1991 No. 304

ANIMALS

Blue Eared Pig Disease Order (Northern Ireland) 1991

Made	*10th July 1991*
Coming into operation . .	*11th July 1991*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 5(1), 10(6), 12(1), 14(*b*) and (*h*), 19(*e*), (*f*), (*h*) and (*k*) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**a**) 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 Blue Eared Pig Disease Order (Northern Ireland) 1991 and shall come into operation on 11th July 1991.

Interpretation

2. In this Order—

"approved disinfectant" means a disinfectant for the time being approved by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(**b**) for the purposes of Orders dealing with Fowl Pest;

"Chief Veterinary Officer" means the Chief Veterinary Officer of the Department;

"the disease" means blue eared pig disease;

"Divisional Veterinary Officer" means a Divisional Veterinary Officer of the Department;

"infected area" means an area declared by the Department to be an infected area in accordance with Article 10;

"infected place" means a place declared to be an infected place under Article 4;

"Infected Place Notice" means a notice in the form prescribed in Schedule 2;

"occupier" means, in relation to any premises, the owner, occupier or person in charge of the premises;

"owner" includes, in relation to any pig or thing, a person having possession, charge or control of that pig or thing;

"premises" includes land;

(**a**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17
(**b**) S.R. & O. (N.I.) 1972 No. 16 as amended by S.R. 1975 No. 69

"Restriction Notice" means a notice in writing served by the Department under Article 6(1);

"slaughterhouse" means a slaughterhouse licensed or operated by the Department under the Slaughterhouses Act (Northern Ireland) 1953(**a**);

"Withdrawal of Infected Place Notice" means a notice in the form prescribed in Schedule 3;

"Withdrawal of Restriction Notice" means a notice in writing served by the Department under Article 6(2).

Notice of specified disease

3.—(1) A person who has in his possession or under his charge any pig or pig carcase which he suspects is diseased and any veterinary surgeon or other person who, in the course of his duties suspects the presence of the disease on any premises, shall give notice of his suspicion as soon as practicable to the Divisional Veterinary Officer.

(2) A person who has in his possession or under his charge a pig or pig carcase which he suspects is diseased shall ensure that no pig or pig carcase is moved from the premises until the veterinary inquiry in accordance with Article 5 has been completed.

(3) The prohibition contained in paragraph (2) shall not apply where the movement takes place under the authority of and in accordance with the conditions of a licence granted by the Department.

Declaration of infected place

4.—(1) If the Department has reasonable grounds for supposing that the disease exists or has within 56 days existed on any premises it shall serve an Infected Place Notice on the occupier of the premises declaring those premises to be an infected place.

(2) An infected place shall be subject to the requirements set out in Schedule 1 until a Withdrawal of Infected Place Notice is served in accordance with Article 5(5) or (6).

(3) For the purpose of preventing the spread of the disease, the Department may, by notice served on the occupier of the infected place—

(*a*) add such requirements as are specified in the notice; or

(*b*) modify or disapply such requirements as are set out in Schedule 1 or in the notice served under sub-paragraph (*a*).

(4) The Department may at any time alter the limits of an infected place by the service of a notice in writing on the occupier.

Veterinary inquiry as to the existence of disease

5.—(1) If a veterinary inspector has reasonable grounds for supposing that the disease exists or has within 56 days existed on any premises he shall with all practicable speed inquire as to the correctness of the supposition.

(**a**) 1953 c. 21 (N.I.)

(2) For the purposes of such an inquiry a veterinary inspector may—

(*a*) examine any pig or pig carcase on the premises;

(*b*) take or cause to be taken from any such pig or pig carcase any sample he may require for the purposes of diagnosis;

(*c*) mark or cause to be marked any such pig or pig carcase for identification purposes; and

(*d*) examine any records relating to the origin, health and productivity of any pig which is, or has been, on the premises, and take copies of such records.

(3) The occupier of the premises, any person in his employment, any veterinary surgeon who has been attending or who has been consulted respecting any pig or pig carcase on the premises and any person who is or has been in charge of or in contact with any such pig or pig carcase, shall provide such information and facilities and render such assistance as may be required for the purposes of the inquiry.

(4) If on completion of the inquiry the veterinary inspector is of the opinion that the disease exists or has within 56 days existed on the premises his opinion to that effect shall be subject to confirmation by or on behalf of the Chief Veterinary Officer.

(5) If on completion of the inquiry the veterinary inspector is of the opinion that the disease does not exist and has not within 56 days existed on the premises, or if his opinion as to the existence of the disease on the premises is not confirmed by or on behalf of the Chief Veterinary Officer in accordance with paragraph (4), then the Infected Place Notice served in respect of the premises shall be withdrawn forthwith by the service of a Withdrawal of Infected Place Notice served on the occupier by the Department.

(6) In any other case, when the veterinary inspector is satisfied that the disease no longer exists on the premises, the Infected Place Notice served in respect of the premises shall be withdrawn by the service of a Withdrawal of Infected Place Notice served on the occupier by the Department.

Restrictions on premises exposed to infection

6.—(1) If the Department has reasonable grounds for supposing that—

(*a*) the disease may spread to any premises; or

(*b*) on any premises there is or has within 56 days been a pig which has been exposed to the infection of the disease,

it may serve a Restriction Notice on the occupier.

(2) Until the Restriction Notice is withdrawn by service of a Withdrawal of Restriction Notice served on the occupier by the Department—

(*a*) a person shall not move any pig, pig carcase or pig semen or ovum onto or away from the premises except under the authority of and in accordance with the conditions of a licence granted by the Department;

(*b*) a person shall not allow any pig to stray from the premises or come into contact with any pig on any other premises; and

(*c*) the premises shall be subject to such other requirements specified in the notice as the Department may consider necessary for the purpose of preventing the spread of the disease.

Power of the Department to prohibit or control movement

7.—(1) If the Department has reasonable grounds for supposing that the movement of any pig, pig carcase, or other thing to or from any premises would give rise to the risk of the spread of the disease it may, for the purpose of preventing the spread of the disease, by notice served on the occupier of the premises, prohibit the movement of any pig, pig carcase or other thing to or from the premises, except under the authority of and in accordance with the conditions of a licence granted by the Department.

(2) A notice served under paragraph (1) shall continue in force until withdrawn by a further notice in writing served by the Department on the occupier of the premises to which that notice relates.

Marking of pigs

8. The Department may mark, or cause to be marked, for identification purposes any pig or pig carcase.

Cleansing and disinfection

9.—(1) The Department may serve on the occupier of any premises on which there is or has within 56 days been a diseased or suspected pig or pig carcase, a notice requiring him to cleanse and disinfect in such manner and within such period as may be specified in the notice, and with such disinfectant as is specified in the notice—

(*a*) all or any part of the premises;

(*b*) any apparatus, equipment or other thing used in connection with the pig or pig carcase.

(2) If the requirements of the notice are not complied with the Department may, without prejudice to any proceedings for an offence arising out of the default, carry out or cause to be carried out the cleansing and disinfection, and any expenses reasonably incurred in doing so shall be recoverable by the Department as a civil debt from the occupier.

Declaration of infected area

10.—(1) Where the Department knows or has reasonable grounds for suspecting that the disease exists within Northern Ireland or within such part of the Republic of Ireland as may entail the risk of its introduction into Northern Ireland, it may declare Northern Ireland or any area therein to be an infected area.

(2) A declaration under paragraph (1):

(*a*) shall be made in writing and published in the Belfast Gazette; and

(*b*) shall specify the date on which it shall come into operation and shall remain in operation until such date as may be specified in the declaration or until revoked by a further written declaration made by the Department and published in like manner.

(3) Subject to paragraph (4) any premises partly within an infected area shall be deemed to be wholly within an infected area.

(4) Nothing in paragraph (3) shall deem any area outside Northern Ireland to be within an infected area.

Restrictions on movement of pigs out of an infected area

11.—(1) A person shall not move any pig into, out of or within an infected area except under the authority of and in accordance with the conditions of a licence granted by the Department.

(2) Any person who moves a pig in accordance with paragraph (1) shall ensure that the vehicle used to move the pig is thoroughly cleansed and disinfected as soon as practicable after arrival at its destination and, in any event, before the vehicle is used again for the movement of any pig.

General provisions as to licences

12.—(1) Any licence granted under this Order may be revoked or varied.

(2) Any person who moves any pig, pig carcase or other thing under the authority of a licence under this Order shall—

(*a*) ensure that the licence accompanies the pig, pig carcase or other thing; and

(*b*) on demand made by an inspector or a member of the Royal Ulster Constabulary, produce the licence and allow a copy or extract to be taken.

Sealed with the Official Seal of the Department of Agriculture on 10th July 1991.

(L.S.) *D. A. J. Hirrell*
Assistant Secretary