CHAPTER 41
The Brucellosis Act

1. In this Act,

(a) "brucellosis" means the infectious disease of cattle caused by the organism *brucella abortus*;

(b) "calf" means a head of cattle under one year of age;

(c) "cattle owner" means a person owning or keeping one or more head of cattle, and includes a person in charge of premises where cattle are kept;

(d) "chief inspector" means the chief inspector appointed under this Act;

(e) "Commissioner" means the Live Stock Commissioner;

(f) "inspector" means an inspector appointed under this Act, and includes the chief inspector;

(g) "laboratory" means a laboratory for the making of tests for brucellosis that is designated as such in the regulations;

(h) "Minister" means the Minister of Agriculture;

(i) "regulations" means the regulations made under this Act;

(j) "supervised area" means a municipality or unorganized township that is designated as a supervised area;

(k) "vaccinate" means inoculate by vaccine in accordance with the regulations;

(l) "veterinarian" means a person holding a certificate entitling him to practise veterinary science under *The Veterinarians Act. 1956. c. 4, s. 1.*
2.—(1) Upon receipt of a petition that in the opinion of the clerk of a township in a county or territorial district bears the signatures of at least two-thirds of the cattle owners in that township requesting that the township be designated as a supervised area, the clerk shall make a certificate in the form prescribed by the regulations and shall, within sixty days after the receipt of the petition, send it, together with the petition, to the Commissioner.

(2) When the Commissioner receives the certificate and the petition from the clerk of a township, the Commissioner may recommend to the Minister that the township be designated a supervised area.

(3) When the Commissioner receives the certificate and the petition from the clerk of a township that is within a county in which all of the other townships are supervised areas, the Commissioner shall recommend to the Minister that all the municipalities in the county be designated as supervised areas.

(4) Upon receipt of a petition by the Commissioner that in his opinion bears the signatures of at least two-thirds of the cattle owners in an unorganized township requesting that the unorganized township be designated as a supervised area, the Commissioner may recommend to the Minister that the unorganized township be designated as a supervised area.

3. The Lieutenant Governor in Council may designate any municipality or unorganized township as a supervised area.

4. The Lieutenant Governor in Council may appoint a chief inspector and one or more inspectors for the purposes of this Act.

5.—(1) Upon application therefor in the form prescribed by the regulations, the Minister may appoint for the purposes of this Act one or more veterinarians for one or more supervised areas.

(2) Where the Minister appoints a veterinarian for the purposes of this Act, he shall make an agreement with the veterinarian providing for,

(a) the vaccination of female calves;

(b) the taking of samples of blood of cattle for the purpose of making tests for brucellosis; and
(e) the branding of cattle that have been found by test to be infected with brucellosis, and for the remuneration that will be payable to the veterinarian for such services.

(3) With the approval of the chief inspector, a veterinarian appointed for the purposes of this Act may engage one or more persons to assist him in the discharge of his duties under this Act, but the veterinarian is responsible for all acts of his assistants in the discharge of such duties. 1956, c. 4, s. 5.

6. No veterinarian appointed for the purposes of this Act shall use or supply to any person for use in any vaccination for brucellosis any vaccine other than a vaccine prescribed by the regulations. 1956, c. 4, s. 6.

7. No person shall vaccinate any head of cattle over one year of age without the written permission of the Commissioner or chief inspector. 1956, c. 4, s. 7.

8. No person shall offer for sale or sell, except for purposes of immediate slaughter, any head of cattle that he knows is infected with brucellosis without informing the buyer or his agent that the head of cattle is so infected. 1956, c. 4, s. 8.

9. No person shall ship, transport, drive or carry into a supervised area any female cattle, except,

(a) calves under ten months of age;

(b) cattle under three years of age that have been vaccinated, where the certificates of vaccination are delivered with the cattle;

(c) cattle that have been tested and found not to be infected with brucellosis, where the certificates of freedom from brucellosis are delivered with the cattle;

(d) cattle being shipped, transported, driven or carried for the purpose of immediate slaughter or removal to a place not within a supervised area; or

(e) cattle shipped, transported, driven or carried into a supervised area under a permit issued by the Commissioner or an inspector upon such terms and conditions as he deems appropriate for the particular case. 1956, c. 4, s. 9; 1957, c. 5, s. 1.
10. Where a female calf under ten months of age that has not been vaccinated is brought into a supervised area, the owner of such calf shall, within ten days thereafter, inform a veterinarian or an inspector of the particulars thereof. 1956, c. 4, s. 10; 1957, c. 5, s. 2.

11. Except as provided in the regulations, every female calf in a supervised area shall be vaccinated before it becomes eleven months of age. 1956, c. 4, s. 11; 1957, c. 5, s. 3.

12.—(1) Every cattle owner in a supervised area who has a female calf to be vaccinated under this Act shall, during the period after the calf becomes four months of age and before it becomes ten months of age, notify a veterinarian that he has such a calf. 1956, c. 4, s. 12 (1); 1957, c. 5, s. 4 (1).

(2) Where a veterinarian appointed for the purposes of this Act receives a notice under subsection 1, he shall vaccinate the calf without cost to its owner.

(3) Where a veterinarian, other than a veterinarian appointed for the purposes of this Act, receives a notice under subsection 1, he may, after having informed the owner of the calf that the cost of the vaccination by him is not provided for under this Act, vaccinate the calf on such terms as he and the owner of the calf agree upon. 1956, c. 4, s. 12 (2, 3).

(4) Where a veterinarian receives a notice under subsection 1 and for any reason the calf to which the notice relates has not been vaccinated at the time it becomes eleven months of age, the veterinarian shall forthwith notify the Commissioner or an inspector of the circumstances of the case. 1956, c. 4, s. 12 (4); 1957, c. 5, s. 4 (2).

13. Every veterinarian who vaccinates a female calf shall make in quadruplicate a certificate of vaccination thereof in the form prescribed by the regulations and shall forthwith deliver or send by mail the original copy to the owner of the calf and shall, within ten days after the end of the month in which the vaccination was done, deliver or send by mail three copies to the Commissioner. 1956, c. 4, s. 13.

14. Where a female calf is vaccinated by a veterinarian appointed for the purposes of this Act and it dies within twenty-four hours thereafter, the Minister may compensate the owner of the calf for the loss so suffered as determined by a valuator appointed by the Commissioner, but not more than $100 shall be paid in the case of a pure-bred calf and
Sec. 16 (1)  

BRUCELLOSIS  

not more than $50 in the case of any other calf, and in no case shall any amount be paid,

(a) unless the owner of the calf notifies an inspector or a veterinarian of its death within twenty-four hours thereafter; and

(b) unless a veterinarian who has conducted a post mortem examination of the calf certifies that its death resulted from the vaccination. 1956, c. 4, s. 14.

15.—(1) Where a cattle owner requests that a blood test for brucellosis be made of a head of cattle, the Commissioner or the chief inspector may authorize a veterinarian appointed for the purposes of this Act to take the sample of blood required for the test, but no such veterinarian shall take a sample of blood for such test without first obtaining the written permission of the owner of the head of cattle for the branding of it in the event that it is found by the test to be infected with brucellosis.

(2) When such veterinarian takes a sample of blood from a head of cattle for a test for brucellosis, he shall send it immediately to the operator of a laboratory together with the name and address of the owner of the head of cattle and sufficient information to identify it.

(3) When the operator of a laboratory receives a sample of blood from a veterinarian for a test for brucellosis, the operator shall make the test as soon as practicable and shall prepare a report in the form prescribed by the regulations and shall, within ten days after making the test, send two copies of the report to the veterinarian, and if the report shows that the head of cattle is infected with brucellosis, he shall send a copy of the report to the Commissioner.

(4) When a veterinarian receives the copies of a report of a test for brucellosis sent to him under subsection 3, he shall deliver one copy thereof to the owner of the head of cattle tested, and, if the report shows that the head of cattle is infected with brucellosis, he shall brand it in accordance with the regulations. 1956, c. 4, s. 15.

16.—(1) An inspector or a veterinarian appointed for the purposes of this Act may at any time between sunrise and sunset enter any land or building, other than a dwelling house, for the purpose of carrying out his duties under this Act.
(2) The production by an inspector or a veterinarian appointed for the purposes of this Act of an identification certificate purporting to be signed by the Minister is *prima facie* evidence of the facts stated in the certificate.

(3) No person shall hinder or obstruct an inspector or a veterinarian appointed for the purposes of this Act in the performance of his duties or shall furnish him with false information.

(4) The owner of a female calf being vaccinated shall provide such assistance as the veterinarian requires to restrain the calf. 1956, c. 4, s. 16.

17. Every person who fails to comply with this Act or the regulations or the terms or conditions of any permit issued under this Act is guilty of an offence and on summary conviction is liable to a fine of not more than $100 for a first offence and to a fine of not more than $200 or to imprisonment for a term of not less than thirty days, or both, for any subsequent offence. 1956, c. 4, s. 17.

18. The Lieutenant Governor in Council make regulations,

(a) designating any municipality or unorganized township as a supervised area;

(b) exempting any class of female calves from this Act;

(c) designating laboratories for the making of tests for brucellosis;

(d) prescribing the vaccines and the methods to be used in vaccinating female calves against brucellosis;

(e) providing for the issue of permits under clause e of section 9;

(f) prescribing the brands and the methods of branding cattle to identify those that have been found by test to be infected with brucellosis;

(g) prescribing forms and providing for their use;

(h) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1956, c. 4, s. 18, amended.

19. The moneys required for the purposes of this Act shall be paid out of the moneys that are appropriated therefor by the Legislature. 1956, c. 4, s. 19.