.

- (1) The Committee shall, upon notification of the failure to comply with requirements, issue a non-compliance notice, setting out the nature of the non-compliance and a timeframe of 14 days, within which corrective measures must be implemented.
- (2) A failure to adhere to the conditions of a non-compliance notice within the stipulated timelines will result in the withdrawal of participations by the Director.

Commencement

22.

- (1) The scheme shall come into operation on the date of publication thereof in the *Gazette*.