STATUTORY RULES OF NORTHERN IRELAND

2012 No. 67

ANIMALS

The Pigs (Records, Identification and Movement) Order (Northern Ireland) 2012

Made - - - - 22nd February 2012

Coming into operation 19th March 2012

The Department of Agriculture and Rural Development(**1**), makes the following Order in exercise of the powers conferred by Articles 5(1), 19, 44, 51(2) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**2**).

PART 1

INTRODUCTION

Citation and commencement

1. This Order may be cited as the Pigs (Records, Identification and Movement) Order (Northern Ireland) 2012 and shall come into operation 19th March 2012.

Interpretation

2.—(1) In this Order—

"curer mark" means a code of up to 4 characters applied to the shoulder of a pig as a tattoo, allocated to a keeper and registered by the Department;

"Divisional Veterinary Office" in relation to any holding means the Divisional Veterinary Office or DARD Direct Office of the Department which processes movements for the area in which a holding is located;

"the Directive" means Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs(**3**);

(**1**) Formerly the Department of Agriculture for Northern Ireland see the Departments Order 1999 S.I. 1999/283 (N.I. 1) Article 3(4)

(**2**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Article 17, S.I. 1994/1891 (N.I. 6) Articles 19, 22 to 24 and Schedule, S.R. 2002 No. 225 and S.R. 2006 No.41, the Diseases of Animals Act (NI) 2010 ch.1

(**3**) O. J. No. L 213, 8.08.2008, p.31

"electronic communication" means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or vice versa)—

(a) by means of an electronic telecommunications network; or

(b) by other means but while in an electronic form;

"holding" means any establishment, construction or, in the case of an open air farm, any place in which pigs are held, kept or handled and includes land with or without buildings;

"holding code" means an alphanumeric code, allocated by the Department under article 4(3);

"holding register" means the register required under article 5(1);

"identification mark" means any individual identification number, holding code or curer mark applied to a pig in accordance with this Order, or an identification mark applied in accordance with the Aujeszky's Disease Order (Northern Ireland) 1994(**4**);

"individual identification number" means a unique number of up to 4 digits for the identification of each pig;

"keeper" 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;

"market" means a market place, sale-yard or any other premises or place to which animals are brought from any other place and exposed for sale and includes any place, lairage or parking area adjoining a market and used in connection with it;

"movement document" means a document approved by the Department, or by the competent authority of any country outside Northern Ireland in the case of a pig imported from that country, for the notification of pig movements as required under article 14;

"operator" means the person for the time being responsible, or a duly authorised representative of such a person, for—

(a) in the case of a market, managing the reception or the sale of animals in a market; or

(b) in the case of a show, managing the reception of animals in a show; or

(c) in the case of a slaughterhouse, managing the reception of animals in a slaughterhouse.

"pig" means any animal of the *suidae* family;

"show" means an event at which animals are exhibited but not for the purpose of sale;

"slaughterhouse" means any premises used for the commercial slaughter or killing of pigs, the flesh of which is intended for human consumption, including any associated facilities for moving or lairaging such animals.

(2) Any other expressions defined in the Directive have the same meaning in this Order.

Authorisations

3.—(1) An authorisation, licence, notice, approval or registration under this Order or the Directive—

(a) shall be in writing;

(b) may be made subject to conditions; and

(c) may be amended, suspended or revoked by notice in writing at any time.

(2) A person to whom any document specified in paragraph (1) is issued shall comply with its requirements.

(**4**) S.R. 1994 No.198

Notification of holdings

4.—(1) A person who intends to keep a pig on a holding shall inform the Department in writing beforehand, giving details of—

(a) the name and address of the keeper of the pig;

(b) the address or an accurate description of the location of the holding;

(c) the name and address of the owner and, if different, the occupier of the holding;

(d) the address or an accurate description of the location of the premises on the holding on which the pig is intended to be kept; and

(e) any other species of animals on the holding and any numbers or codes used to identify any cattle, sheep, goats or poultry on the holding.

(2) A notification made to the Department under article 3 of the Aujeszky's Disease Order (Northern Ireland) 1994 or paragraph 3 and Annex 1 of the Schedule to the Aujeszky's Disease Scheme Order (Northern Ireland) 1994(**5**) shall, notwithstanding the revocation of those Orders, be regarded as a notification for the purpose of paragraph (1).

(3) On receiving notification under paragraph (1) the Department may allocate to the keeper a holding code.

(4) A person shall not move a pig onto a holding until a holding code has been allocated.

(5) A person shall not move a pig to different premises on a holding until the address or an accurate description of those premises has been notified in writing or by electronic communication to the Department.

(6) If there is any change to the information notified pursuant to paragraphs (1) or (2) or if the keeper stops keeping pigs on any premises on the holding, the keeper shall notify the Department in writing or by electronic communication within 7 days of the change.

PART 2

HOLDING REGISTERS

Holding register

5.—(1) A keeper shall maintain a holding register in which the following information shall be recorded in chronological order—

(a) in the case of births, the number of pigs born and the date of identification, within 48 hours of the application of the identification mark;

(b) in the case of the replacement of an identification mark with a different identification mark, the date of replacement, the old identification mark (if known), and the new identification mark, within 48 hours of the replacement;

(c) in the case of movements onto or off a holding, the date of movement, the number of pigs moved and the serial number of the movement document, within 48 hours of the movement;

(d) in the case of the death of identified pigs, the date of discovery of the death and the number of pigs that have died, within 48 hours of the discovery of the death; and

(e) the total number of pigs on the holding once per year.

(2) A keeper shall keep the holding register for 3 years from the last date of entry.

(**5**) S.R. 1994 No.199

Notification of pigs on a holding

6. A keeper shall notify the Department of the total number of pigs on the holding by such a date as the Department may from time to time determine and in such form and in such manner as the Department may specify.

PART 3

IDENTIFICATION

Ear tags and tattoos

7.—(1) An ear tag shall be—

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

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

(c) tamper-resistant;

(d) incapable of re-use;

(e) designed to remain attached to the pig without harming it;

(f) printed with the keeper's holding code.

(2) A person shall not sell or supply an ear tag except in accordance with the conditions of a licence issued by the Department.

(3) A tattoo shall be applied either by tattoo forceps, in which case it shall be on an ear, or by slap-marking equipment in which case it shall be on the shoulder.

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

(5) A tattoo shall be easy to read during the pig's lifetime.

(6) A tattoo shall bear a holding code or in the case of a pig being moved direct to slaughter, a tattoo may bear a holding code or curer mark.

Identification of pigs

8.—(1) Subject to paragraph (6), a person shall not move a pig off a holding unless it is identified in accordance with this article.

(2) A pig shall be identified with an ear tag bearing a holding code and an individual identification number by the time it reaches 6 months of age or before it is moved off the holding, whichever is earlier.

(3) Paragraph (2) does not apply in the case of a pig that is kept for meat production and which is under the age of 6 months. Any such pig may be identified with an ear tag or tattoo.

(4) When an individual identification number is applied to a pig, the same number shall not be applied to any other pig on the same holding.

(5) An identification mark applied on a holding shall bear the holding code or curer mark allocated to the keeper of that holding.

(6) Paragraphs (2) to (5) do not apply to a pig which was identified in accordance with the Aujeszky's Disease Order (Northern Ireland) 1994.

Removing or defacing an identification mark

9.—(1) Subject to paragraph (2), a person shall not remove or deface an identification mark except in accordance with the conditions of a licence issued by the Department.

(2) A person may remove an ear tag if the welfare of the pig requires urgent removal.

Replacement of an identification mark

10.—(1) Subject to paragraph (2), a person shall not replace an identification mark applied under this Order or the Aujeszky's Disease Order (Northern Ireland) 1994 except under the conditions of a licence issued by the Department.

(2) A keeper shall replace an identification mark if it has—

(a) become illegible;

(b) been removed for welfare reasons; or

(c) been lost.

(3) A keeper shall replace an identification mark to which paragraph (2) applies as soon as possible following discovery and in any event within 28 days of the discovery and shall either—

(a) apply a new identification mark and cross-refer that new identification mark with the original identification mark (if known) in the register kept in accordance with article 5; or

(b) if the original identification mark was applied on the holding, the keeper may apply an identical identification mark.

Additional requirements for export

11. A keeper shall not move a pig off a holding for the purposes of intra-Community trade or export unless it has been identified with an eartag bearing a holding code and individual identification number, except in accordance with the conditions of a licence issued by the Department.

Additional requirements for movements of pigs to a show

12. A person shall not move a pig off a holding—

(a) to a show; or

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

unless it is identified with an eartag bearing a holding code and individual identification number.

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

13.—(1) Subject to paragraph (3) a keeper importing a pig from outside the European Union shall apply an ear tag to the pig containing the following information, in the following order—

(a) the holding code of the holding into which the imported pig is introduced;

(b) an individual identification number;

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

(d) the letter "F".

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

(3) If a new identification mark is applied, a keeper shall cross-refer the new identification mark with the original identification mark (if known) in the register kept in accordance with article 5.