STATUTORY RULES OF NORTHERN IRELAND

2003 No. 494

ANIMALS

African Swine Fever Order (Northern Ireland) 2003

Made - - - -	*28th November 2003*
Coming into operation	*5th December 2003*

The Department of Agriculture and Rural Development, in exercise of the powers conferred on it by Articles 5(1), 10(6), 12, 14, 18(7), 19, 20, 29, 44, 46(7A) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**1**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the African Swine Fever Order (Northern Ireland) 2003 and shall come into operation on 5th December 2003.

Interpretation

2.—(1) In this Order –

"carcase" means a pig carcase and includes part of a carcase;

"the disease" means African swine fever;

"Divisional Veterinary Officer" means a Divisional Veterinary Officer of the Department appointed for the time being by the Department to receive information about infected or suspected animals or carcases for the area in which such animals or carcases are located;

"farmed game handling facility" means any building, premises, or place, other than a slaughterhouse, used for the purpose of slaughtering farmed game, the flesh of which is intended for sale for human consumption;

"feral pig" means a pig which is not kept or bred on a holding and is not in a slaughterhouse, knacker's yard or means of transport;

"holding" means any place where any pig is bred or kept on a permanent or temporary basis or has been kept at anytime during the previous 56 days but does not include a slaughterhouse, knacker's yard or means of transport or fenced area where feral pigs are kept and may be hunted;

"infected" means infected with disease;

(**1**) S.I.1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Article 17 and S.I. 1994/1891 (N.I. 6) Articles 20, 22 and 23

"knacker's yard" means any premises used in connection with the business of slaughtering, flaying or cutting up animals whose flesh is not intended for human consumption;

"meat" means the meat of a pig which is suitable for human consumption;

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

"pig product" means any product derived from the meat of a pig for human consumption;

"protection zone" means a protection zone established by the Department in accordance with Article 11;

"slaughterhouse" means any building, premises or place (other than a farmed game handling facility) for slaughtering animals the flesh of which is intended for sale for human consumption, and includes any place available in connection therewith for the confinement of animals while awaiting slaughter there;

"surveillance zone" means a surveillance zone established by the Department in accordance with Article 11;

"suspected" means suspected of being infected;

"temporary control zone" means a temporary control zone established by the Department in accordance with Article 10;

"vector" means a tick of the species *Ornithodorus erraticus*, or any other tick of the genus *Ornithodorus* which, in the opinion of the Chief Veterinary Officer, is capable of transmitting disease; and

"the virus" means the African swine fever virus.

(2) For the purposes of this Order –

(a) a pig or carcase is suspected of being infected with the disease if it has clinical signs or post-mortem lesions consistent with the effects of the virus or if the results of a diagnostic test indicate the possible presence of the virus in that animal or carcase;

(b) a pig or carcase is infected with the disease if the Department determines that it is infected on the basis of clinical signs, post-mortem lesions or the result of a diagnostic test and any epidemiological circumstances.

Exemptions

3. This Order shall not apply in respect of the presence of the virus in circumstances which are authorised by a licence issued under the Specified Animal Pathogens Order (Northern Ireland) 1999(**2**).

Notification of the disease

4.—(1) A person who suspects the disease in any pig or carcase which is –

(a) in his possession;

(b) under his charge; or

(c) being examined or inspected by him,

shall immediately notify the appropriate Divisional Veterinary Officer.

(2) A person tending an affected or suspected pig shall not tend any other pig in his possession or under his charge except in accordance with the instructions of an inspector.

(**2**) S.R. 1999 No. 434

(3) A person who analyses samples taken from any animal or carcase and who finds evidence of antibodies or antigens to the disease or to any vaccine for the disease shall immediately notify the appropriate Divisional Veterinary Officer.

(4) A person shall not move from any holding or other place –

(a) any suspected pig or carcase;

(b) any meat, pig product, semen, ovum or embryo of pigs, any animal feedingstuff, manure or slurry or any other utensils, material, waste or other thing found on the same holding or place,

until that holding or other place has been visited by a veterinary inspector and the veterinary inspector has either imposed restrictions under this Order or notified the occupier of the holding or place that he does not consider it necessary to do so.

Measures while the suspicion of the disease is being investigated

5.—(1) Where a veterinary inspector suspects that the disease may exist or may within the previous 56 days have existed on any holding or other place or in any means of transport (whether or not notification has been given under Article 4), he shall –

(a) serve a notice on the occupier of a holding or other place or the person in charge of that means of transport imposing such restrictions and requirements set out in paragraphs (2) and (3) as are relevant; and

(b) carry out an investigation to confirm or rule out the presence of the disease.

(2) The restrictions and requirements referred to paragraph (1) are as follows –

(a) the person on whom the notice is served ("the responsible person") shall co-operate with any veterinary inspector in the preparation of a record by category of –

(i) the number of pigs;

(ii) the number of live pigs which appear to be free of disease;

(iii) the number of live pigs which appear to have the disease;

(iv) the number of pigs which have died in the 56 days prior to the date of the notice;

on the holding or other place or in the means of transport, as the case may be.

(b) where the notice relates to a holding or other place, the occupier shall ensure that the record is kept up to date to take account of pigs that are born or die on the holding or other place during the period that restrictions under this Article are in force. The record shall also record the number of pigs which fall sick having been previously apparently free of disease.

(c) the responsible person shall produce the record to a veterinary inspector on request.

(d) where the notice relates to a holding or other place –

(i) the occupier shall ensure that all pigs on the holding or place are kept in their living quarters or some other place specified in the notice;

(ii) a person shall not move any pigs onto or off the holding or place except in accordance with a licence issued by an inspector and the occupier shall ensure that pigs are unable to stray from or on to the holding or place;

(iii) a person shall not move any meat, carcase or pig product or the semen, ovum or embryo of pigs, or any animal feed, utensil, material or waste or other thing likely to transmit disease from the holding or place, except in accordance with a licence issued by an inspector;

(iv) a person shall not come on to or leave the holding or place except in accordance with a licence issued by an inspector;

(v) a person shall not move any vehicle onto or off the holding or place except in accordance with a licence issued by an inspector;

(vi) the occupier shall ensure that, in accordance with any instructions given by a veterinary inspector, appropriate means of disinfection are placed at the entrances and exits of those parts of the holding or place in which pigs are being kept and of the holding or place itself.

(3) Where a veterinary inspector or an inspector acting under the direction of a veterinary inspector has grounds for suspecting the presence of vectors on a particular holding or other place in consequence of their location, geographical situation or contacts with another holding or other place where the disease is known or suspected to exist (in Northern Ireland or elsewhere), he may serve a notice of the grounds on the occupier of the particular holding or other place, and thereupon a veterinary inspector or an inspector acting in accordance with a veterinary inspector's direction may enter the particular holding or other place.

Further measures where a notice has been served under Article 5

6. Where a notice has been served on a responsible person under Article 5, a veterinary inspector may, by further notice served on that person –

(a) require the cleansing and disinfection of the holding, place or means of transport to which the notice relates at his own expense or at the expense of the Department in such a manner as may be specified in the notice, and within such time as may be so specified; or

(b) in the case of a means of transport, require it to be –

(i) taken to a destination specified in the notice;

(ii) unloaded, cleansed and disinfected and, if necessary, subjected to an acaricide as specified in the notice; and

(iii) if so specified, unloaded, cleansed and disinfected and subjected to the acaricide applied under the supervision of a veterinary inspector.

(c) where the notice relates to a holding or other place –

(i) prohibit the movement of any other species of animal on to or off the holding or place;

(ii) require the occupier to take all reasonable measures to destroy rodents and insects on the holding or place.

Measures where the disease is confirmed on a holding

7.—(1) Where the Department has confirmed that the disease is present on a holding, a veterinary inspector shall serve a notice on the occupier of that holding requiring him to ensure that the relevant prohibitions and requirements contained in Article 5 are complied with unless a notice under Article 5 has already been served, in which case the restrictions and requirements contained in it will remain in force until they are either varied or removed by a veterinary inspector.

(2) On and after such confirmation a veterinary inspector may serve a further notice on the occupier of the holding in question requiring him to ensure that the relevant prohibitions and requirements contained in Article 6 are complied with.

Measures where the disease is confirmed in a slaughterhouse, knacker's yard or on a means of transport

8. Where the Department has confirmed that the disease is present in a slaughterhouse, knacker's yard or on a means of transport, a veterinary inspector may serve a notice on the occupier of the slaughterhouse, knacker's yard or person in charge of the means of transport requiring him to ensure that –

(a) in the case of a slaughterhouse or knacker's yard, all buildings, equipment and vehicles specified in the notice, are cleansed and disinfected and, if necessary, an acaricide is applied in accordance with the instructions, and under the supervision of, a veterinary inspector;

(b) in the case of a means of transport, it is taken to a destination, unloaded, cleansed and disinfected and, if necessary, an acaricide is applied in accordance with the instructions, and under the supervision of, a veterinary inspector;

(c) pigs are not reintroduced to the slaughterhouse, knacker's yard or means of transport until at least 24 hours after completion of the cleansing and disinfection operations, and, where undertaken, the application of an acaricide carried out in accordance with sub-paragraph (a) and (b).

Measures that apply in respect of holdings from or to which the disease may have been transmitted

9.—(1) Where, following an investigation into the epidemiology of the disease on a holding, a veterinary inspector considers that the disease on an infected or suspected holding may, for any reason, have been transmitted from or to other premises, he may serve a notice under Article 5 on the occupier of that other holding.

(2) Where disease has been confirmed in animals or carcases in a slaughterhouse, knacker's yard or on a means of transport, a veterinary inspector may serve a notice under Article 5 on the occupier of any premises from which the infected animals or carcases in that slaughterhouse, knacker's yard or that means of transport, have come directly or indirectly within the previous 56 days or, in the case of a means of transport, any premises to which the means of transport has travelled since carrying the infected animals.

Temporary control zone

10.—(1) Following the service of a notice under Article 5, the Department may, by notice, declare the establishment of a zone to be known as a "temporary control zone".

(2) The location and size of the temporary control zone in any case shall be such as the Department considers necessary to prevent the spread of disease.

(3) Where a temporary control zone has been established, a person shall not –

(a) move any pig off a holding, slaughterhouse or knacker's yard in the zone except in accordance with a licence issued by an inspector acting in accordance with the directions of a veterinary inspector;

(b) move any cattle, sheep, goat, or other ruminating animal off any holding, slaughterhouse or knacker's yard in the zone which has pigs in it except in accordance with a licence issued by an inspector acting in accordance with the directions of a veterinary inspector; or

(c) move any pig out of the zone.

(4) The prohibition in paragraph (3)(c) shall not apply to pigs which are loaded onto a vehicle outside the zone and transported through it without the vehicle being loaded or unloaded inside the zone.