



FOOT-AND-MOUTH DISEASE ORDER 2019

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Statutory Document No. 2019/0354



Animal Health Act 1996

FOOT-AND-MOUTH DISEASE ORDER 2019¹

Laid before Tynwald: 8 October 2019

Coming into Operation: in accordance with article 2

The Department of Environment, Food and Agriculture makes the following Order under section 1, 5, 6(1), 6(2), 11, 12(4), 14(1), 18, 18A, 19, 21, 25(7), 29, 32(1) and 55(2) of the Animal Health Act 1996.

PART 1 – INTRODUCTORY

1 Title

This Order is the Foot-and-Mouth Disease Order 2019.

2 Commencement

This Order comes into operation on the day after it is made¹.

3 Interpretation

(1) In this Order –

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

“**animal gathering**” means an event at which animals are brought together, including a market, show or fair, but not any occasion at which animals are brought together on the premises on which they are kept;

“**animal product**” means anything originating or made (whether in whole or in part) from an animal or from a carcase;

“**associated protection zone**” means, in relation to a surveillance zone, the protection zone centred on the same premises as that surveillance zone;

“**bovine animal**” includes buffalo and bison;

¹ Section 54 of the Animal Health Act 1996 specifies that every order made under that Act shall be laid before Tynwald as soon as practicable after it is made, and if Tynwald at the sitting at which the regulation or order is laid or at the next following sitting fails to approve it, the regulation or order shall cease to have effect.

- “**Chief Veterinary Officer**” means the Chief Veterinary Officer of the Department;
- “**collecting centre**” means premises used for the intermediate reception of animals intended to be moved elsewhere;
- “**contact premises**” means any premises declared to be contact premises under article 14(2);
- “**contaminated**” means directly or indirectly exposed to disease and “contamination” must be construed accordingly;
- “**the Department**” means the Department for Environment, Food and Agriculture;
- “**the Directive**” means Council Directive 2003/85/EC on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC², as last amended by Commission Implementing Decision (EU) 2018/1099³;
- “**disease**” means foot-and-mouth disease;
- “**free unit**” means a separate production unit declared to be a free unit under article 14;
- “**fresh meat**” means meat (including offal) that has not undergone any preserving process other than chilling, freezing or quick-freezing, including meat that is vacuum wrapped or wrapped in a controlled atmosphere;
- “**health marked**” means bearing the health mark as defined in Article 3(51) in Regulation EU 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products⁴;²
- “**identification marked**” means bearing the identification mark required by article 5(1) of Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin⁵ and “identification mark” must be construed accordingly;
- “**incubation period**” means —
- (a) for cattle, pigs and other bovine animals and swine, 14 days; and
 - (b) for other susceptible animals; 21 days;
- “**infected**” means affected with disease and “infection” must be construed accordingly;

² OJ L 306, 22.11.2003, p. 1.

³ OJ L 197, 3.8.2018, p. 11.

⁴ OJ L 095, 7.04.2017, p. 1.

⁵ OJ L 139, 30.4.2004, p. 55. The revised text of the Regulation is contained in a corrigendum (OJ L226, 25.6.2004, p. 22).

- “**infected premises**” means any premises declared to be infected premises under article 13(12);
- “**infection date**” means, in respect of any premises, the date confirmed by the Chief Veterinary Officer under article 13(10) as the earliest date disease was present there;
- “**keeper**” means any person responsible for animals, whether on a permanent or temporary basis, but does not include a person who is responsible for animals solely because that person is transporting them;
- “**meat preparation**” means fresh meat, including meat that has been reduced to fragments, which has had foodstuffs, seasonings or additives added to it or which has undergone processes insufficient to modify the internal muscle fibre structure of the meat and thus to eliminate the characteristics of fresh meat;
- “**meat product**” means a processed product resulting from the processing of meat or from the further processing of such processed products, so that the cut surface shows that the product no longer has the characteristics of fresh meat;
- “**mechanically separated meat**” means the product obtained by removing meat from flesh-bearing bones after boning, using mechanical means resulting in the loss or modification of the muscle fibre structure;
- “**milk**” includes cream, separated milk, skimmed milk and buttermilk;
- “**milk product**” includes butter, cheese, yoghurt, whey and any other product the main constituent of which is milk;
- “**minced meat**” means boned meat that has been minced into fragments and contains less than 1% salt;
- “**occupier**” means, in relation to any premises, the person in charge of those premises;
- “**overstamped**” means, in relation to a health marked or identification marked item, bearing an additional diagonal cross consisting of 2 straight lines intersecting at the centre of the health mark or identification mark and allowing the information there to remain legible (whether or not that additional cross is applied by the same stamp as the mark);
- “**premises**” includes any land, building or other place;
- “**protection zone**” means a protection zone declared under article 32(1) or 32(3);
- “**public highway**” means a highway maintainable at the public expense;
- “**raw milk**” means milk that has not been heated to more than 40°C or undergone any treatment that has an equivalent effect;
- “**Regulation (EC) No. 1069/2009** ” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human

consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation)⁶, as last amended by Council Regulation (EU) 1385/2013⁷;

“Regulation (EU) No. 142/2011” means Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive⁸, as last amended by Commission Regulation (EU) 2019/319⁹;

“restricted zone” means a restricted zone declared under article 38(1) or 38(2);

“sell” means sell to the final consumer or user and “sale” in the expression “consign for sale” must be construed accordingly;

“slaughterhouse” means an establishment used for slaughtering and dressing animals, the meat of which is intended for human consumption and which —

- (a) is approved or conditionally approved in accordance with Regulation EU 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products; or³
- (b) is approved or conditional approval under article 4(3) of Regulation (EC) No. 853/2004;

“supplementary movement control zone” means a supplementary movement control zone declared under article 20(1);

“surveillance zone” means a surveillance zone declared under article 32(1) or 32(3);

“susceptible animal” means a cow, bull, sheep, goat, deer, camel, llama, alpaca, guanaco, vicuna, any other ruminant, any swine (that is, a member of the suborder *Suina* of the order *Artiodactyla*), elephant or rodent (other than a pet rodent);

“suspected of being infected” means exhibiting clinical symptoms or showing post-mortem lesions or reactions to laboratory tests such that the presence of disease may reasonably be suspected;

“suspect premises” means any premises declared to be suspect premises under article 13(7) or 15(1);

⁶ OJ L 300, 14.11.2009, p. 1.

⁷ OJ L 354, 28.12.2013, p. 86.

⁸ OJ L 054, 26.2.2011, p. 1.

⁹ OJ L 061, 28.2. 2019 p. 1.

“**temporary control zone**” means a temporary control zone declared under article 18(1);

“**used litter**” means any substance which has been used for the bedding of animals;

“**vaccination surveillance zone**” means a vaccination surveillance zone declared under regulation 13(1), 14(2) or 14(3) of the Foot-and-Mouth Disease (Control of Vaccination) Regulations 2019¹⁰;

“**vaccination zone**” means a vaccination zone declared under regulation 13(1) of the Foot-and-Mouth Disease (Control of Vaccination) Regulations 2019;

“**vehicle**” includes —

- (a) a trailer, semi-trailer or other thing which is designed or adapted to be towed by another vehicle;
- (b) a detachable part of a vehicle;
- (c) a container or other structure designed or adapted to be carried by or on a vehicle; and

“**wild animal infected zone**” means a wild animal infected zone declared under article 40(1).

(2) References in this Order to “emergency slaughter” mean slaughter of animals which are not suspected of infection or contamination and are not on infected premises, where an inspector considers that the circumstances require urgent slaughter (including slaughter for welfare reasons).

(3) References in this Order to “susceptible animals originating in”, in respect of a protection zone or surveillance zone or “susceptible animals originating on”, in respect of infected premises mean —

- (a) susceptible animals kept in the protection zone or surveillance zone (after the declaration of the zone) or on the infected premises, as the case may be; and
- (b) susceptible animals which were kept within the boundaries of the protection zone or surveillance zone or on the infected premises at any time during the period —
 - (i) beginning 21 days before the following date —
 - (A) in the case of a protection zone, the earliest infection date on premises there;
 - (B) in the case of a surveillance zone, the earliest infection date on premises in the associated protection zone;
 - (C) in the case of infected premises, the infection date; and

¹⁰ SD 2019/0366.

- (ii) ending with the declaration of the protection zone, surveillance zone or infected premises, as the case may be.
- (4) References in this Order to “susceptible animals originating in”, in respect of a vaccination zone or temporary control zone or “susceptible animals originating on”, in respect of suspect premises or contact premises mean —
 - (a) susceptible animals kept in the vaccination zone or temporary control zone (after the declaration of the zone) or on the suspect premises or contact premises, as the case may be; and
 - (b) susceptible animals which were kept within the boundaries of the vaccination zone or temporary control zone or on the suspect premises or contact premises at any time during the period —
 - (i) beginning 21 days before the declaration of the vaccination zone or temporary control zone or suspect premises or contact premises, as the case may be, and
 - (ii) ending with that declaration.

4 Definitions of “animals” and “poultry”

For the purposes of the Act in its application to disease and to this Order, the definition of “animals” in section 57 of the Act is limited to all 4-footed beasts and all birds.

5 Premises comprising common or unenclosed land

For the purposes of this Order —

- (a) parcels of common or unenclosed land forms separate premises from parcels of other land unless —
 - (i) the parcels of land adjoin, and
 - (ii) all animals kept on each of those parcels are in the charge of the same keeper;
- (b) a notice which is to be served on the occupier of premises wholly or partially comprising any common or unenclosed land is validly served if served on every keeper of animals kept there (so far as those persons are reasonably ascertainable);
- (c) a requirement or restriction imposed on the occupier of premises wholly or partially comprising any common or unenclosed land applies to every keeper of animals kept there.

6 Licences and declarations

- (1) Licences granted under this Order —
 - (a) must be in writing;

- (b) may, in addition to any conditions required by this Order, be made subject to such conditions as the Department considers necessary to prevent the spread of disease; and
 - (c) may be amended, suspended or revoked in writing at any time.
- (2) Declarations made under this Order must be in writing.
- (3) Any amendment to or revocation of a declaration must be made by further declaration.

7 Notices

- (1) Notices issued under this Order may be amended or revoked in writing at any time.
- (2) A notice which —
- (a) is served on the occupier of premises; and
 - (b) imposes a requirement or restriction in respect of those premises, must contain a description of the premises sufficient to enable the extent of the premises to be ascertained.
- (3) Such a description may be amended by a veterinary inspector if that inspector is satisfied that it does not describe an appropriate area for the purposes of investigating and monitoring the spread of disease in respect of animals which are usually kept together.

8 Dissemination of information concerning restrictions and requirements

- (1) The Department must take such steps as it considers appropriate to ensure that licences, declarations and notices are brought to the attention of those who may be affected by them as soon as is reasonably practicable.
- (2) The Department must also ensure that —
- (a) the extent of any zone declared under this Order;
 - (b) the nature of the restrictions and requirements applicable within the zone;
 - (c) the date on which the zone is declared; and
 - (d) the date that declaration ceases to have effect in respect of the zone or any part of it,
- are publicised.

9 Disinfection

- Disinfection under this Order must be carried out with a disinfectant which is —
- (a) approved for use for the purpose of this Order and the Foot-and-Mouth Disease (Control of Vaccination) Regulations 2019 by the

Diseases of Animals (Approved Disinfectants) (England) Order 2007¹¹;

- (b) used at the concentration specified in that Order; and
- (c) used in accordance with the manufacturer's instructions or recommendations (if any) and, if use is recommended before any date, used before that date.

PART 2 — NOTIFICATION, SUSPICION AND INVESTIGATION OF DISEASE

10 Notification of disease or suspected disease

- (1) Subject to paragraph (6), a person ("P") who has in P's possession or charge an animal or carcase which is infected or suspected of being infected must immediately notify the Department.
- (2) Subject to paragraph (6), a person ("P") who in the course of P's occupation discovers that an animal or carcase not in P's possession or charge is infected or suspected of being infected must immediately notify the Department.
- (3) If the occupier of any premises notifies the Department under this article of an animal or carcase at those premises Schedule 1 applies in respect of those premises.
- (4) Any police officer who receives notification of disease under section 12(1) of the Act must immediately inform the Department.
- (5) Where notification is received under this article from a person other than the occupier of the premises where the relevant animal or carcase is located, a veterinary inspector may serve a notice on the occupier informing the occupier that —
 - (a) notification has been received under this article; and
 - (b) Schedule 1 applies in relation to the premises.
- (6) Paragraphs (1) and (2) do not apply to a person in possession of or transporting the disease pathogen contained in a product permitted to be placed on the market under the Veterinary Medicines Regulations 2019¹² or the Medicines for Human Use Regulations 2005¹³.

11 Notice of suspicion of disease

- (1) If an inspector knows or suspects that disease —

¹¹ SI 2007/448.

¹² SD 2019/0028.

¹³ SD 9/05.

- (a) currently exists; or
 - (b) has in the previous 56 days been present,
- on any premises, that inspector must immediately serve a notice on the occupier stating that fact and Schedule 1 then applies in respect of those premises.
- (2) If an inspector knows or suspects that an animal suspected of being contaminated is on any premises, that inspector must immediately serve a notice on the occupier stating that fact and Schedule 1 then applies in respect of those premises.

12 Suspicion of disease in animals in transit

- (1) If an inspector knows or suspects that an animal in transit is infected or contaminated that inspector must immediately serve a notice on the keeper of the animal (if present) and on the person in charge of the vehicle —
 - (a) stating that fact;
 - (b) directing the transport of the animal and any animal with it to such premises as the inspector considers fit; and
 - (c) detaining any vehicle, equipment or other thing suspected of contamination at a suitable place until it has been cleansed and disinfected.
- (2) The inspector must ensure that the occupier of premises to which animals are directed is served with a notice on their arrival stating that those premises are under restriction and Schedule 1 applies in respect of those premises.
- (3) The person (“P”) in charge of any vehicle detained under paragraph (1)(c) must cleanse and disinfect it without delay in accordance with Schedule 2 to the Transport of Animals (Cleansing and Disinfection) (England) (No. 3) Order 2003¹⁴ (of Parliament) and with any additional requirements an inspector imposes by serving a notice on P.
- (4) The person in charge of any equipment or other thing detained under paragraph (1)(c) must cleanse and disinfect it in accordance with the directions of an inspector.

13 Veterinary inquiry into the existence of disease and declaration of suspect premises and infected premises

- (1) The Chief Veterinary Officer must ensure that the presence or suspicion of infection or contamination is investigated in accordance with this article by a veterinary inspector as soon as is reasonably practicable.

¹⁴ SI 2003/1724.

- (2) The Chief Veterinary Officer must ensure that the presence or absence of disease on all premises in a temporary control zone where susceptible animals are kept or have in the 56 days before the declaration of that zone been kept is investigated in accordance with this article by a veterinary inspector as soon as is reasonably practicable.
- (3) The veterinary inspector investigating must take all steps the inspector considers necessary to determine whether disease exists or has in the 56 days before the commencement of the investigation existed on the premises, and the related circumstances.
- (4) Subject to paragraph (5), in taking such steps the veterinary inspector must ensure that any samples necessary for that determination are taken.
- (5) Sampling is not necessary on premises which the Chief Veterinary Officer considers to be epidemiologically linked with a primary source of disease for which samples have already been taken.
- (6) The veterinary inspector investigating may mark any animal, carcase or other thing liable to spread disease found on the premises.
- (7) If the veterinary inspector investigating considers it necessary to submit a serological sample for testing to determine whether disease exists, or has in the 56 days before the investigation existed on the premises, the inspector must declare the premises to be suspect premises.
- (8) The veterinary inspector investigating must communicate to the Chief Veterinary Officer the inspector's opinion as to whether disease exists, or has in the 56 days before the investigation existed, on any premises under inquiry.
- (9) If the veterinary inspector's opinion is that disease exists or has in the 56 days before the investigation existed on any premises the veterinary inspector must also communicate to the Chief Veterinary Officer the veterinary inspector's opinions on at least the following —
 - (a) the earliest date disease was present there;
 - (b) the origin of disease;
 - (c) any premises which may have been contaminated from the same origin;
 - (d) the extent to which animals other than bovine animals or swine may have been infected or contaminated;
 - (e) any premises to or from which disease may have been carried;
 - (f) any other premises which the veterinary inspector suspects to be contaminated;
 - (g) whether any premises under inquiry comprise 2 or more separate production units because they comply with the criteria in article 14(1),

and in sub-paragraphs (c), (e) and (f), “premises” includes premises outside the Island.

- (10) The Chief Veterinary Officer must consider and may confirm every opinion communicated to the Chief Veterinary Officer under this article.
- (11) If the Chief Veterinary Officer concludes after consideration of any opinion communicated to the Chief Veterinary Officer under this article that one or more of the criteria in Schedule 2 are satisfied in respect of any premises the Chief Veterinary Officer must confirm disease there.
- (12) If the Chief Veterinary Officer confirms disease at any premises the Department must declare those premises to be infected premises.
- (13) A declaration under paragraph (7) or (12) is by notice served on the occupier.
- (14) Any infected premises is an infected place for the purposes of the Act.

14 Separate production units

- (1) The Department may by notice served on the occupier of any premises investigated under article 13 (other than infected premises) declare that they are to be regarded as 2 or more separate production units if the Chief Veterinary Officer advises at the time of the veterinary inquiry that in that Officer’s opinion —
 - (a) they comply with the following criteria —
 - (i) the structure, including the administration, and size of the premises allow in each separate unit for a complete separation of housing and keeping (including air space) for their susceptible animals;
 - (ii) the operations on each separate unit, and in particular stable and pasture management, milking, feeding, and removal of dung or manure are completely separated and carried out by different personnel; and
 - (iii) the machinery, non-susceptible working animals, equipment, installations, instruments and disinfection facilities used in each separate unit are completely separate; and
 - (b) each of the criteria under paragraph (a) has applied continuously for at least —
 - (i) 28 days immediately prior to the date of the inquiry, if only bovine animals or swine have been on the premises within that period; or
 - (ii) 42 days immediately prior to that date in any other case.

- (2) A declaration under paragraph (1) must identify, and designate the boundaries of, each separate unit and must declare every separate unit which is free of disease to be a free unit.
- (3) A unit must cease to be a free unit on —
 - (a) amendment of the notice declaring it such that it is no longer declared to be a free unit; or
 - (b) revocation of that notice.

15 Tracing of possible disease spread

- (1) The Department must declare premises (other than infected premises) to be suspect premises if the Chief Veterinary Officer advises that that Officer suspects them of contamination from premises already declared to be suspect premises or from a suspected case of disease outside the Island.
- (2) The Department must declare premises (other than infected premises or suspect premises) to be contact premises if the Chief Veterinary Officer advises either —
 - (a) that disease may have been carried there from any premises; or
 - (b) that disease may have been carried to any premises from there,and in sub-paragraphs (a) and (b) “premises” includes premises outside the Island.
- (3) Declarations under this article must be by notice served on the occupier.
- (4) The Department must ensure that any premises declared to be suspect premises or contact premises under this article are subjected to investigation in accordance with article 13 as soon as is reasonably practicable.
- (5) Where, following a declaration under article 14(1), premises are to be regarded as consisting of separate production units the Department must amend any declaration under paragraph (2) to specify to or from which units disease may have been carried and only those units specified must form the contact premises.
- (6) Schedule 1 applies in respect of suspect premises or contact premises declared under this article.

16 Maintenance of measures in respect of premises

- (1) If premises are declared to be infected premises, they must no longer be suspect premises or contact premises.
- (2) Schedule 1 must continue to apply to premises if they are declared to be infected premises.
- (3) The Department must not revoke any notice declaring premises to be suspect premises until it is advised by the Chief Veterinary Officer that the

Chief Veterinary Officer no longer suspects infection or contamination there.

- (4) The Department must not revoke any notice declaring premises to be contact premises until it is advised by the Chief Veterinary Officer that the Chief Veterinary Officer no longer suspects that disease may have been carried there or from there.
- (5) The Department must not revoke any notice declaring premises to be infected premises until completion of the final cleansing and disinfection measures in paragraphs 15 to 17 of Schedule 3.

17 Declaration of a temporary control zone

- (1) On the declaration of any suspect premises the Department may also declare, as a temporary control zone, an area around those premises of such size as it considers fit to prevent the spread of disease.⁴
- (2) An area must remain a temporary control zone (or part of one) until —
 - (a) it becomes part of a protection zone or a surveillance zone; or
 - (b) the Department is advised by the Chief Veterinary Officer that the Chief Veterinary Officer no longer suspects infection there.
- (3) If the Department is advised as mentioned in paragraph (2)(b) —
 - (a) the Department must revoke the declaration creating the temporary control zone in question if the area comprises the whole of that zone; or
 - (b) if the area does not comprise the whole of that zone, the Department must amend the declaration so as to exclude that area.
- (4) Any amendment or revocation of a declaration creating a temporary control zone must refer to that declaration and state the date and time it is to take effect.
- (5) Any premises which are partly inside and partly outside a temporary control zone must be deemed to be wholly inside it.

18 Measures applicable in respect of a temporary control zone

- (1) No person may move any susceptible animal into or out of a temporary control zone, except where the movement is —
 - (a) through the zone without stopping; or
 - (b) necessary to complete a journey started before the creation of the zone.
- (2) Subject to paragraph (3), no person may move any susceptible animal from or to premises in a temporary control zone (without leaving that zone) except to complete a journey started before the creation of that zone or under the authority of a licence granted by an inspector.

- (3) The Department may, after considering the factors in paragraph (4), declare that instead of the restriction in paragraph (2) all the following measures apply in a temporary control zone —
- (a) the occupier of any premises in the zone where susceptible animals are kept must create and maintain a record in accordance with paragraph 1 of Schedule 1;
 - (b) the occupier of any premises in the zone where susceptible animals are kept must isolate animals in accordance with paragraph 3(1) of that Schedule;
 - (c) paragraphs 4 to 7 and 10 and 11 of that Schedule apply to premises in the zone where susceptible animals are kept.
- (4) When considering a declaration under paragraph (3), the Department must take into account the following factors in respect of the temporary control zone —
- (a) the density of the population of susceptible animals;
 - (b) the intensity of movements of animals or persons having contact with susceptible animals;
 - (c) any suspected delay in detecting suspicion of infection or contamination;
 - (d) the information available to the Department as to the possible origin and method of introduction of the disease virus; and
 - (e) any other factor the Department considers relevant in deciding whether such a declaration will help prevent the spread of disease and is reasonable in the circumstances.
- (5) The measures in paragraphs (2) and (3) apply —
- (a) subject to article 21(2)(b); and
 - (b) in addition to any requirement or restriction which applies in any part of a temporary control zone because that part falls within —
 - (i) a vaccination zone or vaccination surveillance zone; or
 - (ii) a wild animal infected zone.

19 Supplementary measures in respect of a temporary control zone: straying of susceptible animals

- (1) The keeper of a susceptible animal in a temporary control zone must take all such steps as are necessary to prevent it from straying from the premises where it is kept.
- (2) An inspector may detain any stray or feral susceptible animal found in a temporary control zone.

20 Declaration of supplementary movement control zone

- (1) When a temporary control zone has been declared, the Department may also declare a supplementary movement control zone which —
 - (a) must be of such size as it considers fit to prevent the spread of disease; and
 - (b) must include that temporary control zone.
- (2) An area must remain a supplementary movement control zone (or part of one) until —
 - (a) it becomes part of a protection zone or a surveillance zone;
 - (b) the temporary control zone included within it ceases to have effect;
 - (c) the Department amends the declaration of the supplementary movement control zone so as to exclude that area; or
 - (d) the Department revokes the declaration of the supplementary movement control zone.
- (3) Any amendment or revocation of a declaration creating a supplementary movement control zone must refer to that declaration and state the date and time the amendment or revocation is to take effect.
- (4) Any premises which are partly inside and partly outside a supplementary movement control zone must be deemed to be wholly inside it.
- (5) A supplementary movement control zone applies in respect of —
 - (a) susceptible animals; and
 - (b) any class of non-susceptible animal specified in the declaration in question during a period also specified in that declaration which period must not exceed 72 hours from the time the declaration was made.

21 Measures applicable in respect of a supplementary movement control zone

- (1) No person may move any animal in respect of which a supplementary movement control zone applies from or to any premises in such a zone or into or out of such a zone except where the movement is —
 - (a) through the zone without stopping;
 - (b) necessary to complete a journey started before the creation of the zone; or
 - (c) of a horse for veterinary treatment under the authority of a licence granted by an inspector.
- (2) Paragraph (1) applies —
 - (a) without prejudice to article 18(1);

- (b) in a temporary control zone in place of article 18(2) or, where a declaration under article 18(3) has been made, paragraph 4 of Schedule 1; and
 - (c) in addition to any requirement or restriction which applies in any part of a supplementary movement control zone because that part falls within –
 - (i) a vaccination zone or vaccination surveillance zone, or
 - (ii) a wild animal infected zone.
- (3) Any inspector granting a licence under paragraph (1)(c) must take account of the recommended measures in paragraph 2.1 of Annex VI to the Directive.

PART 3 – MEASURES FOLLOWING CONFIRMATION OF DISEASE

22 Tracing of products originating on infected premises

- (1) The Department must trace all milk, milk products, meat, meat products, carcasses, hides and skins, wool, semen, ova and embryos derived or collected from susceptible animals originating on infected premises.
- (2) After tracing any semen, ovum or embryo, the Department must, by notice served on the owner, or if that person is not readily ascertainable, the person in charge of it, direct that person to arrange for its disposal.
- (3) After tracing any other item referred to in paragraph (1), the Department must, by notice served on its owner, or if the owner is not readily ascertainable the person in charge of it, direct the owner or that person to either –
 - (a) arrange for such treatment as the Department considers necessary to ensure the destruction of the disease virus; or
 - (b) arrange for its disposal.

23 Notice of intention to slaughter animals

- (1) Subject to paragraph (2), before causing the slaughter of animals under section 24 or 24A of the Act, the Department must serve notice of its intention to cause such slaughter –
 - (a) on the occupier of the premises where the animals are kept; or
 - (b) where the animals are in transit, on the person in charge of them.
- (2) Paragraph (1) does not apply where the Department intends to cause the slaughter of a stray or feral animal detained by an inspector under article

19(2) or under paragraph 2(2) of Schedule 5 or paragraph 5(2) of Schedule 7.

24 Sampling and clinical examination of susceptible animals before slaughter

Where the Department serves notice of its intention to cause the slaughter of animals under section 24 or 24A of the Act, it must ensure that any sampling and clinical examination it considers necessary to carry out the veterinary inquiry under article 13 is undertaken before, or immediately following, such slaughter.

25 Place of slaughter

- (1) This article applies where the Department serves notice of its intention to cause the slaughter of animals under section 24 or 24A of the Act.
- (2) Subject to paragraph (3), where the animals to be slaughtered are on premises slaughter must take place there without delay.
- (3) Paragraph (2) must not apply where —
 - (a) in the opinion of the Department slaughter on those premises would be an unsatisfactory method of preventing the spread of disease; or
 - (b) the premises are a slaughterhouse.
- (4) In the cases referred to in paragraph (3), the Department may direct that slaughter be carried out at another place it considers satisfactory for the purpose of preventing the spread of disease.
- (5) Where the animals to be slaughtered are in transit, they must be transported to another place at the direction of the Department as soon as is reasonably practicable.
- (6) In directing transport to another place under this article the Department must grant a licence under paragraphs 4(6), 7(d) and 10(b) of Schedule 1 authorising movement of the animals, persons and vehicles necessary for that action.

26 Slaughter: control of carcasses

- (1) This article applies to every carcase of a susceptible animal on premises where the Department has caused the slaughter of animals under section 24 or 24A of the Act.
- (2) No person may move any carcase to which this article applies from the premises except for disposal and under the authority of a licence granted by the Department.
- (3) The Department must ensure that every carcase to which this article applies is disposed of without undue delay, and in so ensuring —

- (a) the Department may serve a notice on the occupier requiring immediate disposal or disposal within a specified period; and
- (b) the Department must grant any necessary licence under paragraph (2).

27 Slaughter: control of faecal material

- (1) This article applies to premises where the Department has caused the slaughter of animals under section 24 or 24A of the Act.
- (2) No person may move any dung, manure, slurry or used litter of susceptible animals from premises to which this article applies except —
 - (a) for disposal and under the authority of a licence granted by the Department; or
 - (b) where such material is from a slaughterhouse, for treatment in accordance with Articles 15 and 32 of Regulation (EC) No 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No 142/2011 and under the authority of a licence granted by the Department.

28 Slaughter: isolation of things liable to spread disease

- (1) This article applies to the occupier of —
 - (a) any premises, other than a slaughterhouse, where the Department has caused the slaughter of animals under sections 24 or 24A of the Act; and
 - (b) any premises where the Department has caused the slaughter of animals under section 24 or 24A of the Act, in a case where it directs that this article applies.
- (2) Subject to paragraph (3) a person to whom this article applies must isolate all milk, milk products, meat, meat products, carcasses, hides and skins, wool, semen, embryos, ova, slurry, manure, animal feed and used litter on the premises from any animal until —
 - (a) the Department declares by notice served on that person that all such items are free of contamination; or
 - (b) all such items have been treated in accordance with the Department's directions; or
 - (c) the Department grants a licence authorising any such item to be removed from the premises to be treated in accordance with Regulation (EC) No 1069/2009.
- (3) Paragraph (2) does not apply to milk on free units where this is authorised by a licence granted by the Department.

- (4) A licence granted under paragraph (3) must contain terms requiring that –
 - (a) where it is for human consumption, the milk is subjected to one of the treatments in paragraph 13 of Schedule 6; or
 - (b) where it is not for human consumption, the milk is subjected to one of the treatments in paragraph 14 of Schedule 6.

29 Slaughter: cleansing and disinfection of premises other than slaughterhouses

- (1) This article applies to any premises, other than a slaughterhouse, where the Department has caused the slaughter of animals under section 24 or 24A of the Act and to any vehicle used to carry susceptible animals on those premises, after –
 - (a) the disposal of all carcases from those premises in accordance with article 26; and
 - (b) if article 28(2) applies, isolation of the items referred to that article.
- (2) The Department must ensure that every part of the premises, vehicle used to carry susceptible animals and any other thing or place on the premises normally used by animals which may be contaminated is cleansed and disinfected in accordance with Schedule 3.
- (3) The Department must ensure that any part of the premises normally used by humans to the exclusion of animals (including a dwelling) the Department suspects to be contaminated is cleansed and disinfected in accordance with Schedule 3.

30 Slaughter: cleansing and disinfection of slaughterhouses

- (1) This article applies to a slaughterhouse where the Department has caused the slaughter of animals under section 24 or 24A of the Act, and to any vehicle used to carry susceptible animals on those premises, after –
 - (a) the disposal of all carcases in accordance with article 26; and
 - (b) if the Department grants a licence under article 27(2), removal for disposal or treatment of the items referred to in that paragraph.
- (2) The Department must ensure that every building and place, equipment, vehicle and other thing which may be contaminated on premises to which this article applies are cleansed and disinfected in accordance with Schedule 3.
- (3) No person may move any animal on to the premises until at least 24 hours after completion of the final cleansing and disinfection measures in paragraphs 15 to 17 of Schedule 3.

31 Restocking of premises following slaughter

- (1) This article applies to any premises where the Department has caused the slaughter of animals under section 24 or 24A of the Act.
- (2) No person may restock premises to which this article applies except under the authority of a licence granted by the Department and in accordance with Schedule 4.
- (3) No licence must be granted allowing restocking to commence —
 - (a) on premises to which paragraph 22 of Schedule 3 applies until one year has elapsed following completion of such cleansing and disinfection as is undertaken; or
 - (b) on premises to which that paragraph does not apply, until 21 days after completion of the final cleansing and disinfection measures in paragraphs 15 to 17 of Schedule 3 on the premises.

32 Declaration of protection zones and surveillance zones on confirmation of disease in the Island

- (1) The Department must declare an area to be a protection zone and an area to be a surveillance zone in the circumstances mentioned in paragraph (2).
- (2) The circumstances referred to in paragraph (1) are when the Chief Veterinary Officer confirms disease on premises in the Island, other than —
 - (a) at a slaughterhouse; or
 - (b) on premises to which infected or contaminated animals have been transported following a direction under article 12(1)(b).
- (3) The Department may declare an area to be a protection zone in the circumstances mentioned in paragraph (4) and if it decides to do so, the Department must also declare an area to be a surveillance zone.
- (4) The circumstances referred to in paragraph (3) are when the Chief Veterinary Officer confirms disease —
 - (a) at a slaughterhouse in the Island; or
 - (b) on premises in the Island to which infected or contaminated animals have been transported following a direction under article 12(1)(b).
- (5) Subject to paragraph (6), a protection zone or surveillance zone declared under this article must be of such size as the Department considers fit to prevent the spread of disease.
- (6) A declaration under this article must designate —
 - (a) the extent of the protection zone which must be centred on the infected premises and of at least 3 kilometres radius; and

- (b) the extent of the surveillance zone which must be centred on the same premises and of at least 10 kilometres radius.

33 Protection zones and surveillance zones: general provisions

- (1) Any premises which are partly inside and partly outside a protection zone are deemed to be wholly inside that zone.
- (2) Any premises (except premises which are partly inside a protection zone) which are partly inside and partly outside a surveillance zone are deemed to be wholly inside that zone.
- (3) Any protection zone or surveillance zone is an infected area for the purposes of the Act.

34 Measures applicable in respect of protection zones and surveillance zones

- (1) The measures in Parts 1 and 2 of Schedule 5 apply in respect of a protection zone and those in Parts 1 and 3 of Schedule 5 apply in respect of a surveillance zone.
- (2) Subject to paragraphs (3) and (4), the Department may declare that any other measure it considers appropriate to prevent the spread of disease applies in respect of the whole or any part of any protection zone or surveillance zone.
- (3) The Department must not make a declaration under paragraph (2), unless it is satisfied that the measures to be applied by that declaration are —
 - (a) necessary to prevent the spread of disease; and
 - (b) a proportionate method of preventing such spread, taking into account the epidemiological, animal husbandry, commercial and social conditions in the protection zone or surveillance zone.
- (4) The Department must take into account the recommended measures in paragraph 2.2 of Annex VI to the Directive before restricting the movement of horses in a surveillance zone by a declaration under paragraph (2).
- (5) An area must remain a protection zone or surveillance zone until the declaration creating it is amended or revoked in accordance with article 37.

35 Veterinary inspection of premises in protection zones and surveillance zones

- (1) The Department must ensure that all premises within a protection zone or a surveillance zone where susceptible animals are kept are inspected by a veterinary inspector as regularly as the Department considers fit to prevent the spread of disease.

- (2) A veterinary inspector inspecting premises under paragraph (1) must ensure that the inspection includes —
- (a) clinical inspection of all susceptible animals; and
 - (b) inspection of the records required to be created and maintained by paragraph 1 of Schedule 5.

36 Power to prohibit entry to land or agricultural buildings in a protection zone

- (1) Subject to paragraph (2), and with the prior written consent of the Department, an inspector may, notwithstanding the existence of any public footpath or other right of way, prohibit the entry of any person —
- (a) on to any land (excluding buildings but including any common, unenclosed or waste land); or
 - (b) into any agricultural building,
- in a protection zone by causing a notice to that effect to be displayed at every entrance to that land or building.
- (2) No person other than —
- (a) the owner of any animal on that land or in that building or a person authorised by that owner, who enters for the purpose of tending that animal; or
 - (b) a person entering under the authority of a licence granted by an inspector,
- must enter any land or building in respect of which a notice is displayed under paragraph (1).
- (3) No person may remove or alter a notice displayed under this article except at the direction of an inspector.
- (4) Any prohibition on entry to land or buildings imposed under this article is revoked if the declaration creating the protection zone is amended in accordance with article 37 so that the protection zone becomes part of a surveillance zone.
- (5) Any prohibition on entry to land or buildings imposed under this article may be revoked in whole or in part by —
- (a) the removal of all relevant notices in accordance with the directions of an inspector; or
 - (b) a declaration of the Department.

37 Amendment and revocation of declarations creating protection zones and surveillance zones

- (1) The Department may, where it is satisfied that the conditions in paragraph (2) are met, amend the declaration creating a protection zone so that the area within its boundaries becomes part of the surveillance zone centred on the same premises.
- (2) The conditions for amendment of a declaration creating a protection zone are —
 - (a) at least 15 days have elapsed since the completion of any preliminary cleansing and disinfection in that protection zone; and
 - (b) a survey of all susceptible animals to substantiate the absence of infection has been carried out on behalf of the Department in that protection zone with negative results.
- (3) The Department may, where it is satisfied that the conditions in paragraph (4) are met, revoke the declaration creating a surveillance zone.
- (4) The conditions for revocation of a declaration creating a surveillance zone are —
 - (a) at least 30 days have elapsed since completion of any preliminary cleansing and disinfection in the area within the boundaries of that surveillance zone;
 - (b) if the declaration creating that surveillance zone also created a protection zone centred on the same premises, it has previously been amended so that the protection zone has become part of the surveillance zone; and
 - (c) a survey of susceptible animals to substantiate the absence of infection has been carried out in that surveillance zone since that amendment on behalf of the Department with negative results.
- (5) An amendment or revocation under this article must refer to the declaration creating the protection zone and surveillance zone and specify the date and time the amendment or revocation is to take effect.
- (6) In this article “preliminary cleansing and disinfection” means cleansing and disinfection undertaken in accordance with paragraphs 12 and 13 of Schedule 3, as required by article 29 or 30, and ending 24 hours after the application of disinfectant.

38 Declaration of a restricted zone

- (1) The Department must declare a restricted zone if the Chief Veterinary Officer advises the Department that in the Chief Veterinary Officer’s opinion disease has become extensive in the Island and the declaration of such a zone would prevent its spread.

- (2) The Department may, on confirmation by the Chief Veterinary Officer of disease on premises in the Island, declare an area to be a restricted zone.
- (3) A restricted zone must be of such size as the Department considers fit to prevent the spread of disease, having considered a thorough epidemiological assessment of the situation.
- (4) The epidemiological assessment must include consideration of the possible time and probable location of the introduction of disease to the Island, its possible spread and the probable period of time necessary to eradicate it.
- (5) An area must remain a restricted zone (or part of one) until —
 - (a) such date as may be stated in the declaration;
 - (b) the Department amends the declaration to exclude that area; or
 - (c) the Department revokes the declaration.
- (6) Any amendment or revocation of a declaration creating a restricted zone must refer to that declaration and state the date and time the amendment or revocation is to take effect.
- (7) Subject to paragraph (8), any premises which are partly inside and partly outside a restricted zone are deemed to be wholly inside that restricted zone.
- (8) Paragraph (7) does not apply to premises which are also partly inside —
 - (a) a temporary control zone;
 - (b) a supplementary movement control zone;
 - (c) a protection zone;
 - (d) a surveillance zone;
 - (e) a vaccination zone;
 - (f) a vaccination surveillance zone; or
 - (g) a wild animal infected zone.

39 Measures applicable in respect of a restricted zone

- (1) The measures in Schedule 7 apply in respect of a restricted zone in addition to any requirement or restriction applying in any part of it because that part falls within a zone listed in article 38(8).
- (2) The Department may declare that any other measure it considers appropriate to prevent the spread of disease applies in respect of the whole or any part of any restricted zone.

40 Presence of disease in wild animals and declaration of a wild animal infected zone

- (1) The Department must, on confirmation of disease in a wild animal in the Island, declare an area to be a wild animal infected zone.
- (2) A wild animal infected zone must be of such size as the Department considers fit to prevent the spread of disease.
- (3) An area must remain a wild animal infected zone (or part of one) until —
 - (a) such date as may be stated in the declaration;
 - (b) the Department amends the declaration to exclude that area; or
 - (c) the Department revokes the declaration.
- (4) Any amendment or revocation of a declaration creating a wild animal infected zone must refer to that declaration and state the date and time the amendment or revocation is to take effect.
- (5) Any premises which are partly inside and partly outside a wild animal infected zone are deemed to be wholly inside that zone.
- (6) Any wild animal infected zone is an infected area for the purposes of the Act.

41 Measures applicable in a wild animal infected zone

- (1) The measures in Schedule 8 apply in respect of a wild animal infected zone in addition to any requirement or restriction applying in any part of it because that part falls within —
 - (a) a protection zone;
 - (b) a surveillance zone;
 - (c) a vaccination zone; or
 - (d) a vaccination surveillance zone.
- (2) The Department may declare that any other measure it considers appropriate to prevent the spread of disease applies in respect of the whole or any part of any wild animal infected zone.

PART 4 — GENERAL AND SUPPLEMENTARY PROVISIONS**42 Production of licences**

- (1) Every person issued with a licence under this Order must, while executing the activity permitted by that licence, carry the licence and produce it to an inspector on demand.

- (2) Paragraphs (3) and (4) apply where any of the following licences are granted for movement of susceptible animals between premises, unless that licence provides otherwise —
- (a) a licence for movement to or from premises in a temporary control zone under article 18(2) or paragraph 4 of Schedule 1;
 - (b) a licence for movement to a slaughterhouse under paragraph 10 of Schedule 5;
 - (c) a licence for movement to a slaughterhouse under paragraph 26 of Schedule 5;
 - (d) a licence for movement to or from premises in a restricted zone under paragraph 1 of Schedule 7.
- (3) Where this paragraph applies, no person may unload susceptible animals on premises to which they are moved unless that person first gives the movement licence to the occupier of those premises or the occupier's authorised representative.
- (4) Where this paragraph applies, the occupier of any premises to which susceptible animals are moved must —
- (a) in the case of the occupier of a slaughterhouse, provide a copy of the movement licence to any official veterinary surgeon appointed for those premises;
 - (b) retain a copy of the licence for a period of 6 months from the day on which the susceptible animals are moved and produce it on demand for inspection by an inspector;
 - (c) in the case of the occupier of a collecting centre, ensure that sheep are marked or tagged in accordance with the directions of an inspector so as to enable the identity of the collecting centre and the premises from which they were moved to be established throughout their onward movement to a slaughterhouse.

43 Further provision relating to certain premises

- (1) This article applies to the following premises —
- (a) a laboratory, zoo, wildlife park or other premises where susceptible animals are kept principally for the purposes of display and education of the public;
 - (b) an enclosed area principally used for shooting;
 - (c) premises not falling within (a) or (b) of a body, institute or centre which keeps susceptible animals only for the purposes of conservation, display and education of the public, or scientific research or breeding of such animals for research;

- (d) other premises where susceptible animals are kept for scientific purposes or purposes related to conservation of species or farm animal genetic resources.
- (2) The Department must take such steps as it considers necessary to prevent the spread of disease to premises to which this article applies.
- (3) In taking such steps, the Department may –
 - (a) require the detention and isolation of any vehicle, equipment or other thing on premises to which this article applies and its subsequent cleansing and disinfection by serving a notice requiring such action on the occupier, or on the person in charge of the vehicle, equipment or other thing;
 - (b) require the cleansing and disinfection of any premises to which this article applies in accordance with Schedule 3 by serving a notice requiring such action on the occupier;
 - (c) require the removal, laundering, cleansing and disinfection or disposal of the clothing or footwear of any person by serving a notice on that person requiring such action;
 - (d) require any person to cleanse themselves by serving a notice on that person requiring such action;
 - (e) require the detention or isolation in a specified place of any animal or poultry on premises to which this article applies by serving a notice requiring such action on the occupier of those premises, or on the keeper of such animal or poultry;
 - (f) require the separation of any animal or poultry from other animals or poultry on premises to which this article applies by serving a notice requiring such action on the occupier of those premises, or on the keeper of such animal or poultry;
 - (g) prohibit the movement of any animal from or to premises to which this article applies, or make such movement subject to the grant of a licence by serving a notice on the occupier prohibiting such action or prohibiting such action except under licence;
 - (h) prohibit the movement of any person on to premises to which this article applies and which are open to the public, or make such movement subject to the grant of a licence by serving a notice on the occupier prohibiting such action or prohibiting such action except under licence.

44 Duty of the Department to erect signs

The Department must, as soon as is reasonably practicable after declaration of the zone, ensure that the boundaries of the following zones are indicated by signs erected in a conspicuous position on all roads entering the zones on which it considers susceptible animals are likely to be moved –

- (a) every temporary control zone;
- (b) every supplementary movement control zone;
- (c) every protection zone;
- (d) every surveillance zone;
- (e) every restricted zone;
- (f) every wild animal infected zone.

45 Cleansing and disinfection of vehicles transporting susceptible animals

- (1) Subject to paragraph (3), where the cleansing and disinfection of any vehicle in accordance with this article is required, it must be carried out in accordance with Schedule 2 to the Transport of Animals (Cleansing and Disinfection) (England) (No. 3) Order 2003¹⁵ (of Parliament) and with any additional directions an inspector imposes by serving a notice on the person in charge of the vehicle.
- (2) Such cleansing and disinfection must be undertaken —
 - (a) before loading; and
 - (b) after unloading and before leaving the premises of destination.
- (3) Such cleansing and disinfection must also be undertaken after loading and before leaving the premises of origin in respect of the wheels and wheel arches only of the vehicle to ensure they are clean on leaving the premises.

46 Cleansing and disinfection of vehicles: provision of facilities, equipment and materials

Where cleansing and disinfection of vehicles is required at any premises by or under this Order, the occupier of those premises must, at the occupier's own expense, provide adequate facilities and proper equipment and materials for that cleansing and disinfection.

47 Marks applied under this Order

No person may remove, obscure or erase a mark applied to any animal, carcass, animal product, vehicle or other thing under this Order without the written authority of an inspector.

48 Change of occupation of premises under restriction

- (1) This article —
 - (a) applies if the keeper of any animal or poultry is unable to move it from premises on the termination of the keeper's right of

¹⁵ SI 2003/1724.

occupation because of a restriction imposed by or under this Order;
and

- (b) continues to apply for 7 days after the last restriction is removed.
- (2) Where this article applies, the person entitled to occupation of the premises on that termination must –
- (a) provide such facilities for feeding, tending or otherwise using the animal or poultry (including selling it) as the keeper may reasonably require; and
 - (b) allow entry to the premises to that keeper and any person authorised by that keeper at reasonable times for feeding, tending or otherwise using the animal or poultry.
- (3) If the keeper is unable or unwilling to feed or tend the animal or poultry, the person entitled to occupation of the premises must ensure it is properly fed and tended.
- (4) The keeper of the animal or poultry is liable to pay the reasonable costs incurred by any person feeding or tending it under this article, or providing facilities for feeding, tending or otherwise using it under this article.

49 Reasonable assistance

Any person (“A”) required to give reasonable assistance or information to a person acting under this Order must, unless A has reasonable cause, do so without delay.

50 False information

No person may furnish information which that person knows to be false or misleading to a person acting under this Order.

51 Compliance with notices and directions

- (1) Any notice served under this Order must be complied with at the expense of the person on whom it is served, except where otherwise provided in that notice.
- (2) Any direction given under this Order must be complied with at the expense of the person to whom it is given, except where otherwise provided in a written direction of the Department.

52 Production of records

- (1) Any person required to produce a record by a person acting under this Order must do so without delay.
- (2) On production, a person acting under this Order may –

- (a) copy any records, in whatever form they may be held;
 - (b) remove any records to enable them to be copied, or where they are kept electronically, require them to be produced in a form which may be taken away.
- (3) A person removing records under this article must give a written receipt for them.

53 Retention of records

Any person making a record required by this Order must retain it for the following period —

- (a) in the case of a record made under paragraph 10 of Schedule 3, 6 years from the date of the record unless the record relates solely to the cleansing and disinfection of a vehicle, in which case 6 months from the date of the record;
- (b) in the case of a record made under —
 - (i) paragraph 1 of Schedule 1;
 - (ii) paragraph 1 of Schedule 5; or
 - (iii) paragraph 2 of Schedule 8,

3 years after the requirement to maintain records in the relevant paragraph ceases to have effect in relation to the premises in question.

54 Designated areas and periods for the inspection of vehicles

- (1) If each of the conditions in paragraph (2) is satisfied, an inspector may stop, detain and inspect any vehicle to ascertain whether the provisions of this Order are being complied with.
- (2) The conditions are —
 - (a) that the vehicle is in a designated area in a designated period;
 - (b) that the inspector is accompanied by a police officer in uniform.
- (3) The following are designated for the purposes of paragraph (2) —
 - (a) any temporary control zone for the duration of its existence;
 - (b) any supplementary movement control zone for the duration of its existence;
 - (c) any protection zone for the duration of its existence;
 - (d) any surveillance zone for the duration of its existence;
 - (e) any restricted zone for the duration of its existence;
 - (f) any wild animal infected zone for the duration of its existence.
- (4) In this article, “vehicle” includes anything on a vehicle.

55 General powers of veterinary inspectors to take action to prevent the spread of disease

- (1) This article applies to —
 - (a) any zone declared under this Order; and
 - (b) any premises subject to restriction under this Order, that is to say —
 - (i) premises subject to Schedule 1 by virtue of article 10(3), 10(5), 11(1), 11(2) or 12(2);
 - (ii) suspect premises;
 - (iii) contact premises; and
 - (iv) infected premises.
- (2) Where this article applies, a veterinary inspector may, if that veterinary inspector considers it necessary to prevent the spread of disease, require —
 - (a) the detention and isolation of any vehicle, equipment or other thing and its subsequent cleansing and disinfection by serving a notice requiring such action on the occupier of the premises where it is present, or on the person in charge of it;
 - (b) the cleansing and disinfection of any premises in accordance with Schedule 3 by serving a notice requiring such action on the occupier of those premises;
 - (c) the removal, laundering, cleansing and disinfection or disposal of the clothing or footwear of any person by serving a notice on that person requiring such action;
 - (d) any person to cleanse themselves by serving a notice on that person requiring such action;
 - (e) the detention or isolation in a specified place of any animal or poultry by serving a notice requiring such action on the occupier of the premises where it is present, or on its keeper;
 - (f) the separation of any animal or poultry from other animals or poultry by serving a notice requiring such action on the occupier of the premises where it is present, or on its keeper.
- (3) A notice under this article may contain such directions and conditions as the person serving it considers necessary to prevent the spread of disease.

56 Powers of inspectors in case of default

- (1) Where a person fails to comply with a requirement imposed by or under this Order an inspector may take any steps that inspector considers necessary to ensure the requirement is met.

- (2) Where a person fails to comply with a requirement imposed by or under this Order an inspector may take any steps that inspector considers necessary to rectify the situation so as to prevent the spread of disease.
- (3) In taking steps under paragraph (1) or (2) an inspector may seize and detain any animal moved, kept or otherwise dealt with in contravention of a restriction or requirement imposed by or under this Order.
- (4) In taking steps under paragraph (2), an inspector may by notice served on any person direct that person to take or refrain from specified action in respect of any place, animal, poultry, vehicle, animal product or other thing.
- (5) The person in default must reimburse any reasonable expenses incurred by the Department in taking such steps and any such debt is recoverable summarily.

57 Offences: no knowledge of restriction or requirement

Person “P” is not guilty of failing to comply with a restriction or requirement which applies because of the declaration of —

- (a) a temporary control zone;
- (b) a supplementary movement control zone;
- (c) a protection zone;
- (d) a surveillance zone;
- (e) a restricted zone; or
- (f) a wild animal infected zone,

if P shows, to the court’s satisfaction, that P did not know of that restriction or requirement and P could not with reasonable diligence have found out about it.

58 Enforcement

This Order must be enforced by the Department.

PART 5 — REVOCATIONS

59 Revocations

The Infected and Controlled Areas Order 2001¹⁶ is revoked.

¹⁶ SD 106/01.

MADE 23 SEPTEMBER 2019

SCHEDULE 1

[Articles 10(3), 10(5), 11(1), 11(2), 12(2), 15(6) and 18(3)]

MEASURES APPLICABLE IN RESPECT OF PREMISES ON SUSPICION AND CONFIRMATION OF DISEASE**1 Record keeping**

- (1) Subject to sub-paragraph (4), the occupier must create and maintain the following records in respect of the premises —
 - (a) the number of each species of animal;
 - (b) for each species of susceptible animal, the number of dead animals, the number suspected of being infected and the number suspected of being contaminated; and
 - (c) the stock of milk, milk products, meat, meat products, carcasses, hides and skins, wool, semen, embryos, ova, slurry, manure, fodder and used litter.
- (2) Records must be kept in a form approved for the purpose by the Department.
- (3) The occupier must maintain the records kept under sub-paragraphs (1)(a) and (1)(b) by updating them within 24 hours of any change.
- (4) This paragraph does not apply to any person subject to paragraph 1 of Schedule 5.

2 Signs publicising infection or suspicion

The occupier must ensure that —

- (a) any signs supplied by the Department are displayed in a conspicuous place at the main entrance to the premises or as directed by an inspector; or
- (b) if no signs have been supplied by the Department, a sign reading “FOOT-AND-MOUTH DISEASE — KEEP OUT” in block letters at least 10cm high is erected and maintained at every entrance to the premises.

3 Isolation, removal and detention of susceptible animals

- (1) The occupier must ensure that susceptible animals are isolated from persons not attending them and from non-susceptible animals.
- (2) On service of a notice by an inspector requiring it the occupier must —
 - (a) isolate any specified animal or group of animals from all other animals on such part of the premises as is specified; or

- (b) remove any specified animal or group of animals from such part of the premises as is specified and detain that animal or those animals on such other part of the premises as is specified.
- (3) No person may move any animal isolated or detained under a notice served under sub-paragraph (2) except under the authority of a licence granted by an inspector.

4 Movement of susceptible animals

- (1) Subject to the provisions of this paragraph no person may move any susceptible animal from or to the premises.
- (2) The prohibition in sub-paragraph (1) does not apply to susceptible animals leaving contact premises (other than contact premises in a temporary control zone) –
 - (a) after the incubation periods for all susceptible animals on the premises have elapsed (calculated from the date of declaration of the contact premises) and under the authority of a licence granted by an inspector; or
 - (b) where the movement is direct to a slaughterhouse for emergency slaughter and is under the authority of a licence granted by an inspector.
- (3) No inspector must grant a licence under sub-paragraph (2)(b) unless that inspector is satisfied that the animals to be moved have been clinically examined by a veterinary inspector with a negative result and the slaughterhouse is the nearest slaughterhouse to the premises with capacity to slaughter the animals.
- (4) The person in charge of any vehicle used to move susceptible animals under the authority of a licence granted under sub-paragraph (2)(b) must ensure that it is cleansed and disinfected in accordance with article 45.
- (5) The prohibition in sub-paragraph (1) does not apply to animals entering or leaving free units (other than free units in a temporary control zone).
- (6) The prohibition in sub-paragraph (1) does not apply to the movement of animals leaving infected premises for slaughter under the authority of a licence granted by the Department.
- (7) The prohibition in sub-paragraph (1) does not apply to movement from one part of premises to another part of the same premises using a public highway under the authority of a licence granted by a veterinary inspector or by an inspector at the direction of a veterinary inspector.

5 Movement of things liable to spread disease

- (1) Subject to the provisions of this paragraph, no person may move from the premises any meat, carcase, meat product, milk, milk product, semen, ovum or embryo of a susceptible animal.
- (2) Where the Department is satisfied that it is not reasonable to require milk to be kept on the premises, it may —
 - (a) serve a notice requiring that milk is destroyed on the premises; or
 - (b) grant a licence authorising milk to be transported from the premises to the nearest place available for disposal or treatment to destroy disease.
- (3) Transport of milk under the authority of a licence granted under sub-paragraph (2)(b) must be carried out in a vehicle which an inspector has approved as equipped to ensure that there is no risk of spreading disease.
- (4) If the Department grants a licence under sub-paragraph (2)(b), it must serve a notice on the person in charge of the premises to which milk is transported directing the method of disposal or treatment.

6 Movement of fodder, etc.

No person may move from the premises any fodder, utensils, wool, hide or skin, bristles, animal waste, slurry, manure or any other thing liable to spread disease except under the authority of a licence granted by the Department.

7 Movement of persons on to or off the premises

No person may enter or leave the premises unless —

- (a) that person's principal residence is a dwelling on the premises;
- (b) that person's place of employment is the premises;
- (c) it is necessary for the provision of emergency services; or
- (d) that person is authorised to do so by a licence granted by the Department.

8 Cleansing and disinfection of clothing, etc

- (1) No person may enter or leave the premises —
 - (a) wearing clothes or boots which are visibly soiled with mud, slurry, animal faeces, droppings, excretions or any similar matter; and
 - (b) without cleansing and disinfecting the outer surfaces of that person's footwear in accordance with the directions of an inspector.
- (2) No person may enter any part of the premises —

- (a) in which an animal which is infected or suspected of being infected is being kept or has recently been kept; or
 - (b) in order to attend to or treat an animal,
unless wearing clothing and footwear approved by an inspector.
- (3) No person may leave any such part of the premises without having cleansed that person's hands to the satisfaction of an inspector and having either –
- (a) cleansed and disinfected that person's clothing and footwear to the satisfaction of an inspector; or
 - (b) removed such clothing and footwear for laundering, cleansing and disinfection or disposal as an inspector reasonably directs by notice served on that person.
- (4) A notice under sub-paragraph (3)(b) must specify the required method of laundering, cleansing and disinfection or disposal.

9 Disinfection

- (1) The occupier must provide and renew such clean water and means of disinfection as an inspector directs at every entrance to the premises and at every entrance to a building where susceptible animals are kept.
- (2) The occupier must ensure that any slurry or shed washings are disinfected in accordance with the directions of an inspector before they are permitted to drain or escape from any part of the premises where an infected animal or an animal suspected of being infected or contaminated is or has been kept.

10 Movement of vehicles on to or off the premises

No person may move any vehicle on to or off the premises unless the movement is –

- (a) necessary for the provision of emergency services; or
- (b) authorised by a licence granted by the Department.

11 Movement of non-susceptible animals

No person may move from the premises any non-susceptible animal except under the authority of a licence granted by the Department.

12 Control of rodents

The occupier must take steps to destroy any rats, mice and other rodents on the premises (other than pet rats, mice and other rodents).

SCHEDULE 2

[Article 13(11)]

CRITERIA FOR CONFIRMING DISEASE**1 Disease virus isolated**

Disease virus has been isolated from an animal kept on the premises, any product derived from that animal, or its environment.

2 Viral antigen or viral RNA specific to disease virus serotypes detected

Clinical signs consistent with disease are observed in an animal kept on the premises, and the viral antigen or viral ribonucleic acid (RNA) specific to one or more of the serotypes of the disease virus has been detected and identified in samples collected from the animal or animals of the same epidemiological group.

3 Animal has tested positive for antibody to disease virus proteins

Clinical signs consistent with disease are observed in an animal kept on the premises and the animal or its cohorts have tested positive for antibody to the disease virus structural or non-structural proteins (and previous vaccination, residual maternal antibodies or non-specific reactions can be excluded as possible causes of seropositivity).

4 Viral antigen or viral RNA specific to serotypes of the disease virus detected animal samples

Viral antigen or viral RNA specific to one or more of the serotypes of the disease virus has been detected and identified in samples collected from an animal kept on the premises and the animal is positive for antibody to disease virus structural or non-structural proteins (and in the case of antibodies to structural proteins previous vaccination, residual maternal antibodies or non-specific reactions can be excluded as possible causes of seropositivity).

5 Epidemiological link established to infected premises

An epidemiological link has been established to infected premises and at least one of the following conditions applies —

- (a) one or more animals kept on the premises are positive for antibody to the disease virus structural or non-structural proteins (and previous vaccination, residual maternal antibodies or non-specific reactions can be excluded as possible causes of seropositivity);

- (b) viral antigen or viral RNA specific to one of the serotypes of the disease virus has been detected and identified in samples collected from one or more animals kept on the premises;
- (c) serological evidence of active infection with disease has been established in one or more animals kept on the premises (and previous vaccination, residual maternal antibodies or non-specific reactions can be excluded as possible causes of seropositivity) by detection of seroconversion from negative to positive for antibody to the disease virus structural or non-structural proteins (where a previous seronegative status cannot reasonably be expected, carried out in paired samples collected from the same animals on 2 or more occasions at least 5 days apart, in the case of structural proteins, and at least 21 days apart, in the case of non-structural proteins);
- (d) clinical signs consistent with disease are observed in a susceptible animal kept on the premises.

SCHEDULE 3

[Articles 16(5), 29(2), 29(3), 30(2), 30(3), 31(3), 37(6), 43(3) and 55(2)]

CLEANSING AND DISINFECTION OF PREMISES**PART 1 – GENERAL PROCEDURES FOR CLEANSING AND DISINFECTION OF PREMISES****1 Application of part 1**

This Part applies to all cleansing and disinfection of premises (including cleansing and disinfection of vehicles, equipment and other things liable to spread disease on those premises).

2 Cleansing notices

The Department may by notice served on the occupier of any premises direct that any cleansing and disinfection operation must be carried out by that person and such a notice must state whether such cleansing and disinfection is to be carried out at the expense of that person or at the expense of the Department.

3 Cleansing directions by inspectors

Every person carrying out cleansing or disinfection under this Schedule must do so in accordance with any additional directions given by an inspector.

4 Litter and faecal matter

Used litter and faecal matter must be thoroughly soaked with disinfectant.

5 Cleansing of surfaces

All surfaces which may be contaminated must be brushed and scrubbed thoroughly, in particular floors, ramps, walls and the ground, followed by an application of disinfectant.

6 Removal of obstructions

Equipment or other things obstructing thorough cleansing and disinfection must be moved or dismantled where this is reasonably practicable.

7 Disposal of cleansing water

Water used for cleansing must be disposed of so as to minimise the risk of the spread of disease.

8 Pressure washing contamination

Washing of surfaces with liquids under pressure must be carried out so as to minimise any risk of contamination.

9 Cleansing of contaminated equipment

Equipment, installations or other things which may be contaminated must be cleansed and disinfected or destroyed.

10 Cleansing records

- (1) Every person carrying out a cleansing and disinfection operation must ensure that a written record of it is made.
- (2) The record must include the date and time of the operation.
- (3) The person in charge of a vehicle which is cleansed and disinfected under this Schedule must ensure, so far as is possible, that the record is kept with the vehicle at all times.

PART 2 — CLEANSING AND DISINFECTION OF INFECTED PREMISES

11 Application of part 2

This Part applies to the cleansing and disinfection of infected premises.

CHAPTER 1 — PRELIMINARY DISINFECTION OF INFECTED PREMISES

12 Cleansing following slaughter

Cleansing and disinfection must be carried out during and immediately following slaughter so as to minimise the risk of disease spread and in accordance with the directions of an inspector.

13 Procedure following slaughter

Following slaughter —

- (a) every carcase must be sprayed with disinfectant;

- (b) carcasses removed from the premises for disposal must be contained in covered, leak-proof containers;
- (c) all parts of the premises which housed susceptible animals, and any buildings and yards or other surfaces which may have been contaminated during or after slaughter, must be sprayed with disinfectant.

14 Disinfectant removal

Disinfectant must not be removed for at least 24 hours after application.

CHAPTER 2 — FINAL CLEANSING AND DISINFECTION OF INFECTED PREMISES

15 Cleansing with degreasing agent

Grease and dirt must be removed from all surfaces by the application of a degreasing agent and washed with water or steam.

16 Reapplication of disinfectant

Following degreasing and washing with water or steam, disinfectant must be reapplied.

17 Repeat cleansing

At least 7 days after the reapplication of disinfectant, the operations in paragraphs 15 and 16 must be repeated, followed by final washing with water or steam.

PART 3 — DISINFECTION OF CONTAMINATED USED LITTER, MANURE AND SLURRY

18 Application of part 3

This Part applies to the disinfection of contaminated used litter, manure and slurry on premises.

19 Treatment of solid phase manure

Unless otherwise directed by the Department by notice served on the occupier, the used litter and the solid phase of manure must be —

- (a) stacked to heat by adding 100kg granulated quick lime to each 1m³ of material;

- (b) heated to a temperature of at least 70°C throughout, sprayed with disinfectant and left for a period of at least 42 days; and
- (c) covered or re-stacked during the period referred to in (b) so as to ensure thermic treatment of all layers of the stack.

20 Treatment of slurry and liquid phase manure

- (1) Unless otherwise directed by the Department by notice served on the occupier, slurry and the liquid phase of manure must be stored for at least the period in sub-paragraph (2) after the last addition of infective material.
- (2) The period for the purposes of sub-paragraph (1) is 42 days or such other period as the Department directs by notice served on the occupier having taken into account –
 - (a) the extent of the contamination;
 - (b) the weather conditions; and
 - (c) the pH of the substance after disinfection and its likely effect on the disease virus.

PART 4 – SPECIAL CASES

21 Cleansing not covered by parts 1 to 3

Where the Department is satisfied that cleansing and disinfection of premises cannot be completed in accordance with Parts 1 to 3 of this Schedule, it must serve a notice on the occupier notifying the occupier of that opinion and paragraph 22 then applies to those premises.

22 Cleansing under the direction of an inspector

Cleansing and disinfection of premises to which this paragraph applies must be carried out in accordance with the directions of an inspector.

SCHEDULE 4

[Article 31(2)]

RESTOCKING OF PREMISES**PART 1 – GENERAL PRINCIPLES****1 Interpretation and application**

- (1) In this Schedule, “vaccinated” means treated with hyperimmune serum or vaccine against disease and “unvaccinated” must be construed accordingly.
- (2) Paragraphs 2 to 5 apply subject to paragraphs 6 and 7.

2 Conditions for restocking

Animals for restocking may only be introduced under the following conditions –

- (a) the animals must not come from a temporary control zone, protection zone, surveillance zone or vaccination zone;
- (b) the Department must have confirmed by notice served on the occupier that it is satisfied that no residual disease virus can be detected in the animals on the basis of clinical signs (for bovine animals or swine) or laboratory investigations (for other species);
- (c) the animals must either –
 - (i) originate on and come from premises where there has been no confirmed case of disease within 10 kilometres for at least 30 days, or
 - (ii) have been tested with negative results in an assay for the detection of antibodies against the disease virus carried out on samples taken prior to restocking.

3 Introduction of animals into buildings and units

During restocking, animals must be introduced into all units and buildings of the premises.

4 Animal inspection after restocking

- (1) Subject to sub-paragraph (2), during restocking each animal must –
 - (a) be subject to clinical inspection every 3 days for the first 14 days following its introduction; and

- (b) during the period from 15 to 28 days after its introduction, be subject to clinical inspection once per week.
- (2) If no infected premises have been declared within 10 kilometres of any premises for at least 3 months before the commencement of restocking, the Department may, by notice served on the occupier of those premises, except those premises from the requirements of sub-paragraph (1).

5 Examination by veterinary inspector

Not earlier than 28 days after the last introduction, each animal must be clinically examined by a veterinary inspector and samples tested for the presence of antibodies against the disease virus.

PART 2 — RESTOCKING OF PREMISES IN A VACCINATION ZONE OR WITH VACCINATED ANIMALS

6 Restocking in a vaccination zone

Instead of restocking in accordance with paragraphs 2 to 5, premises in a vaccination zone may be restocked if the following conditions are satisfied —

- (a) a veterinary inspector has, within the 24 hours prior to introduction, carried out a clinical examination on every susceptible animal on every premises of origin of an animal to be introduced without having identified signs of disease;
- (b) no animal to be introduced has come from a protection zone or surveillance zone;
- (c) every animal to be introduced has been tested for antibodies against disease by a veterinary inspector after the end of its incubation period with negative results or a serological survey has been completed by a veterinary inspector on the animals to be introduced with negative results.

7 Restocking with vaccinated animals outside a vaccination zone

Where any vaccinated animal is to be introduced to premises outside a vaccination zone —

- (a) it must not be subject to paragraphs 2 to 5; and
- (b) if the proportion of vaccinated animals to be introduced is 75% or greater, then not earlier than 28 days after the last introduction of susceptible animals to those premises, the Department must ensure that the vaccinated animals are randomly tested for the detection of antibodies against non-structural proteins.

PART 3 – MOVEMENT OF SUSCEPTIBLE ANIMALS DURING RESTOCKING AND COMPLETION OF RESTOCKING

8 Movement of susceptible animals during restocking

During restocking, no person may move a susceptible animal from the premises.

9 Notice upon completion of restocking

The Department must declare the completion of restocking by notice served on the occupier if –

- (a) every introduced unvaccinated animal on the premises has undergone the examination and test in paragraph 5 with negative results and, where paragraph 7(b) applies, the tests in that subparagraph have been carried out with negative results; or
- (b) the conditions in paragraph 6 are satisfied.

SCHEDULE 5

[Articles 23(2), 34(1) and Schedule 1]

MEASURES APPLICABLE IN RESPECT OF PROTECTION ZONES AND SURVEILLANCE ZONES**PART 1 – MEASURES APPLICABLE IN RESPECT OF BOTH PROTECTION ZONES AND SURVEILLANCE ZONES****1 Record keeping in protection zones and surveillance zones**

- (1) The occupier of every premises in a protection zone or surveillance zone where susceptible animals are kept must create and maintain the following records in respect of the premises –
 - (a) the number of each species of animal kept;
 - (b) for each species of susceptible animal, the number of dead, the number suspected of being infected and the number suspected of being contaminated;
 - (c) the stock of milk, milk products, meat, meat products, carcasses, hides and skins, wool, semen, embryos, ova, slurry, manure, fodder and used litter.
- (2) Records must be kept in a form approved for the purpose by the Department.
- (3) The occupier must maintain the records kept under sub-paragraphs (1)(a) and (1)(b) by updating them within 24 hours of any change.

2 Straying of susceptible animals

- (1) The keeper of a susceptible animal in a protection zone or surveillance zone must take all such steps as are necessary to prevent it from straying from the premises on which it is kept.
- (2) An inspector may detain any stray or feral susceptible animal found in a protection zone or a surveillance zone.

3 Control of dogs and poultry in protection zones and surveillance zones

- (1) The owner of any dog in a protection zone or surveillance zone must keep it under control by –
 - (a) confining it in a dwellinghouse, kennel or other enclosure;
 - (b) securing it to a fixed object by a collar and chain; or

- (c) accompanying it or ensuring that it is accompanied by a responsible person.
- (2) An inspector may seize any dog which is not kept under control in accordance with sub-paragraph (1) and deal with it as if it was a dog seized under the powers conferred by section 12 of the Dogs Act 1990.
- (3) An inspector may, if that inspector considers any dog or poultry not to be under control, by notice served on the occupier of the premises where it is kept require that occupier to keep that dog or poultry under control, or to confine it to the part of the premises specified in the notice.

4 Shearing or dipping sheep in a protection or surveillance zone

- (1) Subject to sub-paragraph (2), no person may —
 - (a) shear or dip sheep; or
 - (b) handle fleeces or sheep during shearing or dipping,in a protection zone or surveillance zone except under the authority of a licence granted by an inspector.
- (2) The prohibition in sub-paragraph (1) does not apply to the occupier of any premises or that occupier's employees (other than any person employed by that occupier primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.
- (3) In this article —
 - (a) "shearing" includes clipping and dagging; and
 - (b) "dipping" includes showering and jetting sheep with sheep dip.

5 Ultrasound scanning of sheep in a protection or surveillance zone

- (1) Subject to sub-paragraph (2), no person may carry out ultrasound scanning of sheep in a protection zone or surveillance zone except under the authority of a licence granted by an inspector.
- (2) The prohibition in sub-paragraph (1) does not apply to the occupier of any premises or that occupier's employees (other than any person employed by that occupier primarily for the purpose of carrying out ultrasound scanning of sheep) in respect of the carrying out of ultrasound scanning of sheep kept on those premises using ultrasound scanning equipment of which the occupier is the owner or person in charge.

6 Semen, ova and embryos collected in a protection or surveillance zone

- (1) This paragraph applies to semen, ova and embryos collected from susceptible animals originating in a protection zone or surveillance zone.
- (2) No person may sell or consign for sale —

- (a) any ova or embryos unless they comply with sub-paragraph (3); or
 - (b) any semen unless it complies with sub-paragraph (3) or (4).
- (3) Semen, ova and embryos comply with this sub-paragraph if they satisfy the following requirements —
- (a) they are frozen;
 - (b) they were collected and stored more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone;
 - (c) they have at all times been stored separately from semen, ova and embryos which were not so collected and stored.
- (4) Semen complies with this sub-paragraph if it satisfies the following requirements —
- (a) it is frozen;
 - (b) it was collected and stored 21 or fewer days before the earliest infection date in the protection zone (in the case of a surveillance zone, the associated protection zone) or on or after that infection date;
 - (c) it was at all times stored separately from semen which was not so collected and stored;
 - (d) it is not sold or consigned for sale until the premises on which it was collected is no longer in a protection zone or surveillance zone;
 - (e) a veterinary inspector certifies by notice served on the owner of the semen that that veterinary inspector has —
 - (i) clinically examined all susceptible animals on the premises on which it was collected;
 - (ii) subjected a serological sample from each such animal to a test for disease with a negative result; and
 - (iii) subjected a serological sample taken from the donor animal 28 days or more after collection of the semen to a test for the detection of antibodies against disease with a negative result.

7 Hides and skins of susceptible animals originating in a protection or surveillance zone

- (1) This paragraph applies to hides and skins of susceptible animals originating in a protection zone or surveillance zone.
- (2) No person may sell or consign for sale any animal product to which this paragraph applies unless either —
 - (a) it was —

- (i) produced more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone, and
 - (ii) at all times stored separately from hides and skins which were not so produced; or
- (b) it has been treated so that it falls within paragraph 2 of Schedule 6.

8 Wool, ruminant hair and pig bristles from animals originating in a protection or surveillance zone

- (1) This paragraph applies to wool, ruminant hair and pig bristles from animals originating in a protection zone or a surveillance zone.
- (2) No person may sell or consign for sale any animal product to which this paragraph applies unless either —
- (a) it was —
 - (i) produced more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, in the associated protection zone; and
 - (ii) at all times was stored separately from wool, ruminant hair and pig bristles which were not so produced; or
 - (b) it has been treated so that it falls within paragraph 3 of Schedule 6.

9 Other animal products produced in a protection zone or a surveillance zone or from animals originating in such a zone

- (1) This paragraph applies to any animal product other than —
- (a) fresh meat, minced meat, mechanically separated meat or any meat preparation;
 - (b) milk or any milk product;
 - (c) any semen, ovum or embryo;
 - (d) any hide or skin; or
 - (e) any wool, ruminant hair or pig bristles,
- if it is produced in a protection zone or surveillance zone from susceptible animals, or from susceptible animals originating in a protection zone or surveillance zone.
- (2) No person may sell or consign for sale an animal product to which this paragraph applies unless it satisfies one of the following requirements —
- (a) it was —

- (i) produced more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, in the associated protection zone; and
- (ii) at all times stored and transported separately from animal products not so produced;
- (b) it has been treated so that it falls within paragraph 4 of Schedule 6;
- (c) where it is referred to in one of paragraphs 5 to 9 of Schedule 6, it has been treated so that it falls within that paragraph;
- (d) it forms part of a composite product (that is, a manufactured or processed product containing more than one ingredient at least one of which is an animal product) and each ingredient which is an animal product —
 - (i) is referred to in a paragraph of Schedule 6 and has been treated so that it falls within that paragraph (either before manufacturing or processing, or as part of the composite product); or
 - (ii) was not produced from susceptible animals originating on infected premises, suspect premises or contact premises or in a temporary control zone, protection zone, surveillance zone or vaccination zone;
- (e) it is a packaged product ready for use —
 - (i) as a reagent, reagent product, calibrator, kit or any other system (whether used alone or in combination);
 - (ii) in vitro for the examination of samples of human or animal origin (with the exception of donated organs or blood); and
 - (iii) solely or principally with a view to the diagnosis of a physiological state, state of health, disease or genetic abnormality or to determine safety and compatibility with reagents.

PART 2 — MEASURES APPLICABLE ONLY IN RESPECT OF A PROTECTION ZONE

10 Movement of susceptible animals from or to premises in a protection zone

- (1) Subject to the provisions of this paragraph, no person may move any susceptible animal from or to premises in a protection zone.
- (2) The prohibition in sub-paragraph (1) does not apply to the transport of susceptible animals for emergency slaughter under the authority of a

licence granted by an inspector from premises in a protection zone direct to a slaughterhouse —

- (a) in the same protection zone; or
 - (b) if there is no slaughterhouse in that protection zone, outside the protection zone.
- (3) An inspector must not grant a licence under sub-paragraph (2) unless that inspector is satisfied that —
- (a) a veterinary inspector has within the previous 24 hours carried out a clinical examination on every susceptible animal on the premises; and
 - (b) there is no suspicion of infection or contamination on the premises.
- (4) The person in charge of any vehicle used to move susceptible animals under the authority of a licence granted under sub-paragraph (2) must ensure that it is cleansed and disinfected in accordance with article 45.
- (5) The prohibition in sub-paragraph (1) does not apply to the movement of animals leaving infected premises for slaughter under the authority of a licence granted under paragraph 4(6) of Schedule 1.
- (6) The prohibition in sub-paragraph (1) does not apply to movement from one part of premises to another part of the same premises using a public highway under the authority of a licence granted by a veterinary inspector or by an inspector at the direction of a veterinary inspector.

11 Movement of non-susceptible animals from or to premises in a protection zone where susceptible animals are kept

- (1) Subject to the provisions of this paragraph, no person may move any non-susceptible animal from or to premises in a protection zone where susceptible animals are kept.
- (2) The prohibition in sub-paragraph (1) does not apply to —
- (a) the movement of pet animals which are not susceptible animals;
 - (b) the movement of horses under the terms of a licence granted by an inspector; or
 - (c) the movement from one part of premises to another part of the same premises using a public highway under the authority of a licence granted by a veterinary inspector or by an inspector at the direction of a veterinary inspector.
- (3) Any inspector granting a licence under sub-paragraph (2)(b) must take account of the recommended measures in paragraph 2.2 of Annex VI to the Directive.

12 Movement of animals into or out of a protection zone

- (1) Subject to the provisions of this paragraph, no person may move any animal into or out of a protection zone.
- (2) The prohibition in sub-paragraph (1) does not apply to —
 - (a) movements permitted under paragraph 10 or 11;
 - (b) the movement of pet animals which are not susceptible animals;
 - (c) the movement of horses under the terms of a licence granted by an inspector;
 - (d) transport through the zone without stopping; or
 - (e) transport from outside the zone directly to a slaughterhouse in the zone for immediate slaughter there under the terms of a licence granted by an inspector.
- (3) Any inspector granting a licence under sub-paragraph (2)(c) must take account of the recommended measures in paragraph 2.2 of Annex VI to the Directive.
- (4) A licence granted under paragraph (2)(e) must —
 - (a) certify that the premises on which the movement originates is outside the protection zone; and
 - (b) specify the route to be taken.
- (5) The person in charge of any vehicle used to transport animals under the authority of a licence granted under sub-paragraph (2)(e) must —
 - (a) ensure that it is cleansed and disinfected in accordance with article 45;
 - (b) make a record of the date and time of that cleansing and disinfection;
 - (c) keep the record with the vehicle at all times; and
 - (d) retain the record for six months after the last such cleansing and disinfection.

13 Movement of vehicles from premises in a protection zone where susceptible animals are kept

No person may move any vehicle designed or adapted for the transport of animals from premises in a protection zone where susceptible animals are kept except under the authority of a licence granted by an inspector.

14 Control of animal gatherings in a protection zone

No person may hold any animal gathering in a protection zone.

15 Control of gatherings of people in a protection zone

- (1) No person may hold or take part in the following activities in a protection zone —
 - (a) hunting any drag or other trail;
 - (b) falconry, except under the authority of a licence granted by the Department;
 - (c) point-to-point meetings;
 - (d) stalking.
- (2) Subject to sub-paragraphs (3) and (4), no person may shoot game or other wildlife in a protection zone.
- (3) The occupier of any land, members of that occupier's household, persons employed by that occupier as beaters and any member of a shooting party of not more than 3 persons authorised by that occupier, may shoot game, other wildlife found on that land.
- (4) A person may shoot birds under the authority of a licence granted by the Department.
- (5) Where holding any recreational or sporting activity may, in the opinion of the Department, spread disease, it may prohibit that activity by serving a notice on the person responsible for it.
- (6) In this paragraph "falconry" means the use of birds of the order Falconiformae to hunt for game or other wildlife.

16 Breeding in a protection zone

- (1) No person may carry out breeding of susceptible animals by means of itinerant service in a protection zone.
- (2) No person may carry out artificial insemination of animals or collect any embryo or ovum in a protection zone except in compliance with sub-paragraph (3) or (4).
- (3) Artificial insemination of a susceptible animal complies with this sub-paragraph if it satisfies the following requirements —
 - (a) it is carried out by the occupier of the premises where the animal is kept (or any employee of that occupier);
 - (b) the semen used has not left the premises since the protection zone was declared, or was delivered to the occupier or that occupier's employee at a place outside the premises from a semen collection centre;
 - (c) it is carried out using equipment which has been on the premises since the protection zone was declared.

- (4) Artificial insemination of a non-susceptible animal or the collection of embryos or ova from such an animal complies with this sub-paragraph if —
- (a) it is carried out by the occupier of the premises where the animal is kept (or any employee of that occupier); and
 - (b) either no susceptible animals are kept on the premises or (in the case of artificial insemination only) it is carried out under the authority of a licence granted by the Department.

17 Slaughter for private consumption in a protection zone

No person may slaughter a susceptible animal on premises in a protection zone for private consumption on those premises.

18 Transport of fodder in a protection zone

No person may transport fodder to premises in a protection zone where susceptible animals are kept except under the authority of a licence granted by an inspector.

19 Sale of fodder originating in a protection zone

No person may sell or consign for sale fodder produced in a protection zone unless it satisfies one of the following requirements —

- (a) it was —
 - (i) produced more than 21 days before the earliest infection date in the protection zone; and
 - (ii) at all times stored and transported separately from other fodder and in such a way as to avoid contamination;
- (b) it is authorised for sale in that protection zone to the final user by a licence granted by an inspector;
- (c) it was produced on premises where susceptible animals are not kept using raw materials also produced on such premises or raw materials produced outside the protection zone;
- (d) it is straw or forage falling within paragraph 10 of Schedule 6.

20 Transport, treatment and spreading of dung and manure produced in a protection zone

- (1) This paragraph applies to dung or manure —
- (a) from premises in a protection zone where susceptible animals are kept; or

- (b) collected from vehicles carrying susceptible animals from or within a protection zone.
- (2) No person may transport dung or manure to which this paragraph applies unless such transport complies with sub-paragraph (3) or (5), and with sub-paragraph (6).
- (3) Transport of dung or manure complies with this sub-paragraph where it is to an establishment for treatment to destroy the disease virus and under the authority of a licence granted by an inspector.
- (4) The occupier of premises to which dung or manure is transported by authority of a licence granted under sub-paragraph (3) must ensure that it is treated in accordance with Articles 15 and 32 of Regulation (EC) No 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011.
- (5) Transport of dung or manure for spreading complies with this sub-paragraph if it satisfies the following requirements —
 - (a) the dung or manure is for spreading on premises where susceptible animals are not kept;
 - (b) the dung or manure was produced more than 21 days before the earliest infection date in the protection zone;
 - (c) where the dung or manure is from bovine animals or pigs —
 - (i) all animals on the premises where it was produced have been clinically examined by a veterinary inspector who is satisfied by such examination that they are free of infection; and
 - (ii) the dung or manure was produced at least 4 days before such examination.
- (6) Transport of dung or manure complies with this sub-paragraph if it is carried out in vehicles which are —
 - (a) constructed and maintained so that there is no leakage of the load during transport; and
 - (b) cleansed and disinfected after loading and before leaving the premises of origin.
- (7) After transporting dung or manure under this paragraph, the person in charge of the vehicle must ensure it is cleansed and disinfected after unloading or spreading and before leaving the premises of destination.
- (8) The person in charge of a vehicle to be cleansed and disinfected so as to comply with sub-paragraph (6) or under sub-paragraph (7) must ensure that such cleansing and disinfection is carried out so that —

- (a) the exterior (including the wheels and wheel arches) is not marked with mud, dung, manure or similar matter on leaving the premises of origin or the premises of destination;
 - (b) the interior (excluding any driver or passenger compartment) is not so marked on leaving the premises of destination; and
 - (c) any additional requirements as an inspector directs are complied with.
- (9) No person may spread dung or manure to which this paragraph applies unless such spreading is authorised by a licence granted by an inspector and the dung or manure —
- (a) is spread from not more than one metre above the ground;
 - (b) if spread as a liquid, is not discharged by equipment producing a jet or spray unless the discharge point is directed downwards at an angle of not less than 45° from the horizontal; and
 - (c) is immediately incorporated into the ground.
- (10) Any licence granted under sub-paragraph (9) must contain at least the following terms —
- (a) designation of the fields on which dung or manure from bovine animals or pigs may be spread; and
 - (b) designation of a distance from premises where susceptible animals are kept within which dung or manure must not be spread.

21 Fresh meat etc. derived from susceptible animals originating in a protection zone

- (1) This paragraph applies to fresh meat, minced meat, mechanically separated meat and meat preparations derived from susceptible animals originating in a protection zone.
- (2) No person may sell or consign for sale meat to which this paragraph applies or move such meat out of a protection zone unless —
- (a) it was produced more than 21 days before the earliest infection date in the protection zone; and
 - (b) after production, it was at all times stored and transported separately from meat to which this paragraph applies produced on or after that date.
 - (c) [Revoked]

22 Fresh meat etc. produced on⁵ premises in a protection zone

- (1) This paragraph applies to fresh meat, minced meat, mechanically separated meat and meat preparations derived from susceptible animals and produced on premises in a protection zone.

- (2) No person may sell or consign for sale meat to which this paragraph applies or move such meat out of a protection zone unless it has been produced in an establishment which —
- (a) is authorised by a licence granted by the Department imposing such conditions as it considers necessary to ensure strict veterinary control of the establishment;
 - (b) processes only meat falling within sub-paragraph (3); and
 - (c) at all times during the production process stores, identifies and transports products intended to be eligible for despatch outside the protection zone separately from those which are not, and in accordance with the directions of the Department.
- (3) Meat falls within this sub-paragraph if —
- (a) it was either —
 - (i) produced in the protection zone more than 21 days before the earliest infection date there;
 - (ii) produced from animals reared and slaughtered outside a protection zone; or
 - (iii) produced from animals transported to the establishment under the authority of a licence granted under paragraph 12(2)(e), and slaughtered there; and
 - (b) it is health marked or identification marked.

23 Meat products produced from meat derived from susceptible animals originating in a protection zone

- (1) This paragraph applies to meat products produced from meat derived from susceptible animals originating in a protection zone.
- (2) No person may sell or consign for sale any meat product to which this paragraph applies unless —
- (a) it was produced from fresh meat, minced meat, mechanically separated meat or a meat preparation which may be sold or consigned for sale because it satisfies the conditions in paragraph 21(2); or
 - (b) it was produced from fresh meat, minced meat, mechanically separated meat or a meat preparation which was —
 - (i) health marked or identification marked and that mark was overstamped;
 - (ii) transported in sealed containers to an establishment designated by the Department as authorised to treat meat from a protection zone; and

- (iii) treated at that establishment so that it falls within paragraph 1 of Schedule 6.

24 Milk and milk products produced from susceptible animals originating in a protection zone or on premises in a protection zone

- (1) No person may sell or consign for sale the milk of a susceptible animal originating in a protection zone or any milk product produced from such milk unless it complies with sub-paragraph (2) or (3).
- (2) Milk and milk products comply with this sub-paragraph if —
 - (a) they were produced more than 21 days before the earliest infection date in the protection zone; and
 - (b) they have at all times been stored and transported separately from milk and milk products produced on or after that date.
- (3) Milk and milk products comply with this sub-paragraph if —
 - (a) they have been treated so as to fall within paragraph 13 or 14 of Schedule 6; and
 - (b) that treatment was carried out either —
 - (i) in the protection zone on premises which comply with sub-paragraph (6), or
 - (ii) outside the protection zone on such premises as the Department may direct.
- (4) No person may sell or consign for sale the milk of a susceptible animal produced on premises in the protection zone or any milk product produced from such milk unless —
 - (a) any transport of raw milk from outside a protection zone to those premises complies with sub-paragraph (5); and
 - (b) those premises comply with sub-paragraph (6).
- (5) Transport of raw milk complies with this sub-paragraph if —
 - (a) the vehicle was cleansed and disinfected on the premises of origin and before loading in accordance with the directions of an inspector; and
 - (b) the vehicle did not enter any other premises in a protection zone where susceptible animals are kept after that cleansing and disinfection.
- (6) Premises comply with this sub-paragraph if they satisfy the following requirements —
 - (a) they are authorised by a licence granted by the Department imposing such conditions as it considers necessary to ensure strict veterinary control;

- (b) they are operated so that all milk transported to the premises —
 - (i) complies with sub-paragraph (2) or (3), or
 - (ii) is transported to the premises for treatment so that it complies with sub-paragraph (3), or
 - (iii) is raw milk produced outside the protection zone;
- (c) they are operated so that milk on the premises and leaving the premises is clearly identified as eligible for sale outside the protection zone to the final consumer and is at all times stored and transported separately from raw milk and raw milk products which are not so eligible.

25 Collection, transport and processing of milk and milk products produced in a protection zone

- (1) No person may collect milk produced on premises in a protection zone where susceptible animals are kept and transport such milk out of that protection zone unless such transport complies with sub-paragraph (3) and is carried out in a vehicle which complies with sub-paragraph (4).
- (2) No person may process milk produced on premises in a protection zone where susceptible animals are kept unless the transport of such milk complies with sub-paragraph (3) and is carried out in a vehicle which complies with sub-paragraph (4).
- (3) Transport complies with this sub-paragraph if it is —
 - (a) transport of samples of raw milk to a laboratory under the authority of a licence granted by an inspector; or
 - (b) transport to premises, other than a laboratory, under the authority of a licence granted by an inspector.
- (4) A vehicle complies with this sub-paragraph if it —
 - (a) has been authorised to operate within the Island by a licence granted by the Department; and
 - (b) in accordance with the directions of the Department, has been marked so as to identify the geographical area in which it is authorised to operate.
- (5) A licence granted under sub-paragraph (3)(b) must specify the route to be taken and must include a condition prohibiting the vehicle, other than for the purpose of loading milk, from entering any premises in the zone where susceptible animals are kept.
- (6) Any person transporting milk under the authority of a licence granted under sub-paragraph (3)(b) must ensure that —

- (a) the vehicle used is constructed and maintained so that there is no leakage of milk during transport and is equipped to avoid aerosol dispersion during loading and unloading;
- (b) before every loading, the vehicle is cleansed and disinfected in accordance with the directions of an inspector; and
- (c) after every loading and before leaving the premises, the connection pipes, tyres, wheel cases and lower parts of the vehicle, and any spillage of milk, are cleansed and disinfected in accordance with the directions of an inspector.

PART 3 – MEASURES APPLICABLE ONLY IN RESPECT OF A SURVEILLANCE ZONE

26 Movement of animals from premises in a surveillance zone

- (1) Subject to the provisions of this paragraph, no person may move any susceptible animal from premises in a surveillance zone.
- (2) The prohibition in sub-paragraph (1) does not apply to the transport of susceptible animals for emergency slaughter under the authority of a licence granted by an inspector from premises in a surveillance zone direct to a slaughterhouse –
 - (a) in the same surveillance zone; or
 - (b) outside the surveillance zone and its associated protection zone where there is no slaughterhouse in that surveillance zone.
- (3) An inspector must not grant a licence under sub-paragraph (2) unless that inspector is satisfied that –
 - (a) a veterinary inspector has within the previous 24 hours carried out a clinical examination of every susceptible animal on the premises; and
 - (b) there is no suspicion of infection or contamination on the premises.
- (4) The prohibition in sub-paragraph (1) does not apply to transport of susceptible animals for slaughter (not being emergency slaughter) under the terms of a licence granted by an inspector –
 - (a) direct to a slaughterhouse outside that surveillance zone and its associated protection zone; or
 - (b) direct to a slaughterhouse in that surveillance zone.
- (5) No inspector may grant a licence under sub-paragraph (4) unless that inspector is satisfied that –
 - (a) the records required by paragraph 1 have been maintained in respect of the premises;

- (b) a veterinary inspector has within the previous 24 hours inspected every susceptible animal on the premises and has carried out a clinical examination of a representative sample of such susceptible animals; and
 - (c) there is no suspicion of infection or contamination on the premises.
- (6) No inspector may grant a licence under sub-paragraph (4)(a) unless that inspector is also satisfied that –
 - (a) there is no slaughterhouse in that surveillance zone with sufficient capacity to slaughter the animals; and
 - (b) the slaughterhouse at which slaughter is to take place is the nearest slaughterhouse outside the surveillance zone and its associated protection zone with such capacity.
- (7) A licence granted under sub-paragraph (2) or (4) may permit transport through the associated protection zone and, in such a case, must include a condition requiring that the vehicle travels through that protection zone without stopping.
- (8) The person in charge of any vehicle used to move susceptible animals under the authority of a licence granted under sub-paragraph (2) or (4) must ensure that it is cleansed and disinfected in accordance with article 45.
- (9) The prohibition in sub-paragraph (1) does not apply to the leading of susceptible animals to pasture in that surveillance zone under the authority of a licence granted by an inspector.
- (10) An inspector must not grant a licence under sub-paragraph (9) unless –
 - (a) that inspector is satisfied that a veterinary inspector has examined all susceptible animals on the premises (including testing of samples) and concluded that there are no animals suspected of being infected or contaminated on the premises;
 - (b) at least 15 days have elapsed since the most recent confirmed case of disease in the associated protection zone; and
 - (c) the licence contains a term requiring that animals do not come into contact with susceptible animals from other premises.
- (11) The prohibition in sub-paragraph (1) does not apply to movement from one part of premises to another part of the same premises using a public highway under the authority of a licence granted by a veterinary inspector or by an inspector at the direction of a veterinary inspector.

27 Control of animal gatherings and gatherings of people in a surveillance zone

- (1) No person may –

- (a) hold any animal gathering which includes susceptible animals in a surveillance zone; or
 - (b) hold any gathering of people on premises in a surveillance zone in connection with the sale of any susceptible animal kept there at which more than 2 people (other than the owner or keeper of the animal and his representatives) are present,
except under the authority of a licence granted by the Department.
- (2) No person may hold or take part in the following activities in a surveillance zone –
- (a) hunting any drag or other trail; or
 - (b) stalking,
- except under the authority of a licence granted by the Department.

28 Fresh meat etc. derived from susceptible animals originating in a surveillance zone

- (1) This paragraph applies to fresh meat, minced meat, mechanically separated meat and meat preparations derived from susceptible animals originating in a surveillance zone.
- (2) No person may sell or consign for sale meat to which this paragraph applies or move such meat out of a surveillance zone unless –
 - (a) it falls within sub-paragraph (3); or
 - (b) it is meat (excluding heads, viscera and offal) which complies with sub-paragraph (4), (5) or (6); or
 - (c) it falls within sub-paragraph (7).
- (3) Meat falls within this sub-paragraph if it satisfies the following requirements –
 - (a) it was produced more than 21 days before the earliest infection date in the associated protection zone;
 - (b) after production, it was at all times stored and transported separately from products to which this paragraph applies produced on or after that date;
 - (c) it was health marked or identification marked and that mark was overstamped.
- (4) Meat complies with this sub-paragraph if it is from ruminants and has been deboned so that it falls within paragraph 11 of Schedule 6 and from a carcass which has been matured so that it falls within paragraph 12 of Schedule 6.
- (5) Meat complies with this sub-paragraph if –

- (a) the animals from which it was produced were on the same premises for at least 21 days before slaughter and were identified so as to allow the tracing of those premises; and
 - (b) the meat has been clearly identified and detained under the supervision of the Department until any suspicion of infection on the premises of origin has been ruled out, but in any event for a period of at least 7 days.
- (6) Meat complies with this sub-paragraph if –
- (a) the animals from which it was produced were present on the same premises for 21 days before slaughter, during which time no susceptible animal was introduced onto those premises;
 - (b) samples taken from those animals within 48 hours before loading have been tested with negative result in an assay for the detection of antibodies against the disease virus; and
 - (c) the meat has been detained under the control of the Department for 24 hours and released only after a repeat inspection of the animals on the premises of origin has ruled out, on clinical inspection, the presence of infected animals or animals suspected of being infected.
- (7) Meat falls within this sub-paragraph if –
- (a) it is trimmed offal;
 - (b) it was health marked or identification marked and that mark was over stamped; and
 - (c) it was subsequently treated to form a meat product which falls within paragraph 1 of Schedule 6.
- (8) In this paragraph, “trimmed offal” means any of –
- (a) heart from which lymphatic glands, connective tissue and adhering fat has been completely removed;
 - (b) liver from which lymphatic glands, adhering connective tissue and fat has been completely removed;
 - (c) whole masseter muscles;
 - (d) tongues with epithelium and without bone, cartilage and tonsils;
 - (e) lungs from which the trachea and main bronchi and the mediastinal and bronchial lymphatic gland have been removed;
 - (f) other offal without bone or cartilage from which lymphatic glands, connective tissue, adhering fat and mucous membrane have been removed.

29 Fresh meat etc. produced on premises in a surveillance zone

- (1) This paragraph applies to fresh meat, minced meat, mechanically separated meat and meat preparations derived from susceptible animals and produced on premises in a surveillance zone.
- (2) No person may sell or consign for sale meat to which this paragraph applies or move such meat out of a surveillance zone unless it has been produced in an establishment which —
 - (a) is authorised by a licence granted by the Department imposing such conditions as it considers necessary to ensure strict veterinary control of the establishment;
 - (b) processes only meat which complies with sub-paragraph (3); and
 - (c) at all times during the production process stores, identifies and transports products eligible for despatch outside the surveillance zone —
 - (i) separately from those which are not so eligible; and
 - (ii) in accordance with the directions of the Department.
- (3) Meat complies with this sub-paragraph if —
 - (a) it was either —
 - (i) produced from animals transported to the slaughterhouse from the surveillance zone and it falls within paragraph 28(4), 28(5) or 28(6);
 - (ii) produced from animals reared and slaughtered outside the surveillance zone and its associated protection zone; or
 - (iii) produced from animals transported to the slaughterhouse from the protection zone under the authority of a licence granted under paragraph 12(2)(e); and
 - (b) it is health marked or identification marked.

30 Meat products produced from meat derived from susceptible animals originating in a surveillance zone or produced on premises in a surveillance zone

- (1) This paragraph applies to meat products —
 - (a) produced from meat derived from susceptible animals originating in a surveillance zone; or
 - (b) produced on premises in a surveillance zone.
- (2) No person may sell or consign for sale any product to which this paragraph applies or move any such product out of a surveillance zone unless that product complies with sub-paragraph (3) or (4).

- (3) Meat products comply with this sub-paragraph if they are produced from fresh meat, minced meat, mechanically separated meat or a meat preparation which was –
 - (a) health marked or identification marked and that mark was overstamped;
 - (b) transported to an establishment designated by the Department as authorised to treat meat from a surveillance zone; and
 - (c) treated at that establishment to form a meat product which falls within paragraph 1 of Schedule 6.
- (4) Meat products comply with this sub-paragraph if they are produced in an establishment which –
 - (a) is authorised by a licence granted by the Department imposing such conditions as it considers necessary to ensure strict veterinary control of the establishment;
 - (b) processes only meat which complies with paragraph 29(3); and
 - (c) at all times during the production process stores, identifies and transports products eligible for despatch outside the surveillance zone –
 - (i) separately from those which are not so eligible; and
 - (ii) in accordance with the directions of the Department.

31 Milk and milk products produced from susceptible animals originating in a surveillance zone or on premises in a surveillance zone

- (1) No person may sell or consign for sale the milk of a susceptible animal originating in a surveillance zone or any milk product produced from such milk unless it complies with sub-paragraph (2) or (3).
- (2) Milk and milk products comply with this sub-paragraph if –
 - (a) they were produced more than 21 days before the earliest infection date in the associated protection zone; and
 - (b) they have at all times been stored and transported separately from milk and milk products produced on or after that date.
- (3) Milk and milk products comply with this sub-paragraph if –
 - (a) they have been treated so as to fall within paragraph 13 or 14 of Schedule 6; and
 - (b) that treatment was carried out either –
 - (i) in the surveillance zone on premises complying with sub-paragraph (6); or
 - (ii) outside any protection zone or surveillance zone on such premises as the Department may direct.

- (4) No person may sell or consign for sale the milk of a susceptible animal produced on premises in a surveillance zone or any milk product produced from such milk unless —
 - (a) any transport of raw milk from outside the zone and its associated protection zone to those premises complies with sub-paragraph (5); and
 - (b) those premises comply with sub-paragraph (6).
- (5) Transport of raw milk complies with this sub-paragraph if —
 - (a) the vehicle was cleansed and disinfected on the premises of origin and before loading in accordance with the directions of an inspector; and
 - (b) the vehicle did not enter any other premises in a protection zone or surveillance zone where susceptible animals are kept since that cleansing and disinfection.
- (6) Premises comply with this sub-paragraph if they satisfy the following requirements —
 - (a) they are authorised by a licence granted by the Department imposing such conditions as it considers necessary to ensure strict veterinary control of the premises;
 - (b) they are operated so that all milk transported to the premises —
 - (i) complies with sub-paragraph (3); or
 - (ii) is transported to the premises for treatment so that it complies with sub-paragraph (3); or
 - (iii) was produced outside the surveillance zone and its associated protection zone;
 - (c) they are operated so that milk on the premises and leaving the premises is clearly identified as eligible for sale outside the surveillance zone to the final consumer and is at all times stored and transported separately from milk and milk products which are not so eligible.

32 Collection, transport and processing of raw milk produced in a surveillance zone

- (1) No person may collect raw milk produced on premises in a surveillance zone where susceptible animals are kept and transport such milk out of that surveillance zone unless such transport complies with sub-paragraph (3) and is carried out in a vehicle which complies with sub-paragraph (4).
- (2) No person may process raw milk produced on premises in a surveillance zone where susceptible animals are kept unless the transport of such milk

complies with sub-paragraph (3) and is carried out in a vehicle which complies with sub-paragraph (4).

- (3) Transport complies with this sub-paragraph if it is —
 - (a) transport of samples of raw milk to a laboratory under the authority of a licence granted by an inspector; or
 - (b) transport of samples of raw milk to premises other than a laboratory under the authority of a licence granted by an inspector.
- (4) A vehicle complies with this sub-paragraph if it —
 - (a) has been authorised to operate in the Island by a licence granted by the Department; and
 - (b) has been marked so as to identify the geographical area in which it is authorised to operate in accordance with the directions of the Department.
- (5) A licence granted under sub-paragraph (3)(b) must specify the route to be taken and must include a condition prohibiting the vehicle, other than for the purpose of loading milk, from entering any premises in the zone where susceptible animals are kept.
- (6) Any person transporting milk under the authority of a licence granted under sub-paragraph (3)(b) must ensure that —
 - (a) the vehicle used is constructed and maintained so that there is no leakage of milk during transport and is equipped to avoid aerosol dispersion during loading and unloading;
 - (b) before every loading, the vehicle is cleansed and disinfected in accordance with the directions of an inspector; and
 - (c) after loading and before leaving the premises, the connection pipes, tyres, wheel cases and lower parts of the vehicle, and any spillage of milk, are cleansed and disinfected in accordance with the directions of an inspector.
- (7) No person may process milk transported under this paragraph except under the authority of a licence granted by an inspector.

33 Transport, treatment and spreading of dung and manure produced in a surveillance zone

- (1) This paragraph applies to dung or manure —
 - (a) from premises in a surveillance zone where susceptible animals are kept; or
 - (b) collected from vehicles carrying susceptible animals from or within a surveillance zone.

- (2) No person may transport dung or manure to which this paragraph applies unless such transport complies with sub-paragraph (3), (5) or (7), and with sub-paragraph (10).
- (3) Transport of dung or manure complies with this sub-paragraph where it is to an establishment for treatment to destroy the disease virus and under the authority of a licence granted by the Department.
- (4) The occupier of any premises to which dung or manure is transported by authority of a licence granted under sub-paragraph (3) must ensure that it is treated in accordance with Articles 15 and 32 of Regulation (EC) No 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011.
- (5) Transport of dung or manure complies with this sub-paragraph if —
 - (a) the dung or manure is for spreading;
 - (b) the transport is under the authority of a licence granted by an inspector; and
 - (c) before grant of the licence a veterinary inspector clinically examined all susceptible animals on the premises where it was produced and was satisfied by such examination that they are not suspected of infection.
- (6) No person may spread dung or manure to which this paragraph applies unless such spreading is authorised by a licence granted by an inspector and the dung or manure —
 - (a) is spread from not more than one metre above the ground;
 - (b) if spread as a liquid, is not discharged by equipment producing a jet or spray unless the discharge point is directed downwards at an angle of not less than 45° from the horizontal; and
 - (c) is immediately incorporated into the ground.
- (7) Transport of dung or manure complies with this sub-paragraph if —
 - (a) the dung or manure is for spreading;
 - (b) the transport is under the authority of a licence granted by an inspector; and
 - (c) before grant of the licence a veterinary inspector clinically inspected all susceptible animals on the premises where it was produced and was satisfied that they are not suspected of infection.
- (8) No person may spread dung or manure transported by authority of a licence granted under sub-paragraph (7) unless such spreading is authorised by a licence granted by an inspector and the dung or manure is injected into the ground.
- (9) Any licence granted under sub-paragraph (6) or (8) must contain at least the following terms —

- (a) designation of the areas within which the dung and manure must be spread;
 - (b) designation of a distance from other premises where susceptible animals are kept within which dung or manure must not be spread.
- (10) Transport of dung or manure complies with this sub-paragraph if it is carried out in a vehicle which is —
- (a) constructed and maintained so that there is no leakage of the load during transport; and
 - (b) cleansed and disinfected after loading and before leaving the premises of origin.
- (11) After transporting dung or manure under this paragraph, the person in charge of the vehicle must ensure it is cleansed and disinfected after unloading or spreading and before leaving the premises of destination.
- (12) The person in charge of a vehicle to be cleansed and disinfected so as to comply with sub-paragraph (10) or under sub-paragraph (11) must ensure that such cleansing and disinfection is carried out so that —
- (a) the exterior (including the wheels and wheel arches) is not marked with mud, dung, manure or similar matter on leaving either premises;
 - (b) the interior (excluding any driver or passenger compartment) is not so marked on leaving the premises of destination; and
 - (c) any additional requirements as an inspector directs are complied with.

SCHEDULE 6

[Articles 28(3) and Schedule 5]

TREATMENTS TO ENSURE THE DESTRUCTION OF DISEASE VIRUS**PART 1 – PRODUCTS OF ANIMAL ORIGIN (OTHER THAN FRESH MEAT, MILK AND MILK PRODUCTS)****1 Meat products**

Meat products fall within this paragraph if they have undergone any of the following treatments or are produced from meat which has undergone those treatments –

- (a) heat treatment in a hermetically sealed container at a level of at least F₀₃;
- (b) heat treatment at a minimum temperature of 70°C, reached throughout the meat;
- (c) heat treatment in a hermetically sealed container to at least 60°C for a minimum of 4 hours, during which the core temperature of the meat or meat product must be at least 70°C for 30 minutes;
- (d) natural fermentation and maturation of not less than 9 months, resulting in the following characteristics –
 - (i) Aw value of not more than 0.93, or
 - (ii) pH value of not more than 6.0;
- (e) heat treatment ensuring a core temperature of at least 65°C is reached for the time necessary to achieve a pasteurisation value equal to or more than 40.

2 Hides and skins

Hides and skins fall within this paragraph if they comply with the requirements in Article 36 of Regulation (EC) No 1069/2009 and point 28(c) and (d) of Annex I to Regulation (EU) No. 142/2011.

3 Wool, ruminant hair and pig bristles

Wool, ruminant hair and pig bristles fall within this paragraph if they comply with the requirements of Article 36 of Regulation (EC) No 1069/2009 and Article 24(4) of Regulation (EU) No. 142/2011.

4 Animal products derived from susceptible animals

Animal products derived from susceptible animals fall within this paragraph if they have undergone one of the following treatments —

- (a) heat treatment in a hermetically sealed container at a level of at least F₀₃;
- (b) heat treatment in which the centre temperature is raised to at least 70°C for at least 60 minutes.

5 Blood and blood products

Blood and blood products of susceptible animals fall within this paragraph if they are used for technical purposes (including pharmaceuticals, in vitro diagnostics and laboratory reagents) and have undergone any of the treatments referred to in point B(3)(e)(ii) of Chapter IV of Annex VIII to Regulation (EC) No 1774/2002, as amended or point 2(b)(ii) of Chapter IV of Annex XIII to Regulation (EU) No. 142/2011.

6 Lard and rendered fats

Lard and rendered fats fall within this paragraph if they have undergone the heat treatment referred to in point 3(d) of Chapter I of Annex XIV to Regulation (EU) No 142/2011.

7 Petfood and dog chews

Petfood and dog chews fall within this paragraph if they comply with the requirements of Chapter II of Annex XIII to Regulation (EU) No 142/2011.

8 Game trophies of ungulates

Game trophies of ungulates fall within this paragraph if they comply with the requirements of Chapter VI of Annex XIII to Regulation (EU) No 142/2011.

9 Animal casings

Animal casings fall within this paragraph if they have been cleaned, scraped and either salted with sodium chloride for 30 days or bleached or dried after scraping and have been protected from recontamination after treatment.

PART 2 – PRODUCTS NOT OF ANIMAL ORIGIN

10 Straw and forage

Straw and forage falls within this paragraph if it has either –

- (a) undergone the action of –
 - (i) steam in a closed chamber for at least 10 minutes and at a minimum temperature of 80°C, or
 - (ii) formalin fumes (formaldehyde gas) produced in a chamber kept closed for at least 8 hours and at a minimum temperature of 19°C, at 35–40% concentration; or
- (b) been stored in packages or bales under shelter on premises situated not closer than 2 kilometres to the nearest infected premises and kept at such premises until at least 3 months have elapsed following the completion of all cleansing and disinfection in the protection zone surrounding the nearest infected premises (and in any case not before the declaration creating that protection zone has been amended in accordance with article 37 so that the protection zone becomes part of a surveillance zone).

PART 3 – FRESH MEAT

11 De-boning

Meat (together with diaphragms but excluding offal) is deboned so that it falls within this paragraph if the bone and main accessible lymphatic glands have been removed.

12 Maturation

Carcases are matured so that they fall within this paragraph if they –

- (a) have been matured at a temperature of more than 2°C for at least 24 hours; and
- (b) have a pH value in the middle of the *Longissimus dorsi* recorded at less than 6.0.

PART 4 – MILK AND MILK PRODUCTS

13 Milk and milk products for human consumption

- (1) Milk and milk products for human consumption fall within this paragraph if they have undergone one of the following treatments –

- (a) sterilisation at a level of at least F₀₃;
 - (b) Ultra-High Temperature treatment at 132°C for at least one second;
 - (c) High Temperature Short Time pasteurisation at 72°C for at least 15 seconds or any other pasteurisation treatment which achieves a negative reaction to a phosphatase test (with any pasteurisation under this paragraph applied twice to milk with a pH of 7.0 or above);
 - (d) High Temperature Short Time pasteurisation at 72°C for at least 15 seconds or any other pasteurisation treatment which achieves a negative reaction to a phosphatase test and either —
 - (i) lowering the pH below 6.0 for at least one hour, or
 - (ii) heating to 72°C or more combined with desiccation.
- (2) Milk products for human consumption fall within this paragraph if they are produced from milk which has undergone one of the treatments in sub-paragraph (1).

14 Milk and milk products not intended for human consumption

- (1) Milk and milk products not intended for human consumption (including whey intended for susceptible animals) fall within this paragraph if they have undergone one of the following treatments —
- (a) sterilisation at a level of at least F₀₃;
 - (b) Ultra-High Temperature treatment at 132°C for at least one second and either —
 - (i) lowering the pH below 6.0 for at least one hour, or
 - (ii) heating to 72°C or more combined with desiccation;
 - (c) High Temperature Short Time pasteurisation, applied twice, at 72°C for at least 15 seconds or any other pasteurisation treatment which achieves a negative reaction to a phosphatase test;
 - (d) High Temperature Short Time pasteurisation at 72°C for at least 15 seconds or any other pasteurisation treatment which achieves a negative reaction to a phosphatase test and either —
 - (i) lowering the pH below 6.0 for at least one hour, or
 - (ii) heating to 72°C or more combined with desiccation.
- (2) Milk products not for human consumption (other than whey intended for susceptible animals) fall within this paragraph if they are produced from milk which has been subjected to one of the treatments in sub-paragraph (1).
- (3) Whey intended for susceptible animals falls within this paragraph if it is —

- (a) collected at least 16 hours after milk clotting; and
- (b) (if intended for feeding to pigs) has a recorded pH of less than 6.0 before leaving the establishment in which the milk has been treated.

SCHEDULE 7

[Article 39(1)]

MEASURES APPLICABLE IN RESPECT OF A RESTRICTED ZONE**1 Movement of susceptible animals in a restricted zone**

- (1) Subject to sub-paragraph (3), no person may move a susceptible animal —
 - (a) from premises within a restricted zone; or
 - (b) into or out of a restricted zone,except under the authority of a licence granted by an inspector.
- (2) The person in charge of any vehicle used to move susceptible animals under such a licence must ensure that it is cleansed and disinfected in accordance with article 45.
- (3) This paragraph does not apply in any part of a restricted zone which is also part of a protection zone, surveillance zone or vaccination zone.

2 Slaughter of susceptible animals in a restricted zone

Where a susceptible animal is moved to a slaughterhouse in a restricted zone, the occupier of the slaughterhouse must ensure that it is slaughtered in accordance with any directions given by an inspector and in any case within 24 hours of arrival.

3 Control of products from slaughterhouses in a restricted zone

- (1) No person may move any carcase or animal product (unless intended for human consumption) or any manure, slurry or used litter from a slaughterhouse in a restricted zone except —
 - (a) for disposal; or
 - (b) under the authority of a licence granted by an inspector (which must include a condition prohibiting any intermediate movement to any premises where susceptible animals are kept).
- (2) Any person transporting any thing under the authority of a licence granted under sub-paragraph (1)(b) must —
 - (a) do so in a drip-proof container or vehicle; and
 - (b) cleanse and disinfect the vehicle, as soon as possible after unloading and in any event before re-use, in accordance with the directions of an inspector.

- (3) The occupier of premises to which any carcase or animal product is moved under this paragraph must ensure that it is not brought into contact with, or fed to, any susceptible animal.

4 Control of carcasses in a restricted zone

No person may move any carcase of a susceptible animal (other than the carcase of an animal slaughtered for human consumption or the carcase of an animal suspected of having contracted BSE or scrapie intended for disposal) from premises in a restricted zone other than a slaughterhouse except under the authority of a licence granted by an inspector.

5 Straying of susceptible animals in a restricted zone

- (1) The keeper of a susceptible animal in a restricted zone must take all such steps as are necessary to prevent it from straying from the premises on which it is kept.
- (2) An inspector may detain any stray or feral susceptible animal found in a restricted zone.

6 Control of animal gatherings and gatherings of people in a restricted zone

- (1) Subject to sub-paragraph (3), no person may —
- (a) hold any animal gathering which includes susceptible animals in a restricted zone; or
 - (b) hold any gathering of people on premises in a restricted zone in connection with the sale of any susceptible animal kept there at which more than 2 people (other than the owner or keeper of the animal and the owner or keeper's representatives) are present,
- except under the authority of a licence granted by the Department.
- (2) Subject to sub-paragraph (3), no person may hold or take part in the following activities in a restricted zone —
- (a) hunting any drag or other trail; or
 - (b) stalking,
- except under the authority of a licence granted by the Department.
- (3) This paragraph does not apply in any part of a restricted zone which is also part of a protection zone or surveillance zone.

7 Shearing or dipping of sheep in a restricted zone

- (1) Subject to sub-paragraphs (2) and (4), no person may —
- (a) shear or dip sheep; or

- (b) handle fleeces or sheep during shearing or dipping, in a restricted zone except under the authority of a licence granted by an inspector.
- (2) The prohibition in sub-paragraph (1) does not apply to the occupier of any premises or that occupier's employees (other than any person employed by that occupier primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.
- (3) In this paragraph –
 - (a) “shearing” includes clipping and dagging; and
 - (b) “dipping” includes showering and jetting sheep with sheep dip.
- (4) This paragraph does not apply in any part of a restricted zone which is also part of a protection zone or surveillance zone.

8 Ultrasound scanning of sheep in a restricted zone

- (1) Subject to sub-paragraphs (2) and (3), no person may carry out ultrasound scanning of sheep in a restricted zone except under the authority of a licence granted by an inspector.
- (2) The prohibition in sub-paragraph (1) –
 - (a) does not apply to the occupier of any premises or that occupier's employees in respect of the carrying out of ultrasound scanning of sheep kept on those premises using ultrasound scanning equipment of which the occupier is the owner or person in charge; but
 - (b) does apply to a person employed by that occupier primarily for the purpose of carrying out such ultrasound scanning using such equipment.
- (3) This paragraph does not apply in any part of a restricted zone which is also part of a protection zone or surveillance zone.

9 Cleansing and disinfection of slaughterhouses in a restricted zone

The occupier of any collecting centre or slaughterhouse in a restricted zone must cleanse and disinfect the premises in accordance with the directions of an inspector as soon as is practicable after it has been emptied of animals and in any event before any susceptible animal, fodder, used litter or other thing liable to spread disease is moved into it again.

SCHEDULE 8

[Article 41(1)]

MEASURES APPLICABLE IN RESPECT OF A WILD ANIMAL INFECTED ZONE**1 Notification of dead wild susceptible animals in a wild animal infected zone**

Any person who kills a wild susceptible animal or finds such an animal dead in a wild animal infected zone must notify the Department of that fact.

2 Record keeping in a wild animal infected zone

The occupier of any premises in a wild animal infected zone where susceptible animals are kept must create a record of the number of each species of susceptible animal kept on the premises and must maintain that record by updating it every time that number changes.

3 Isolation of susceptible animals in a wild animal infected zone

The occupier of any premises in a wild animal infected zone where susceptible animals are kept must ensure that —

- (a) susceptible animals are isolated as far as is reasonably practicable from contact with wild animals; and
- (b) fodder, used litter and any other material which may come into contact with susceptible animals is isolated as far as is reasonably practicable from contact with wild animals.

4 Movement of susceptible animals in a wild animal infected zone

No person may move any susceptible animal from or to premises in a wild animal infected zone except under the authority of a licence granted by the Department.

5 Cleansing and disinfection in a wild animal infected zone

- (1) The occupier of any premises in a wild animal infected zone must ensure that means of disinfection are provided and used at all entrances to buildings where susceptible animals are kept in accordance with the directions of an inspector.
- (2) Any person (“P”) coming into contact with a wild susceptible animal must cleanse P and launder P’s clothing as soon as reasonably practicable after such contact.

6 Carcasses and things which may be contaminated in a wild animal infected zone

No person may bring the following on to premises in a wild animal infected zone where susceptible animals are kept —

- (a) any carcase of a wild animal;
- (b) any material, equipment or other thing which may be contaminated.

7 Movement of semen, ova and embryos out of a wild animal infected zone for trade

No person may move any semen, embryo or ovum of a susceptible animal out of a wild animal infected zone for the purpose of trade with a member State, Norway, Iceland or Liechtenstein.⁶

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 “health marked” amended by SD2019/0496.

³ Para (a) amended by SD2019/0496.

⁴ Para (1) amended by SD2023/0161.

⁵ Para (c) revoked by SD2023/0161.

⁶ Para 7 amended by SD2019/0374 with effect from 31/12/2020 at 23:00.