

DISEASES OF ANIMALS (ANIMAL INFORMATION AND TRACEABILITY SYSTEM) REGULATIONS

(section 19)
(26th January, 2018)

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SCHEDULE

S. I. 7, 2018.

PART I

Preliminary

1. Citation

These Regulations may be cited as the Diseases of Animals (Animal Information and Traceability System) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires-

"**abattoir**" means any licensed premises in which animals or poultry are slaughtered, and includes any place available in connection with those premises for the confinement of animals or poultry waiting to be slaughtered in those premises;

"analogue ear tag" means a visually readable tag;

"animal identification" means the individual identification and registration of an animal with a unique identifier, by its epidemiological unit or group with a unique group identifier, so that an animal can be traced from birth to slaughter;

"animal identification device" means a registered electronic animal identification device;

"animal identification system" means a composition of a record of the identity of an animal and owner or custodian of the animal, the movement of such animal and any other record relating to the animal;

"bolus" means a ceramic, cylindrical, reticular device containing a radio frequency identification microchip device with an electronically stored individual animal identification number;

"brand" as a noun, has the same meaning as assigned to it under section 2 of the Branding of Cattle Act (Cap. 36:02);

"brand" as a verb, has the same meaning as assigned to it under section 2 of the Branding of Cattle Act (Cap. 36:02);

"brand certificate" means a certificate issued in terms of section 14(3) of the Branding of Cattle Act (Cap. 36:02);

"business operator" means a person who operates an animal production or animal product processing facility;

"cattle" includes any bull, cow, ox, stag, heifer, weaned calf and slaughtered carcass or portion of a carcass of any stock, other than hides, horns or hooves;

"crush" means a strategic location where several herds of stock come routinely for herd health and monitoring activities;

"custodian" means a person who is acting with the authority of the owner of an animal, or who is in charge of the day-to-day farm management decisions with respect to an animal;

"department" means the Department of Veterinary Services;

"distinctive mark" means a cheekmark, hornmark, hoofmark or earmark, or any clasp, rivet or tag attached to an ear, and includes any other mark which the President may, by regulations, made under section 29 of the Branding of Cattle Act (Cap. 36:02), prescribe;

"export slaughter house" means any slaughter house licensed as such in terms of the Control of Livestock Industry Act (Cap. 36:01);

"holding" means a farm or other agricultural undertaking belonging to different keepers within a communal area, such as-

- (a) a kraal;
- (b) a field;
- (c) a ranch;
- (d) a feedlot; and
- (e) a watering-point,

where animals are regularly kept or bred, the boundaries of which are defined by a physical or virtual fence.

"individual animal identification number" means a unique number electronically stored within a bolus or any other animal identification device;

"movement of an animal" or **"stock movement"** means when an animal is introduced into, or leaves an area or holding;

"NOEU" means Not for European market;

"NOEU brand" means a brand used to permanently mark imported cattle in accordance with the Act;

"OIE" means the International Office of Epizooties;

"owner identification number" means an identification number unique to an owner of an animal;

"registered brand" means a brand registered under the Branding of Cattle Act (Cap. 36:02);

"registered brand owner" means a person in whose name a brand is registered under the Branding of Cattle Act (Cap. 36:02);

"Stock Keeper Identification Card" means a card issued under regulation 6(1)(c) containing a unique numerical identifier for all keepers of stock who are registered as such under these Regulations; and

"**traceability**" means a trace of events of an animal or group of animals through all stages of production from birth to slaughter.

PART II

Stock traceability manager and other support personnel

3. Appointment of stock traceability manager and other personnel

The Director may, subject to the laws governing the public service, assign-

- (a) a public officer to be a stock traceability manager; and
- (b) two or more public officers to be assistant stock traceability managers who shall, subject to the directions of the stock traceability manager, have the power to do any act or thing which may be lawfully done under these Regulations by the stock traceability manager.

4. Functions of stock traceability manager

A stock traceability manager shall-

- (a) implement a stock traceability system which shall be used to trace all stock;
- (b) keep and maintain an updated centralised stock information technology data management system;
- (c) be the first point of call on any issue regarding traceability of stock; and
- (d) carry on any other issues relating to traceability of stock.

PART III

Registration of animals, owners of animals and holdings

5. Registration of animals

(1) The Director shall keep and maintain an up-to-date computerised database for registration of all cattle which shall record the following information-

- (a) the colour of the animal, which shall be written in Setswana;
- (b) the age of the animal;
- (c) the gender of the animal;
- (d) an owner identification number;
- (e) the animal identification device and analogue tag number of the animal;
- (f) the brand of the animal, and the position of the brand;
- (g) the animal holding;
- (h) the OIE disease status of the animal;
- (i) the zone where the animal is kept; and
- (j) the date of registration or tagging of the animal.

(2) A proof of ownership of an animal for purposes of registration of the animal shall be determined by the Director using a brand mark on such animal, where applicable, which brand mark shall be confirmed by him using a brand certificate.

(3) The Director shall keep and maintain, or cause to be kept and maintained, a register in which shall be recorded-

- (a) in relation to a bolus or animal identification device-
 - (i) multiple bolus or animal identification device insertions,
 - (ii) a regurgitated bolus or animal identification device, and
 - (iii) a lost bolus or animal identification device which has been reported as lost by the owner or custodian of the animal.
- (b) in relation to an animal, whether imported or not-
 - (i) the name, address and national identity number of an owner,
 - (ii) the change of ownership of an animal,
 - (iii) the individual animal identification number reflected on bolus or animal identification device,
 - (iv) the age, sex, colour and breed of an animal,
 - (v) the brand of an animal, where applicable,

- (vi) the number of the stock movement permits issued in terms of these Regulations,
 - (vii) the vaccination and other medical treatment of an animal,
 - (viii) the animal mortality,
 - (ix) the movement of an animal from one place to another,
 - (x) the slaughter record of an animal,
 - (xi) the animal holding, and
 - (xii) such other information as the Director may from time to time find necessary to record; and
- (c) in relation to a stock movement permit-
- (i) the name, address, national identity card number and owner registration number of the owner,
 - (ii) the origin holding and destination holding,
 - (iii) the territory, disease control zone, district, extension area, crush and holding,
 - (iv) the individual animal identification number reflected on an animal identification device of an animal that has been moved,
 - (v) the number of the stock movement permits issued in terms of these Regulations,
 - (vi) the registered brand of an animal that has been moved,
 - (vii) the validity of the stock movement permits issued in terms of these Regulations, and
 - (viii) such other information as the Director may from time to time find necessary to record.

(4) The Director shall record in the database linked to an individual animal identification number of an animal, any vaccinations or other medical treatment and the specimen of the animal.

(5) The information under subregulations (3) and (4) shall be provided to the Director by the owner or custodian of an animal.

6. Registration of owners of animals

(1) The Director shall-

- (a) register an owner of an animal in a register to be kept and maintained by the Director in which shall be recorded-
 - (i) his personal details, and
 - (ii) the number of animals he owns.
- (b) give the owner of the animal an owner identification number relating to the animal he owns; and
- (c) upon payment of a fee of P10, issue the owner with a Stock Keeper Identification card.

(2) An owner of an animal shall keep the following information on an on-farm record for the animal-

- (a) the date of birth of such animal;
- (b) the date of death of such animal;
- (c) the date of arrival of such animal in the farm or holding;
- (d) the date of transfer or departure of such animal from the farm or holding;
- (e) any medical treatment of such animal, such as vaccinations, de-worming and dipping; and

- (f) any withdrawal periods associated with the medical treatment of such animal.
- (3) An owner of an animal shall, within seven days of any changes in information under subregulation (2), update the database accordingly.

7. Registration of holdings

- (1) The Director shall-
 - (a) register a holding in accordance with the provisions of regulation 5(1);
 - (b) carry out annual inspections of holdings which shall cover at least three percent of the registered holdings where selection of those holdings shall be risk based;
 - (c) verify during inspections, compliance with the following minimum standards-
 - (i) that there is notifications of events such as tagging, treatments, movements, ownership or transfer of animals,
 - (ii) that there is correct application of ear tags, and
 - (iii) that there is no tampering with ear tags.
 - (d) increase frequency of inspections of holdings where there is significant non-compliance, and the frequency of the inspections shall be determined by the level of non-compliance; and
 - (e) carry out on-spot or unannounced inspections of holdings.
- (2) The Director shall, after registering a holding, issue the owner of a holding with a holding registration certificate set out in Form A in the Schedule.
- (3) The Director may, where an owner of a holding which has been registered fails to maintain the minimum standards referred to in subregulation (1)(c)-
 - (a) terminate the registration of the holding; or
 - (b) temporarily stop the movement of an animal from leaving or entering the holding until the owner of the holding complies with the minimum standards referred to in subregulation (1)(c).

PART IV

Identification of animals, animal identification devices and manner of tagging animals

8. Identification of animals

- (1) An animal shall be identified as follows-
 - (a) in relation to cattle-
 - (i) in accordance with the Branding of Cattle Act, and
 - (ii) by the use of an animal identification device approved by the Director, placed on the animal at birth or before such animal is six months old; and
 - (b) in relation to an ostrich, by the use of a registered holding of origin and an approved individual animal identification.
- (2) The Director shall develop an animal identification system for any other stock as and when it is required.
- (3) An owner or custodian shall not move an animal from one holding to another without having tagged such animal.
- (4) An owner or custodian shall not tag or present an animal for identification if-
 - (a) the animal is unbranded;
 - (b) the brand mark of the animal is not the same as the one on the brand certificate of the owner of such animal;
 - (c) the brand mark of the animal is not clear or is obliterated;
 - (d) the animal is branded with an unauthorised mark;
 - (e) the animal is already identified with an animal identification device; or
 - (f) the animal is identified with the particulars of a different owner.
- (5) An owner or custodian of an animal shall not move an animal from one holding to another unless the animal has been tagged using an approved identification tag or device and registered in the national database.

(6) The Director may, destroy without compensation, an animal if the keeper cannot prove its identification and traceability status and after conducting risk assessment on animal health and food safety, and establishing the possibility of a threat to human or animal health through-

- (a) unidentified animals; or
- (b) identified animals being moved through holdings without prescribed sanitary measures.

(7) Any person who contravenes these Regulations commits an offence and is liable to a fine not exceeding P5000 or to imprisonment for a term not exceeding five years, or to both.

9. Animal identification devices

(1) An animal identification device that may be used to identify the animal shall be as follows-

- (a) a bolus;
- (b) a digital ear tag; or
- (c) an analogue ear tag.

(2) A person shall not-

(a) import any animal identification device referred to in subregulation (1) without prior written consent of the Director; and;

(b) deal in any animal identification device unless the person submits the device to the Department for approval and registration.

(3) For the purposes of subregulation (2), "deal" includes but is not limited to manufacture, trade, distribution or storage of an animal identification device.

(4) Where an animal has been identified with an animal identification device and the animal loses the animal identification device or is suspected to have lost such animal identification device, the owner or custodian shall-

(a) report the loss of the animal identification device to any veterinary office or the nearest police station within seven days of becoming aware of the loss; and

(b) be required by the Director or a police officer to present evidence that the animal was previously identified with such animal identification device.

(5) An owner or custodian of an animal who finds or recovers his lost bolus or his lost animal identification device shall dispose of the bolus or animal identification device in an environmentally manner in accordance with the Environmental Assessment Act (Cap. 65:07).

(6) The Director may restrict the number of ear tags that a farmer can buy taking into account the actual need of the farmer at a particular time.

(7) A person shall not use an ear tag for any reason other than to satisfy the requirements of these Regulations.

(8) Any person who is found to have tampered with, replaced or removed, from an animal, or is found in possession of, a bolus or a registered animal identification device which he cannot account for, commits an offence.

10. Manner of tagging animals

(1) An owner of an animal may tag his animal in accordance with-

- (a) the animal identification manner of tagging as provided under subregulation (3); and
- (b) the category of such animal.

(2) An animal shall be identified-

(a) with a pair of tags made up of a digital and an analogue tag, both of which shall have a male and female unit; or

(b) if inserted with a bolus with an analogue ear tag.

(3) An owner of an animal shall tag his animal as follows-

(a) an ear tag under subregulation (2)(a) and subregulation (2)(b) shall be placed on each ear as follows-

- (i) an analogue ear tag shall be placed on the right ear; and

(ii) a digital ear tag shall be placed on the left ear.

(b) an animal identification ear tag shall be placed in the centre or middle of an ear of an animal;

(c) an animal with an animal identification device which is a bolus shall be tagged with an analogue ear tag on the right ear;

(d) an analogue ear tag and of digital ear tag for an animal born in Botswana shall be yellow in colour;

(e) an analogue ear tag and a digital ear tag for an animal imported into Botswana shall be red in colour; and

(f) an analogue ear tag for an animal resident in a holding which is located in a foot and mouth disease sensitive area shall be marked in such a manner as may be determined by the Director.

(4) An owner or custodian of an animal who loses any ear tag shall-

(a) report the loss of the ear tag to the nearest veterinary office or the nearest police station within seven days of the loss; and

(b) present evidence to a veterinary officer or a police officer that the animal was previously identified with an ear tag.

(5) An owner or a custodian of an animal shall, after reporting the loss of an ear tag to a veterinary office or a police station-

(a) replace, where an animal has lost a pair of digital ear tags, a new pair of the digital ear tags;

(b) replace, where an animal has lost an analogue ear tag, the ear tag with a blank ear tag on which he shall write the number of the lost analogue ear tag and tag the animal; and

(c) report the replacement and the new information on the pair of digital ear tags to the nearest veterinary office.

11. Use of ear tags

(1) An ear tag shall be linked to a particular keeper and holding at the time of buying or transfer.

(2) A person who uses an ear tag meant for one holding in a different holding commits an offence and is liable to a fine not exceeding P5000 or to imprisonment for a term not exceeding five years, or to both.

(3) A person shall not remove or cause to be removed, an ear tag of an animal from any infected area or place of isolation to a place outside such infected area or place of isolation.

(4) A person who contravenes the provision of subregulation (2) commits an offence and is liable to a fine not exceeding P5000 or to imprisonment for a term not exceeding five years or both.

12. Expiry of ear tags

(1) An owner or custodian of an animal shall apply an ear tag on an animal and subsequently capture it in the database within 14 days of purchase of an ear tag.

(2) An ear tag that has not been accordingly applied and captured into database at the end of 90 days after acquisition shall be deactivated.

PART V

Control of movement of imported animals

13. Control of movement of imported animals

(1) The Director shall, subject to the Act, designate ports of entry for the purpose of importation of any animal.

(2) While at the ports of entry-

(a) in the case of cattle, every imported cattle shall be branded by the owner with a NOEU brand on the right shoulder and with the importing owner's brand before being inserted with bolus or any other animal identification device; and

(b) the Director shall issue the owner of an animal being imported with a stock movement permit for the owner to move the animal from the port of entry to the animal's next destination.

(3) The cattle imported, branded with a NOEU brand and inserted with bolus or any other animal identification device at restricted ports of entry shall not be slaughtered at an export slaughter house.

(4) A stock movement permit referred to in subregulation (2)(b) shall be issued in the form of an electronic document from the stock and traceability system unless the Director directs otherwise.

PART VI

Management of animals for slaughter and inspection of export slaughter houses and abattoirs

14. Permit for submission of animals to export slaughter houses or abattoirs

An owner or custodian an animal shall not submit any animal to an export slaughter house or abattoir for slaughter, unless he has obtained a cattle removal permit from the Director in accordance with the Act.

15. Acceptance of animals at export slaughter houses or abattoirs

An owner of an export slaughter house or abattoir shall not accept any animal for slaughter unless the owner or custodian of an animal produces-

(a) the cattle removal permit referred to in regulation 13(b); and

(b) any other information that such owner of the export slaughter house or abattoir may be required by the Director to obtain from such owner or custodian.

16. Maintenance of traceability data by owners of export slaughter houses or abattoirs

An owner of an export slaughter house or abattoir shall keep and maintain, or cause to be kept and maintained, a register in which shall be recorded, the details of animals slaughtered in the export slaughter houses or abattoir, and in relation to cattle the following shall be abattoirs recorded-

(a) the name, address and identity card number of the owner;

(b) the individual animal identification number of the cattle;

(c) the number of the cattle removal permits issued under the Act;

(d) the brand of the cattle; and

(e) such other information as the Director may from time to time find necessary to

record.

17. Inspection of export slaughter houses and abattoirs

The Director-

(a) shall visit and inspect all portions of an approved export slaughter house or abattoir to ensure that-

(i) the export slaughter house or abattoir conforms to the best practice or standard of hygiene, and

(ii) there is compliance with these Regulations and any other law; and

(b) may require to be furnished with copies of the animal identification and trace-back records, within such time as he may specify.

PART VII

General provisions

18. Product traceability

The Director shall require a business operator to-

(a) have in place systems and procedures to identify other businesses to which their animal products have been supplied;

(b) have in place a system that will trace back and trace forward every stage of production from reception to dispatch;

(c) ensure compliance with the Livestock and Meat Industries Act (Cap. 36:03); and

(d) meet, in respect of the export of meat or meat products, any requirements imposed by the importing country.

19. Information security

(1) The Director shall maintain the confidentiality of any information obtained through the stock identification traceability system.

(2) Notwithstanding subregulation (1), the Director shall disclose information regarding an animal or holding of an animal-

(a) to the public for the following purposes-

(i) public health and safety,

(ii) national security,

(iii) planning,

(iv) public welfare, and

(v) diseases or pest control; and

(b) to-

(i) a law enforcement officer, upon a written request by the law enforcement officer, for the purpose of a criminal investigation; and

(ii) the Director of Public Prosecutions, upon a written request by him, for the purpose of a criminal prosecution of a criminal matter.

(3) A person who alters or attempts to alter, deletes or tampers with the information on the stock identification trace-back system commits an offence.

20. Disclosure of official information

Any person who, contrary to these Regulations-

(a) discloses information acquired by him in the exercise of his powers or the performance of his duties; or

(b) permits access to information or records acquired under these Regulations by any person who is not authorised to access the information or records, commits an offence.

21. Offences and penalties

Any person who contravenes any provision of these Regulations, where no penalty is provided, commits an offence and is liable to a fine not exceeding P5000 or to imprisonment for a term not exceeding five years, or to both.

22. Revocation of S.I. No. 12 of 2005

The Diseases of Animals (Livestock Identification and Trace-back) Regulations, 2005 are hereby revoked.

SCHEDULE Form A

DEPARTMENT OF VETERINARY

TELEPHONE: (267) 3689000

SERVICES

FAX: (267) 3903744

PRIVATE BAG 0032

GABORONE

Ver. 2015.01

CERTIFICATE OF REGISTRATION

This is to certify that: **'holding name'**

Operated by: _____

Of Postal Address: _____

Physical Location: In Extension Area: _____

Sub-District: _____

District: _____

REG NO: **'holding type'**

Expiry Date: xx/xx/xxxx

In accordance with the Disease of Animals Act Cap. 37:01

The HOLDING is granted this certificate which will be reviewed each year for compliance with conditions as set out on the back of this certificate and reviewed from time to time by the Director of Veterinary Services.

Signature

Date, xx/xx/xxxx

Director of Veterinary Services

HOLDING REGISTRATION CERTIFICATE

(reg. 7(2))

Requirements

- All cattle coming into the holding should have been issued with a Stock movement permit from place of origin.
- All new arrivals must be reported immediately.
- Once all the cattle in a holding are arrived in the system, the 40/90 days residency will be monitored.

- All Herd cards and on-holding records must be kept up to date.
- All Stock health and mortalities must be reported to the Veterinary office with immediate effect.
- The Holding manager or custodian must co-operate with veterinary officials at all times.
- All Holding owners must familiarise themselves with the Department of Veterinary Services (DVS) regulations.