Changes to legislation: *The Products of Animal Origin (Disease Control) (Wales) Regulations 2008 is up to date with all changes known to be in force on or before 01 February 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

WELSH STATUTORY INSTRUMENTS

2008 No. 1275 (W.132)

ANIMALS, WALES

ANIMAL HEALTH

The Products of Animal Origin (Disease Control) (Wales) Regulations 2008

Made - - - -	*8 May 2008*
Laid before the National Assembly for Wales - -	*9 May 2008*
Coming into force - -	*3 June 2008*

The Welsh Ministers are designated [F1] for the purposes of section 2(2) of the European Communities Act 1972 [F2] in relation to the common agricultural policy of the European Community.

In exercise of the powers conferred by section 2(2) of the European Communities Act 1972, the Welsh Ministers make the following Regulations:

F1 S.I. 2005/2766. Functions conferred on the National Assembly for Wales are exercisable by the Welsh Ministers by virtue of paragraph 30 of and Schedule 11 to the Government of Wales Act 2006.
F2 1972 c. 68.

PART 1

Introduction

Title, application and commencement

1. The title of these regulations is The Products of Animal Origin (Disease Control) (Wales) Regulations 2008; they apply in relation to Wales and come into force on 3 June 2008.

Interpretation: general

2. In these Regulations—

"the Act" ("*y Ddeddf*") means the Animal Health Act 1981 [F3];

"animal" ("*anifail*") means any mammal;

"disease" ("*clefyd*") means any of the following: classical swine fever; African swine fever; swine vesicular disease; rinderpest; sheep and goat plague, Newcastle disease;

"disease legislation" ("*deddfwriaeth clefydau*") means any of the legislation listed in Schedule 1;

[[F4]"domestic market" ("*y farchnad ddomestig*") is the market for the sale of poultry meat in England, Scotland, Wales and Northern Ireland;**]**

"establishment" ("*sefydliad*") means a slaughterhouse or a game handling establishment;

"game handling establishment" ("*sefydliad trin anifeiliad hela*") means an establishment where the preparation of wild game carcases takes place;

"inspector" ("*arolygydd*") means an inspector appointed as such by the Welsh Ministers or a local authority for the purpose of these Regulations or of the Act and, unless the context otherwise requires, includes a veterinary inspector;

"local authority" ("*awdurdod lleol*") means in relation to an area the county council or county borough council for that area.

"meat" ("*cig*") means any part of the carcase of either an animal or poultry intended for human consumption, and includes a product resulting from the processing of meat from that animal or poultry or a product resulting from the further processing of such processed meat product;

"occupier" ("*meddiannydd*") means, in relation to any premises or establishment, the person in charge of those premises or that establishment;

"poultry" ("*dofednod*") means all species of poultry reared or kept in captivity for the production of meat or eggs for human consumption, the production of other commercial products for human consumption, the restocking of supplies of game or for the purposes of any breeding programme for the production of these categories of birds;

"premises" ("*mangre*") means any land, building or place in business use, other than a slaughterhouse or game handling establishment;

[F5]…

[[F6]"seropositive pig" ("*mochyn seropositif*") means a pig that is not a restricted animal but is required by the Welsh Ministers to be slaughtered in a slaughterhouse due to antibodies against swine vesicular disease virus being identified in that pig;**]**

[[F6]"seropositive pig meat" ("*cig moch seropositif*") is meat derived from a seropositive pig which—

(a) is not restricted meat, and

(b) has not been treated in accordance with Schedule 2 at a designated treatment centre;**]**

"slaughter" ("*cigydda*") means killing for the production of food for human consumption but does not include killing wild game;

"slaughterhouse" ("*lladd-dy*") means an establishment where the slaughter and dressing of any animal or poultry takes place;

"supply" ("*cyflenwi*") means supply to the final consumer or to a person who then supplies to the final consumer and includes consignment for sale;

"treatment centre" ("*canolfan driniaeth*") means premises designated under regulation 5 for the purpose of subjecting meat to a treatment listed in Schedule 2;

"vehicle" ("*cerbyd*") includes—

(a) a trailer, semi-trailer or other thing designed or adapted to be towed by another vehicle;

(b) a detachable part of any vehicle;

(c) a container or other structure designed or adapted to be carried on a vehicle;

"veterinary inspector" ("*arolygydd milfeddygol*") means a person appointed as such by the Welsh Ministers for the purposes of these Regulations or under the Act; and

"wild game" ("*anifeiliaid hela gwyllt*") means a wild animal which is hunted for human consumption.

F3 1981, c. 22, as amended by the Animal Health Act 2002, c. 42, S.I. 1992/3293, 2003/1734 and 2006/182.

F4 Words in reg. 2 inserted (30.6.2009) by The Products of Animal Origin (Disease Control) (Wales) (Amendment) Regulations 2009 (S.I. 2009/1373), regs. 1, **3(a)**

F5 Words in reg. 2 omitted (30.6.2009) by virtue of The Products of Animal Origin (Disease Control) (Wales) (Amendment) Regulations 2009 (S.I. 2009/1373), regs. 1, **3(b)**

F6 Words in reg. 2 inserted (30.6.2009) by The Products of Animal Origin (Disease Control) (Wales) (Amendment) Regulations 2009 (S.I. 2009/1373), regs. 1, **3(c)**

Restricted animal, restricted poultry and restricted meat: definitions

3.—(1) In these Regulations, a "restricted animal" ("*anifail dan gyfyngiadau*") is an animal which is—

(a) at, in or from—

(i) suspect premises;

(ii) an establishment where a disease is suspected;

(iii) infected premises;

(iv) an establishment where a disease is confirmed;

(v) an infected area;

(vi) a protection zone; or

(vii) a surveillance zone; and

(b) of a species susceptible to the disease in respect of which restrictions have been imposed under disease legislation.

(2) In these Regulations, "restricted poultry" ("*dofednod dan gyfyngiadau*") is poultry which is at, in or from any of the following under the Diseases of Poultry (Wales) Order 2003 [F7]—

(a) suspect premises;

(b) a slaughterhouse where a disease is suspected;

(c) infected premises;

(d) a slaughterhouse where a disease is confirmed;

(e) an infected area;

(f) a protection zone; or

(g) a surveillance zone.

(3) "Suspect premises" ("*mangre dan amheuaeth*") are premises where movement restrictions are in place under disease legislation because a disease is suspected there.

(4) "Infected premises" ("*mangre heintiedig*") are premises where a disease has been confirmed under disease legislation.

(5) An "infected area" ("*ardal heintiedig*") is an area of this name declared by the Welsh Ministers under disease legislation following confirmation of a disease.

(6) A "protection zone" ("*parth gwarchod*") is an area of this name declared by the Welsh Ministers under disease legislation following confirmation of a disease.

(7) A "surveillance zone" ("*parth goruchwylio*") is an area of this name declared by the Welsh Ministers under disease legislation following confirmation of a disease.

[[F8](8) Subject to paragraph (9), "restricted meat" ("cig dan gyfyngiadau") is meat, including meat that has come into contact with meat—

(a) produced on or after the date that a protection zone or a surveillance zone is declared, or an earlier date where the Welsh Ministers specify such a date for the purpose of disease control;

(b) from a restricted animal or restricted poultry that has come from an infected area, a protection zone or a surveillance zone; and

(c) from pigs that have been vaccinated to protect them from classical swine fever for 6 months (or any other specified period).**]**

[[F9](9) Where restricted meat has been treated in accordance with Schedule 2 at a treatment centre it ceases to be regarded as restricted meat.**]**

F7 S.I. 2003/1079 (W.148).
F8 Reg. 3(8) substituted (14.8.2014) by The Diseases of Swine Regulations 2014 (S.I. 2014/1894), regs. 1(1)(c), **43(6)(a)** (with reg. 4(1))
F9 Reg. 3(9) inserted (30.6.2009) by The Products of Animal Origin (Disease Control) (Wales) (Amendment) Regulations 2009 (S.I. 2009/1373), regs. 1, **4(b)**

Notices

4. Notices under these Regulations—

(a) must be in writing; and

(b) may be amended, suspended or revoked, by further notice, at any time.

Designation of premises, slaughterhouses and game handling establishments

5.—(1) The Welsh Ministers may designate any establishment or premises for the purposes of slaughtering animals or poultry, or cutting, preparing, processing, packing, wrapping, storage or treatment of meat.

(2) Designation under these Regulations—

(a) must be in writing;

(b) may be subject to conditions; and

(c) may be amended, suspended or revoked by notice.

(3) Premises and establishments designated by the Secretary of State, the Scottish Ministers or the Department for Agriculture and Rural Development of Northern Ireland for the same purposes as they may be designated under these Regulations are designated premises or establishments for the purposes of these Regulations.

(4) In these Regulations, "designated" ("*dynodedig*") refers to premises and establishments which are designated under this regulation.

Restrictions relating to movements from England, Scotland or Northern Ireland

6.—(1) Unless the Welsh Ministers direct otherwise, measures in these Regulations applying in respect of anything moved from any of the premises, establishments, areas or zones referred to in regulation 3 also apply in respect of such a movement from any equivalent premises, establishment, area or zone in England, Scotland or Northern Ireland.

(2) This regulation only applies if the person to whom the measure applies is aware or should reasonably have been aware that the movement is from such premises, establishment, area or zone.

PART 2

Control of meat from restricted animals or restricted poultry

Meat from suspect or infected premises

7.—(1) Any person who is in possession of meat from a restricted animal or restricted poultry originating from suspect premises from the relevant date, or meat that has come into contact with such meat, must detain that meat until those premises are no longer suspect premises.

(2) Paragraph (1) only applies if the person in possession of the meat is aware or should reasonably have been aware that the meat is from a restricted animal or restricted poultry originating from suspect premises from the relevant date, or is meat that has come into contact with such meat.

(3) Any person in possession of meat produced from a restricted animal or restricted poultry originating from infected premises from the relevant date, or meat that has come into contact with such meat, must destroy that meat without delay.

[F10(4) In this regulation "relevant date" ("*y dyddiad perthnasol*") means the date the suspect premises or infected premises became subject to disease restrictions, or any earlier date where the Welsh Ministers specify such a date for disease control purposes.**]**

F10 Reg. 7(4) inserted (30.6.2009) by The Products of Animal Origin (Disease Control) (Wales) (Amendment) Regulations 2009 (S.I. 2009/1373), regs. 1, **5**

Tracing of meat from infected premises

8. Any person who has owned or been in possession of meat referred to in regulation 7(3) must—

(a) use best endeavours to trace that meat; and

(b) inform the recipient of that meat, other than a consumer, that the meat is from infected premises.

Prohibition on supply and export of meat

9.—(1) A person must not—

(a) supply restricted meat; F11...

(b) export restricted meat F12... **[**F13; or

(c) export seropositive pig meat.**]**

[F14(2) The prohibition in paragraph 1(a) does not apply to restricted meat from restricted poultry intended for supply on the domestic market.**]**

F15(3) . . . . . .

F11 Word in reg. 9(1) omitted (30.6.2009) by virtue of The Products of Animal Origin (Disease Control) (Wales) (Amendment) Regulations 2009 (S.I. 2009/1373), regs. 1, **6(a)(i)**

F12 Reg. 9(1)(b) full stop omitted (30.6.2009) by virtue of The Products of Animal Origin (Disease Control) (Wales) (Amendment) Regulations 2009 (S.I. 2009/1373), regs. 1, **6(a)(ii)**

F13 Reg. 9(1)(c) and word inserted (30.6.2009) by The Products of Animal Origin (Disease Control) (Wales) (Amendment) Regulations 2009 (S.I. 2009/1373), regs. 1, **6(a)(ii)**