

Statutory Document No. 2007/0925

*Animal Health Act 1996*

PIGS (RECORDS, IDENTIFICATION AND MOVEMENT) ORDER 2007¹

Approved by Tynwald: 11 December 2007
Coming into Operation: 1 January 2008

In exercise of the powers conferred on the Department of Agriculture, Fisheries and Forestry by sections 1, 6 and 54 of the Animal Health Act 1996¹, and of all other enabling powers, the following Order is hereby made:-

1 Citation and commencement

This Order may be cited as the Pigs (Records, Identification and Movement) Order 2007 and shall come into operation on 1st January 2008.

2 Interpretation

In this Order —

“**the Act**” means the Animal Health Act 1996;

“**Department**” means the Department of Agriculture, Fisheries and Forestry;
“**directly for slaughter**” means without transiting any holding;

“**geographic identifier**” means the numeric code which indicates the Island;

“**holding**” means any establishment, construction or, in the case of an open-air farm, any place in which livestock are held, kept or handled;

“**holding number**” means the numeric code which is allotted to the holding by the Department;

“**identification mark**” means —

- (a) an eartag stamped or printed with the letters "UK" followed by the geographic identifier followed by the holding number; or
- (b) a tattoo of the geographic identifier followed by the holding number that is legible for the life of the pig.

“**individual identification number**” means a unique number allotted to an individual pig by the keeper;

¹ 1996 c.22

“**inspector**” has the same meaning as in section 59 of the Act;

“**keeper**” means any natural or legal person responsible for animals whether permanently or on a temporary basis, including during transportation or at a market;

“**livestock**” means any species kept for the production of food, wool, skin or fur or for use in the farming of land;

“**market**” means a market place or sale yard or any other premises or place to which animals are brought from other places and exposed for sale; and includes any place adjoining those premises used by visitors to the market for parking vehicles and any lairage adjoining a market and used in connection with it;

“**member State**” [Revoked]²

“**move**” means to remove a pig from the holding even on a temporary basis and “**movement**” shall be construed accordingly;

“**premises**” means land with or without buildings thereon and any market, sale-yard, fairground, place of exhibition or lairage;

“**slapmark**” means a tattoo of the geographic identifier followed by the holding number which is applied on each front shoulder area of the pig;

“**slaughterhouse**” means a slaughterhouse as defined in section 46(1) of the Food Act 1996;

“**third country**” means any country or state other than —

- (a) the Isle of Man;
- (b) the United Kingdom; or
- (c) a member State;³

“**veterinary treatment**” means any treatment or other procedure carried on by or under the supervision of a veterinary surgeon and includes castration;

3 Licences, etc.

Any licence, authorisation or approval under this Order shall be in writing, may be subject to conditions and may be suspended, amended or revoked in writing at any time.

4 Notification of premises where pigs are kept

- (1) Any person who is keeping a pig or pigs on any premises on the day that this Order comes into operation shall, within one calendar month of that day, notify the Department in writing of —
 - (a) the address of the premises;
 - (b) the name and address of the occupier of the premises;

- (c) the species of livestock (including livestock species other than pigs) which are usually kept on the premises; and
 - (d) the fields and buildings where the pig or pigs are kept.
- (2) Any person who intends to keep pigs on premises at any time after this Order comes into operation shall notify the Department of the information required in sub- paragraphs (1)(a) – (1)(d).
- (3) The Department may allocate to the premises a holding number.

5 Movement records

- (1) The keeper shall record each movement of a pig on or off their holding within 36 hours of the movement.
- (2) The record shall contain the information set out in the Schedule.
- (3) If the movement is for any purpose under article 13, the keeper shall also record the individual identification number for each pig.

6 Slaughterhouse records

- (1) An occupier of a slaughterhouse shall, in addition to the requirements of article 5, record the details of any pig brought to the slaughterhouse that is not marked in accordance with article 11.
- (2) The details to be recorded shall be kept separately from the information required by article 5 and shall include –
- (a) the name of the keeper of the pig; and
 - (b) the address of the holding, including the holding number, from which the pig was sent to slaughter.

7 Record of number of pigs on a holding

At least once a year the keeper shall record the maximum number of pigs normally present on the holding and the actual number of pigs on the holding on the date on which the record is made.⁴

8 Records retention

- (1) Any person required by this Order to make records shall keep them for at least six years from the end of the year in which the entry was made.
- (2) Records may be in written or electronic form.

9 Requirements for eartags

An eartag shall be –

- (a) easy to read during the pig's lifetime;

- (b) made of either metal or plastic or a combination of metal and plastic;
- (c) tamper-resistant;
- (d) incapable of re-use;
- (e) sufficiently heat-resistant that neither the eartag nor the information printed or stamped on it can be damaged by the processing of the carcase following slaughter;
- (f) of a design that will remain attached to the pig without being harmful to it.

10 Additional marking

Nothing in this Order shall prevent a keeper from marking the pig with any other information, or adding further information to the identification mark, provided that this marking does not affect the ability to read the identification mark or the slapmark.

11 Identification of pigs moved off a holding

No person shall move a pig off a holding unless it is marked with —

- (a) an identification mark; or
- (b) a slapmark that is legible for the life of the pig and throughout the processing of its carcase.

12 Identification of pigs moved on to a holding from third countries⁵

- (1) Any person importing a pig from a third country shall apply an eartag or a tattoo to the pig containing the following information, in the following order —
 - (a) the letters "UK";
 - (b) the geographic identifier;
 - (c) the holding number of the herd into which the imported pig is introduced;
 - (d) any other information, if the keeper wishes to apply such information; and
 - (e) the letter 'F'.⁶
- (2) The eartag or tattoo shall be applied to the pig within 10 days of its arrival at the holding of destination, and in any event, before it is moved from that holding.
- (3) Any person importing a pig from a third country must, as part of the record of the movement required under article 5 and in addition to the information required in Schedule 4, record any identification mark established by the third country of origin.⁷

13 Movement of pigs for export

- (1) The identification requirements for this article shall apply in addition to the requirements in article 11.
- (2) No person shall move a pig off a holding for the purposes of intra-Community trade or export unless —
 - (a) it is marked with an identification mark commencing with the letters UK; and
 - (b) an individual identification number allotted to the pig by the keeper.
- (3) Paragraph (2) shall apply whether the identification mark is an eartag or a tattoo.

14 Movement of pigs

- (1) Subject to paragraph (2), no person shall move a pig or cause it to be moved except under the authority of a licence under this article.⁸
- (2) A person may move a pig or cause it to be moved without the authority of a licence under this article —
 - (a) in the case where the pig is moved off a holding and taken directly for slaughter in a slaughterhouse;
 - (b) in the circumstances described in Article 16(1)(a); or
 - (c) for the purpose of administering emergency veterinary treatment to the pig.⁹
- (3) A licence under this article may contain such conditions as the Department consider fit for the purpose of preventing the spread of disease.
- (4) A licence under this article shall be either —
 - (a) a general licence issued by the Chief Veterinary Officer; or
 - (b) a specific licence issued by an inspector.
- (5) Any licence issued under this article shall be valid only for the period stated in it.
- (6) A licence may be revoked by the issuing authority at any time before the authorised movement has begun.
- (7) Any specific licence, notice, approval, authority, exemption or authorisation under this Order shall be in writing and —
 - (a) shall be subject to such conditions as are specified in it; and
 - (b) may be varied, suspended or revoked by an inspector by notice given to the person to whom it is issued but without prejudice to any thing done or omitted to be done before any such variation, suspension or revocation takes effect.

- (8) The keeper of a pig moved under the authority of a specific licence under this Order shall, on the completion of the movement, cause such licence to be handed to the occupier of the premises to which the pig has been moved, who shall retain that licence for a period of six months from the date they receive that licence and shall during that period produce that licence on demand to a constable or an inspector.
- (9) No person shall move pigs under a licence or authority under any provision of this Part of this Order except in compliance with the conditions attached thereto.

15 Sales of live pigs

- (1) No pig shall be moved off a holding for the purpose of offering the animal for sale.
- (2) In the case of a sale to be held on a holding, the sale will comprise only pigs forming the whole or part of the standing herd of that holding and no pigs shall have been moved on to the holding on the day of the sale or within a period of 20 days preceding the day of the sale (other than pigs moved on to the holding from a veterinary surgery to which it had been moved for veterinary treatment).

16 Prohibition of exhibition

- (1) No pig shall be moved off a holding for the purpose of show or exhibition, except —
 - (a) where such show or exhibition occurs in a slaughterhouse and is followed by the slaughter of the pig within 72 hours of its arrival;
or
 - (b) under a specific licence issued under Article 14 of this Order.
- (2) No person shall remove a pig from a slaughterhouse except after slaughter.

17 Prohibition of temporary breeding movements

No pig shall be moved off a holding for breeding purposes with the intention of returning the pig to the holding from which it was moved except under the authority of a specific licence issued under article 14.

18 Removal of an identification mark

No person shall, unless directed by an inspector in writing, remove an identification mark applied or attached under this Order.

19 Replacement of an identification mark

- (1) No person shall, unless directed by an inspector in writing, replace an identification mark applied or attached under this Order unless it has —
 - (a) become illegible;
 - (b) been removed for welfare reasons; or
 - (c) been lost.
- (2) Any person replacing an identification mark shall either —
 - (a) apply an identical identification mark; or
 - (b) apply a new identification mark and cross-refer the new identification mark with the original identification mark in the record kept under article 5.

20 Production of documents and records

- (1) .(1) A constable or inspector may require any record made under this Order to be produced on demand and a copy or printout of it to be made.
- (2) (2) Any person who is for the time being in charge of any record required to be kept under this Order shall, on demand made by an inspector at any reasonable hour, produce the record and allow a copy of it to be made.
- (3) (3) Where a record required to be made under this article is made in electronic or magnetic form, references in paragraphs (1) and (2) above —
 - (a) to production of the record are, if the inspector so requires, references to its production in written form; and
 - (b) to taking of extracts or copies of the record are references to the taking thereof in written form.

21 Offences

Any persons who, without lawful authority or excuse, proof of which shall lie with them —

- (a) contravene, or fail to comply with any obligation imposed by, any provision of articles 4 to 8, or 11 to 20;
- (b) knowingly cause or permit the doing of anything which constitutes an offence under sub-paragraph (a); or
- (c) make any entry in a record or statement or give any information for the purposes of this Order which they know to be false in a material particular or, for those purposes, recklessly make a statement or give any information which is false in a material particular,

shall be guilty of an offence against section 46 of the Act.

22 Revocations

The Movement of Animals (Records) (No. 2) Order 1973² is revoked.

MADE 10 NOVEMBER 2007

² Approved by Tynwald on 20th November 1973



SCHEDULE

HOLDING MOVEMENT RECORD

[Article 5]

1. Name and address of person keeping the record
2. Date of movement
3. Number of pigs moved
4. Identification mark or slapmark of each animal
5. Address of holding (including holding number) from which moved
6. Address of holding (including holding number) to which moved

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.

² Definition of “member state” revoked by SD2019/0355.

³ Definition of “third country” inserted by SD2019/0355 and substituted by SD2019/0374 with effect from 31/12/2020 at 23:00.

⁴ Art 7 amended by SD2019/0355.

⁵ Art 12 heading amended by SD2019/0355.

⁶ Para (1) amended by SD2019/0355.

⁷ Para (3) inserted by SD2019/0355.

⁸ Para (1) substituted by SD2019/0355.

⁹ Para (2) substituted by SD2019/0355.