

## **Brucellosis / Ministry of Health.**

### **Contributors**

Great Britain. Ministry of Health.

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*Nblak*

Circular 17/66

24th October 1966

To: County and County Borough Councils  
London Borough Councils  
Common Council of the City of London  
Greater London Council  
Borough Councils  
Urban District Councils  
Rural District Councils  
(England)

MINISTRY OF HEALTH,  
14, RUSSELL SQUARE,  
LONDON, W.C.1.

Sir,

Milk and Dairies (General) Regulations, 1959  
and Food and Drugs Act 1955, Section 31.

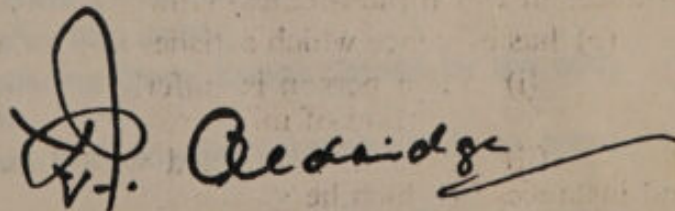
### BRUCELLOSIS

I am directed by the Minister of Health to say that it has been brought to his notice that Medical Officers of Health are experiencing difficulties in interpreting the provisions of the Milk and Dairies Regulations with regard to infection of milk particularly because of the veterinary considerations involved in the application of regulation 20 to Brucellosis. While the Minister cannot give an authoritative interpretation of the regulations, the guidance given in the Appendix to this Circular to supplement and amend circular 87/49 may be of help to Medical Officers of Health.

A copy of this circular is being sent to the Medical Officer of Health, and a copy is enclosed for the Public Health Inspector or sampling officer.

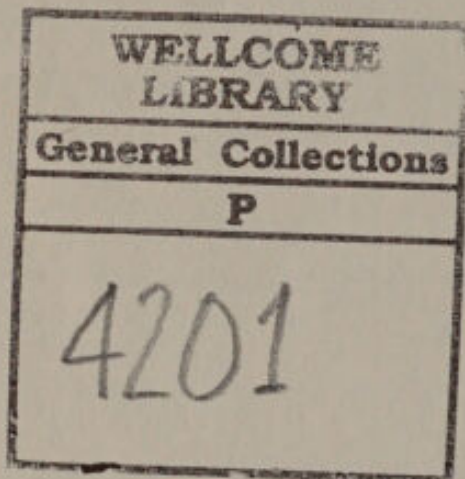
I am, Sir,

Your obedient Servant,



Assistant Secretary

The Town Clerk  
The Clerk of the Council  
A M 254/4B



22502889782



## Appendix

1. The regulations as a whole apply to all who handle milk—milk producers, distributors and manufacturers of milk products—and their premises, and the registered premises referred to in regulation 20 (1) include dairy farms, milk depots and distributors' premises.

2. Legal powers in relation to brucella infection exist in section 31 of the Food and Drugs Act 1955, and in regulation 20 of the Milk and Dairies (General) Regulations 1959. Section 31 is purely a penal provision which creates an offence, and the enforcing authorities (county and county borough councils) have no powers under it beyond the institution, or the threatening, of proceedings. It prohibits the sale for human consumption of the milk of any cow which to the seller's knowledge was suffering from one of the specified diseases in the Third Schedule. The Ministry of Health, on the advice of the Ministry of Agriculture, Fisheries and Food, has taken the view that a cow excreting *Brucella abortus* in her milk is suffering from "an infection of the udder or teats which is likely to convey disease". The enforcing authority have thus to identify the cow or cows from which the milk has come and prove that the milk producer or retailer knew, or could with ordinary care have known, at the time the sale took place that any such cow was suffering from the infection. But (a) there are often no clinical manifestations of brucellosis in an infected animal; (b) brucella organisms might be discharged in the milk at intervals only and, by the time proceedings are instituted, the cow might have ceased to excrete the organism, and (c) it takes up to 7 days by culture, or six weeks by guinea pig inoculation, to show that a sample of milk carried this specific infection; and the authority have normally to complete their investigations within 42 days, because section 108(1) of the Act provides that a prosecution founded on a sample of milk must be started within 42 days of the sampling.

3. The duty of enforcing section 31 must, therefore, present considerable practical difficulties to county and county borough councils. However, regulation 20 of the Milk and Dairies (General) Regulations 1959 gives district Medical Officers of Health wholly distinct powers which permit immediate action in relation to milk, as described below. County and district Medical Officers of Health should, therefore, co-ordinate their respective sampling programmes so as to avoid a duplication of milk samples for culture or biological examination.

4. The powers under regulation 20 relate to any disease communicable to man by the consumption of milk. A distinction is made between instances in which the Medical Officer of Health:—

(a) has evidence which satisfies him either

(i) that a person is suffering from disease caused by the consumption of milk or

(ii) that milk is infected with disease communicable to man; and instances in which he

(b) has no such evidence but has reasonable grounds for suspecting that a person is suffering from a disease thus caused or that milk is infected with such disease.

5. In cases (a) (i) or (ii) notice may be given, either stopping the sale, etc., for human consumption of all the milk (or such milk as is specified in the notice) or making sale conditional upon the milk being so treated as to satisfy the Medical Officer of Health that it may safely be used. In case (b), however, the notice may only provide for the last mode of action. In all cases, in order to deal with milk at source, notice will have to be served on the producer, as well as on the distributor.



1870  
The first of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought.

The second of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain.

The third of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought.

The fourth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain.

The fifth of the year was a very dry one, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought. The weather was very hot, and the crops were much injured by the drought.

The sixth of the year was a very wet one, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain. The weather was very cold, and the crops were much injured by the rain.



6. The decision whether or not to issue a notice under regulation 20 is one for the Medical Officer of Health to take on the evidence before him, but the following general advice may be of assistance:—

- (i) Brucellosis in man which is attributable to the consumption of milk from a single herd would seem to be sufficient justification for the service of a notice without waiting for bacteriological reports on the milk.
- (ii) Now that cultural methods for *Br. abortus* can provide an answer comparable to biological tests in 7 days, a sample of herd milk giving one positive result would seem to justify the service of a notice.

7. As soon as suspicions are aroused about the safety of any milk for human consumption, Medical Officers of Health will wish to advise the producer about the hazard to himself and his family, and to his workers and their families, if, as is usual, they drink milk in the raw state.

8. Notices under regulation 20 should not normally be served in respect of milk which it is known will in any case be subjected to adequate heat treatment and thereby made safe before sale to the consumer.

9. Much can be done, by routine sampling of milk which is not to be heat treated, to control any hazard of milk-borne brucellosis, and as indicated in paragraph 3 above, this entails co-ordinated action between the County Medical Officer of Health and the Medical Officer of Health for the district, who should plan their procedure with the Director of the Public Health Laboratory. The milk ring test carried out at regular intervals has proved to be particularly valuable for indicating with a minimum of effort and expense a herd which is likely to contain infected animals, thus saving the need for more costly investigations of a herd which has been shown to be probably free by the result of the milk ring test on the bulked milk of that herd.

10. The milk ring test is not definitive, but is a useful screening test in the search for evidence of brucella infection in milk. Herd samples of all milk which is to be sold for human consumption as 'Untreated' milk should be taken at regular intervals, preferably at least monthly, and examined by the milk ring test. Samples which give a positive reaction should be examined by culture for *Br. abortus* and, if the result is positive, the advice given under paragraph 6 applies. When, however, culture of a bulk sample is negative, it may be necessary to collect samples of milk from individual cows in the herd, or, if it is a large herd, from groups of 4-10 cows. These samples should be examined again by the milk ring test and those giving positive results subjected to cultural examination, and paragraph 6 again applies. Whether biological tests by guinea pig inoculation are undertaken is a matter for the Director of the Laboratory. Herds which are negative to the milk ring test carried out at regular intervals can be regarded as free from *Br. abortus*.

11. The notice served on the producer will normally relate to all the milk from the herd until such time as all infected animals are identified and either removed from the herd or effectively segregated from the remainder. If the infected animals are removed from the herd, then the advice in paragraph 13 applies.

12. If, however, the infected animals are segregated from the remainder of the herd, the notice on the milk of these infected animals should







continue. Any decision about the notice relating to the milk of the remaining animals should be influenced by the nature of the disease and the particular circumstances of the segregation. The Ministry is advised that excretion of the organism of brucellosis may occur over one or more lactations; and that it would be unsafe to assume that segregation of the excretors will be completely effective in preventing infection in the rest of the herd. Such factors as the ability of the producer to isolate the infected animals, to milk them last, and to sterilise all equipment after each milking, should be taken into account. Segregation as a policy is not advised. If in a particular case the Medical Officer of Health is satisfied that effective segregation is possible, the advice in paragraph 13 applies.

13. When the known infected animals have been removed from the herd or effectively segregated from it, the question whether or not the notice served under regulation 20 should be maintained for the milk from the remainder of the herd must be considered. In the Ministry's view the exclusion of diseased animals need not automatically lead to the lifting of the notice on the milk from the remainder of the herd. Before this happens it should be considered whether, having regard to the circumstances of the identification of the diseased animals, there are still reasonable grounds for suspecting that the milk from the rest of the herd is infected. Veterinary Officers of the Ministry of Agriculture, Fisheries and Food take the view that suspicion would still attach to the milk from a herd from which known infected animals had been removed until the milk from the remainder of the herd had been subjected to two milk ring tests. The first test should be not less than two weeks after removal and the second after a further interval of four to six weeks. Negative results from these milk ring tests could be accepted as evidence of freedom from infection and would justify removal of the notice. If, however, one or both of the milk ring tests were to give a positive result, a cultural test or tests should be carried out. In the Ministry's view the occurrence of a positive milk ring test in milk from a herd known recently to have contained infected animals would constitute reasonable grounds for continuing the notice for the short interval until the culture results were available. Subsequent action would depend on the culture results. If these were positive the herd would clearly still be infected and the notice would continue; if negative this could be accepted as evidence of freedom from infection and would justify withdrawal of the notice.

14. It is necessary to accept the possibility that these views could be challenged in the courts, either on proceedings for contravention of a notice or on a claim for compensation; but to succeed the offender or claimant would normally have to show, in effect, that there were in the particular case no reasonable grounds for suspicion or that a notice was continued unnecessarily.

15. The advice in paragraphs 12 and 13 applies generally to all cases where there is brucella infection, and although individual incidents need not be referred to the Veterinary Officers of the Ministry of Agriculture, Fisheries and Food it is clearly desirable for full co-operation to be maintained with them. The District Veterinary Officers have been asked that in cases where brucella organisms have been found in the milk of a dairy herd they should inform the Medical Officer of Health, the owner and the owner's veterinary surgeon. In the unlikely event of an expert witness being necessary to support a Medical Officer of Health on the veterinary considerations dealt with in this circular, the appropriate Divisional Veterinary Officer of the Ministry of Agriculture, Fisheries and Food, Animal Health Division, should be consulted.



