Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Pigs (Records, Identification and Movement) (Wales) Order 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

WELSH STATUTORY INSTRUMENTS

2011 No. 2830 (W.303)

ANIMALS, WALES

ANIMAL HEALTH

The Pigs (Records, Identification and Movement) (Wales) Order 2011

Made - - - -	*22 November 2011*
Coming into force - -	*25 November 2011*

The Welsh Ministers, in whom the powers conferred by sections 1 and 8(1) of the Animal Health Act 1981 are now vested [F1] make the following Order in exercise of those powers:

F1 1981 c. 22. The functions of "the Ministers" so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of S.I. 1999/672. The functions of a Minister of the Crown so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of S.I. 2004/3044. Section 162 of, and Schedule 11 to, the Government of Wales Act 2006 c. 32, vest these functions in the Welsh Ministers.

PART 1

Introduction

Title, application and commencement

1. The title of this Order is the Pigs (Records, Identification and Movement) (Wales) Order 2011. It comes into force on 25 November 2011 and applies in relation to Wales.

Interpretation

2. In this Order—

[[F2]"AHDB" means Agricultural and Horticultural Development Board;**]**

[F3]...

"CPH number" ("*rhif CPH*") means the county parish holding number assigned to a holding by the Welsh Ministers;

"herdmark" ("*marc cenfaint*") means an alphanumeric code issued by the Welsh Ministers under article 4(2);

"holding" ("*daliad*") means any establishment, construction or, in the case of an open air farm, any place in which pigs are held, kept or handled;

"identification mark" ("*marc adnabod*") means an eartag or tattoo which complies with article 6;

"keeper" ("*ceidwad*") means any person having care and control of pigs, whether on a temporary or permanent basis, but does not include a person who only transports pigs;

F4 ...

F2 Words in art. 2 inserted (30.6.2018) by The Pigs (Records, Identification and Movement) (Wales) (Amendment) Order 2018 (S.I. 2018/632), arts. 1(3), **2(2)(c)**

F3 Words in art. 2 omitted (30.6.2018) by virtue of The Pigs (Records, Identification and Movement) (Wales) (Amendment) Order 2018 (S.I. 2018/632), arts. 1(3), **2(2)(a)**

F4 Words in art. 2 omitted (30.6.2018) by virtue of The Pigs (Records, Identification and Movement) (Wales) (Amendment) Order 2018 (S.I. 2018/632), arts. 1(3), **2(2)(b)**

Notifications etc

3.—(1) Any notification, licence, or approval issued under this Order must be in writing.

(2) Licences and approvals may be subject to conditions and may be suspended, amended or revoked in writing at any time.

PART 2

Records

Notification of holdings

4.—(1) An occupier of a holding who begins to keep pigs on that holding, and any person who takes over the occupation of a holding where pigs are kept, must notify the Welsh Ministers within one month of—

(a) their name and address; and

(b) the address of the holding.

(2) On receipt of a notification under paragraph (1) the Welsh Ministers must issue a herdmark.

(3) The occupier must notify the Welsh Ministers of any change to the information in paragraph (1) within one mouth.

(4) The occupier must notify the Welsh Ministers within one month if that occupier ceases to keep pigs at any holding notified under paragraph (1).

Records

5.—(1) The keeper must complete the form in the Schedule within 36 hours of the movement of a pig on or off a holding.

(2) Once a year a keeper must record the maximum number of pigs normally on the holding and the actual number of pigs on the holding at that date.

(3) The keeper must keep these records for at least 3 years.

PART 3

Identification

Ear tags and tattoos

6.—(1) An ear tag must be—

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

(b) made of either metal or plastic or a combination of metal and plastic;

(c) tamper-resistant;

(d) incapable of re-use;

(e) sufficiently heat-resistant that neither the ear tag nor the information printed or stamped on it can be damaged by the processing of the carcase following slaughter; and

(f) designed to remain attached to the pig without harming it.

(2) A tattoo must be applied either by tattoo forceps, in which case it must be on an ear, or by slap-marking equipment, in which case it must be on each shoulder and must, in either case, be easy to read.

(3) As an alternative to applying a tattoo by the methods referred to in paragraph (2) a keeper may apply a tattoo to each shoulder by means of equipment which uses compressed air to drive the tattooing pins into the skin of the pig provided the tattoo is easy to read.

(4) A keeper may mark a pig with any further information, or add further information to the ear tag or tattoo provided that the further information is clearly distinguished from the information required under this Order.

Identification of pigs moved off a holding

7.—(1) No person may move a pig off a holding unless it has—

(a) an ear tag with the letters “UK” followed by the herdmark of the holding from which the pig is moved off; or

(b) a tattoo showing that herdmark (with or without the letters “UK”); applied in accordance with article 6.

(2) Subject to the Disease Control (Wales) Order 2003 [F5] in the case of a market—

(a) a pig may be moved off if it is marked with the herdmark of the holding from which it arrived;

(b) if the pig is not correctly identified in accordance with these Regulations when it arrives at a market its keeper may correct the identification so that it is identified with the herdmark of the holding from which it arrived, but if the keeper does not do so the pig may only be returned to the holding it came from.

F5 S.I. 2003/1966 (W.211).

Exception for a pig less than one year old

8.—(1) Article 7 does not apply in relation to a pig less than one year old provided that it is identified with a temporary mark that—

(a) either by itself or by reference to a document accompanying the pig during the movement enables the holding from which the pig was last moved to be identified; and

(b) lasts until the pig reaches its destination.

(2) This exception does not apply in relation to a pig being moved—

(a) to a market;

(b) to a slaughterhouse;

(c) for the purposes of intra-Community trade or export; or

(d) to a show.

Additional identification requirements for movements of pigs to shows, porcine semen centres etc.

9.—(1) No person may move a pig off a holding—

(a) to a show or exhibition;

(b) for breeding purposes with the intention of returning the pig to the holding from which it was moved; or

(c) for the purpose of collection of semen at a porcine semen centre,

unless it is marked in accordance with article 7 or with a herdmark that includes a unique individual identification number.

Additional requirements for export

10. No person may move a pig off a holding for the purposes of intra-Community trade or export unless it has an ear tag or tattoo in either case bearing the letters "UK" followed by a herdmark and a unique individual identification number.

Identification of pigs moved onto a holding from outside the European Union

11.—(1) Subject to paragraph (3) any person importing a pig from outside the European Union must apply an ear tag or tattoo to the pig containing the following information, in the following order—

(a) the letters "UK";

(b) the herdmark of the herd into which the imported pig is introduced;

(c) any other information, if the keeper wishes to apply such information; and

(d) the letter "F".

(2) The ear tag or tattoo must be applied to the pig within 30 days of its arrival at the holding of destination and, in any event, before it is moved from that holding.

(3) A person importing a pig from outside the European Union need not apply a new identification mark in accordance with paragraph (1) where a pig is moved directly to a slaughterhouse and is slaughtered within 30 days of its arrival from outside the European Union.

PART 4

Movements

Movement of pigs other than movements to markets or collection centres

12.—(1) Subject to articles 13, 14, 15 and 16(2) keepers, other than markets, must notify **[**[F6]AHDB**]** of all movements of pigs from their holdings before those movements take place.

(2) Keepers may notify **[**F6AHDB**]** electronically by entering the following information onto the **[**F6AHDB**]** movement recording system—

(a) the address, including the postcode, and CPH number of the holdings from and to which the pigs are being moved;

(b) the date of the movement;

(c) the number of pigs being moved;

(d) the identification mark of each pig moved, and in the case of a movement specified in article 9 or 10 that must include the unique individual identification number required by those articles.

(3) If a keeper does not notify **[**F6AHDB**]** electronically they must provide the information listed in paragraph (2) by telephone or in writing to **[**F7AHDB**]** and may not move those pigs until they have received a document from **[**F7AHDB**]** recording that information.

(4) When **[**F7AHDB**]** receives notification of movement information under paragraph (3) it must, within one working day of receipt excluding weekends, send the keeper sufficient copies of a document recording that information to enable the keeper, and any transporter and the keeper at the holding of destination to meet their recording obligations.

(5) When pigs are moved from a market the market must notify **[**F6AHDB**]** of the information at paragraph (2) in relation to those pigs electronically on the day of the movement.

(6) In this article "**[**F6AHDB**]** movement recording system" ("*system gofnodi symudiadau [F6AHDB]*") means the electronic movement recording system maintained for the purpose of notifications under this Order by **[**F6AHDB**]** and "working day" ("*diwrnod gwaith*") means a day which is not a Saturday or a Sunday, Christmas Day, Good Friday or a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 F8.

F6 Word in Order substituted (30.6.2018) by The Pigs (Records, Identification and Movement) (Wales) (Amendment) Order 2018 (S.I. 2018/632), **art. 2(3)**

F7 Word in Order substituted (30.6.2018) by The Pigs (Records, Identification and Movement) (Wales) (Amendment) Order 2018 (S.I. 2018/632), **art. 2(4)**

F8 1971 c. 80 to which there are amendments not relevant to this Order.

Transitional provisions

13.—(1) Until 1 January 2012 if the market cannot notify **[**F6AHDB**]** electronically in accordance with article 12(5), it must provide the information listed in article 12(2) by telephone or in writing to **[**F7AHDB**]** on the day of the sale.

(2) Until 1 April 2012 a keeper, other than a market, sending pigs to another holding may, instead of notifying the movement under article 12, complete and sign a document that specifies—

(a) the address, including postcode and CPH number of the holding from and to which the pigs are being moved;

(b) the date of the movement;

(c) the number of pigs that the document covers;

(d) the identification mark of each pig moved, and in the case of a movement specified in article 9 or 10 that must include the unique individual identification number required by those articles.

(3) The keeper must give a copy of this document to the person transporting the pigs.