

SCHEDULE 5

MEASURES APPLICABLE IN RESPECT OF PROTECTION ZONES AND SURVEILLANCE ZONES

PART III

MEASURES APPLICABLE ONLY IN RESPECT OF A SURVEILLANCE ZONE

Movement of an animal from premises in a surveillance zone

1.—(1) Subject to the provisions of this paragraph, a person shall not move a susceptible animal from premises within a surveillance zone.

(2) The prohibition in sub-paragraph (1) does not apply to the transport of a susceptible animal for emergency slaughter under the authority of a licence granted by an inspector from premises in a surveillance zone direct to a slaughterhouse—

- (a) in the same surveillance zone, or
- (b) where there is no slaughterhouse in that surveillance zone, outside the surveillance zone and its associated protection zone.

(3) An inspector shall not grant a licence under sub-paragraph (2) unless he is satisfied that—

- (a) an inspector has within the previous 24 hours carried out a clinical examination of every susceptible animal on the premises, and
- (b) there is no suspicion of infection or contamination on the premises.

(4) The prohibition in sub-paragraph (1) does not apply to transport of a susceptible animal for slaughter under the authority of a licence granted by an inspector—

- (a) direct to a slaughterhouse outside that surveillance zone and its associated protection zone, or
- (b) direct to a slaughterhouse in that surveillance zone.

(5) An inspector shall not grant a licence under sub-paragraph (4) unless he is satisfied that—

- (a) the records required by paragraph 1 have been maintained in respect of the premises;
- (b) a veterinary surgeon has within the previous 24 hours inspected every susceptible animal on the premises and has carried out a clinical examination of a representative sample of such susceptible animals; and
- (c) there is no suspicion of infection or contamination on the premises.

(6) An inspector shall not grant a licence under sub-paragraph (4)(a) unless he is also satisfied that—

- (a) there is no slaughterhouse within that surveillance zone with sufficient capacity to slaughter the animals; and
- (b) the slaughterhouse at which slaughter is to take place is the nearest slaughterhouse outside the surveillance zone and its associated protection zone with such capacity.

(7) A licence granted under sub-paragraph (2) or (4) may permit transport through the associated protection zone and in such case shall include a condition requiring that the vehicle travels through that protection zone without stopping.

(8) The person in charge of any vehicle used to move susceptible animals under the authority of a licence granted under sub-paragraph (2) or (4) shall ensure that it is cleansed and disinfected

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in accordance regulation 42 and any additional requirements an inspector may by written directions impose.

(9) The prohibition in sub-paragraph (1) does not apply to the leading of susceptible animals to pasture in a surveillance zone under the authority of a licence granted by an inspector.

(10) A inspector shall not grant a licence under sub-paragraph (9) unless—

- (a) he is satisfied that a veterinary surgeon has examined all susceptible animals on the premises (including testing of samples) and concluded that there are no animals suspected of being infected or contaminated on the premises; and
- (b) at least 15 days have elapsed since the most recent confirmed case of the disease in the associated protection zone; and
- (c) the licence contains a term requiring that animals do not come into contact with susceptible animals from other premises.

(11) The prohibition in sub-paragraph (1) does not apply to movement from one part of premises to another part of the same premises using a public highway under the authority of a licence granted by an inspector.

Commencement Information

I1 Sch. 5 Pt. III para. 1 in operation at 23.2.2006, see [reg. 1](#)

Control of animal gatherings and gatherings of people in a surveillance zone

2.—(1) A person shall not—

- (a) hold any animal gathering which includes susceptible animals in a surveillance zone; or
- (b) hold any gathering of people on premises in a surveillance zone in connection with the sale of any susceptible animal kept there at which more than two people (other than the owner or keeper of the animal and his representatives) are present,

except under the authority of a licence granted by the Department.

(2) A person shall not hold or take part in the following activities in a surveillance zone—

- (a) hunting including hunting any drag or other trail; or
- (b) stalking,

except under the authority of a licence granted by the Department.

(3) Subject to sub-paragraph (4), a person shall not shoot deer except under the authority of a licence granted by the Department.

(4) The occupier of any land, members of his household, persons employed by him as beaters and any member of a shooting party of not more than three persons authorised by him may shoot deer found on that land.

Commencement Information

I2 Sch. 5 Pt. III para. 2 in operation at 23.2.2006, see [reg. 1](#)

Fresh meat etc. derived from a susceptible animal originating in a surveillance zone

3.—(1) This paragraph applies to fresh meat, minced meat, mechanically separated meat and meat preparations derived from a susceptible animal originating in a surveillance zone.

- (2) A person shall not sell or consign for sale meat to which this paragraph applies or move such meat out of a surveillance zone unless—
- (a) it falls within sub-paragraph (3); or
 - (b) it is meat (excluding heads, viscera and offals) which complies with sub-paragraph (4), (5) or (6);
 - (c) it falls within sub-paragraph (7).
- (3) Meat falls within this sub-paragraph if it satisfies the following requirements—
- (a) it was produced more than 21 days before the earliest infection date in the associated protection zone;
 - (b) after production, it was at all times stored and transported separately from products to which this paragraph applies produced on or after that date;
 - (c) it was health marked or identification marked and that mark was overstamped.
- (4) Meat complies with this sub-paragraph if it is from ruminants and has been deboned so that it falls within paragraph 1 of Part III of Schedule 6 and from a carcase which has been matured such that it falls within paragraph 2 of Part III of Schedule 6.
- (5) Meat complies with this sub-paragraph if—
- (a) the animal from which it was produced was resident on the same premises for at least 21 days before slaughter and was identified so as to allow the tracing of those premises, and
 - (b) the meat has been clearly identified and detained under the supervision of the Department until any suspicion of infection on the premises of origin has been ruled out, but in any event for a period of at least 7 days.
- (6) Meat complies with this sub-paragraph if—
- (a) the animal passed the 21 days before slaughter on the same premises during which no susceptible animal was introduced onto those premises;
 - (b) samples taken within 48 hours before loading have been tested with negative result in an assay for the detection of antibodies against the disease virus; and
 - (c) the meat has been detained under the control of the Department for 24 hours and released only after a repeat inspection of the animals in the premises of origin has ruled out on clinical inspection the presence of infected animals or animals suspected of being infected.
- (7) Meat falls within this sub-paragraph if—
- (a) it is trimmed offal;
 - (b) it was health marked or identification marked and that mark was overstamped; and
 - (c) it was subsequently treated to form a meat product which falls within paragraph 1 of Part I of Schedule 6.
- (8) In this paragraph, “trimmed offal” means any of—
- (a) heart from which lymphatic glands, connective tissue and adhering fat has been completely removed;
 - (b) liver from which lymphatic glands, adhering connective tissue and fat has been completely removed;
 - (c) whole masseter muscles;
 - (d) tongues with epithelium and without bone, cartilage and tonsils;
 - (e) lungs from which the trachea and main bronchi and the mediastinal and bronchial lymphatic gland have been removed;

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- (f) other offal without bone or cartilage from which lymphatic glands, connective tissue, adhering fat and mucous membrane have been removed.

Commencement Information

I3 Sch. 5 Pt. III para. 3 in operation at 23.2.2006, see [reg. 1](#)

Fresh meat etc. produced on premises in a surveillance zone

4.—(1) This paragraph applies to fresh meat, minced meat, mechanically separated meat and meat preparations derived from susceptible animals and produced on premises in a surveillance zone.

(2) A person shall not sell or consign for sale meat to which this paragraph applies or move such meat out of a surveillance zone unless it has been produced in an establishment which—

- (a) is authorised by a licence granted by the Department imposing such conditions as it considers necessary to ensure strict veterinary control of the establishment;
- (b) processes only meat which complies with sub-paragraph (3);
- (c) at all times during the production process stores, identifies and transports products eligible for despatch outside the surveillance zone separately from those which are not and in accordance with the directions of the Department.

(3) Meat complies with this sub-paragraph if—

- (a) it was either—
 - (i) produced from an animal transported to the slaughterhouse from the surveillance zone and it falls within sub-paragraph 3(4), 3(5) or 3(6) of this Part, or
 - (ii) produced from an animal reared and slaughtered outside a surveillance zone and its associated protection zone; or
 - (iii) produced from an animal transported to the slaughterhouse from a protection zone under the authority of a licence granted under paragraph 3(2)(e) of Part II of this Schedule; and
- (b) it is health marked or identification marked.

Commencement Information

I4 Sch. 5 Pt. III para. 4 in operation at 23.2.2006, see [reg. 1](#)

Meat products produced from meat derived from susceptible animals originating in a surveillance zone or produced on premises in a surveillance zone

5.—(1) This paragraph applies to meat products—

- (a) produced from meat derived from a susceptible animal originating in a surveillance zone; or
- (b) produced on premises in a surveillance zone.

(2) A person shall not sell or consign for sale any product to which this paragraph applies or move any such product out of a surveillance zone unless it complies with sub-paragraph (3) or (4).

(3) Meat products comply with this sub-paragraph if they are produced from fresh meat, minced meat or a meat preparation or mechanically separated meat which was—

- (a) health marked or identification marked and that mark was over stamped;

- (b) transported to an establishment designated by the Department as authorised to treat meat from a surveillance zone; and
 - (c) treated at that establishment to form a meat product which falls within paragraph 1 of Part I of Schedule 6.
- (4) Meat products comply with this sub-paragraph if they are produced in an establishment which—
- (a) is authorised by a licence granted by the Department imposing such conditions as she considers necessary to ensure strict veterinary control of the establishment;
 - (b) processes only meat falling within sub-paragraph 4(3);
 - (c) at all times during the production process stores, identifies and transports products eligible for despatch outside the surveillance zone separately from those which are not and in accordance with the directions of the Department.

Commencement Information

I5 Sch. 5 Pt. III para. 5 in operation at 23.2.2006, see [reg. 1](#)

Milk and milk products produced from a susceptible animal originating in a surveillance zone or on premises in a surveillance zone

6.—(1) A person shall not sell or consign for sale the milk of a susceptible animal originating in a surveillance zone or any milk product produced from such milk unless it complies with sub-paragraph (2) or (3).

- (2) Milk and milk products comply with this sub-paragraph if—
- (a) they were produced more than 21 days before the earliest infection date in the associated protection zone; and
 - (b) they have at all times been stored and transported separately from milk and milk products produced on or after that date.
- (3) Milk and milk products comply with this sub-paragraph if—
- (a) they have been treated so as to fall within paragraph Part IV of Schedule 6; and
 - (b) that treatment was carried out either—
 - (i) in the surveillance zone on premises complying with sub-paragraph (6), or
 - (ii) outside any protection zone or surveillance zone on such premises as the Department may direct.
- (4) A person shall not sell or consign for sale the milk of a susceptible animal produced on premises in a surveillance zone or any milk product produced from such milk unless—
- (a) any transport of raw milk from outside the zone and its associated protection zone to those premises complies with sub-paragraph (5); and
 - (b) those premises comply with sub-paragraph (6).
- (5) Transport of raw milk complies with this sub-paragraph if—
- (a) the vehicle was cleansed and disinfected on the premises of origin and before loading in accordance with the directions of an inspector; and
 - (b) the vehicle did not enter any other premises in a protection or surveillance zone where a susceptible animal is kept since that cleansing and disinfection.
- (6) Premises comply with this sub-paragraph if they satisfy the following requirements—

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- (a) they are authorised by a licence granted by the Department imposing such conditions as it considers necessary to ensure strict veterinary control;
- (b) they are operated so that all milk transported to the premises—
 - (i) complies with sub-paragraph (3), or
 - (ii) is transported to the premises for treatment so that it complies with sub-paragraph (3),
 - (iii) was produced outside the surveillance zone and its associated protection zone;
- (c) they are operated so that milk on the premises and leaving the premises is clearly identified as eligible for sale outside the surveillance zone to the final consumer and is at all times stored and transported separately from milk and milk products which are not so eligible.

Commencement Information

I6 Sch. 5 Pt. III para. 6 in operation at 23.2.2006, see [reg. 1](#)

Collection, transport and processing of raw milk produced in a surveillance zone

7.—(1) A person shall not collect and transport raw milk produced on premises in a surveillance zone where a susceptible animal is kept out of that surveillance zone or process any such milk unless such transport complies with sub-paragraph (2) and is carried out in a vehicle which complies with sub-paragraph (3).

(2) Transport complies with this sub-paragraph if it is—

- (a) transport of samples of raw milk—
 - (i) to a laboratory authorised in respect of disease under Article 4 of the Specified Animal Pathogens (Northern Ireland) Order 1999, or
 - (ii) to another laboratory under the authority of a licence granted by an inspector; or
- (b) transport to premises other than a laboratory under the authority of a licence granted by an inspector.

(3) A vehicle complies with this sub-paragraph if it—

- (a) has been authorised to operate within the part of Northern Ireland in which the journey is to take place by a licence granted by the Department, and
- (b) has been marked so as to identify the geographical area in which it is authorised to operate in accordance with the directions of the Department.

(4) A licence granted under sub-paragraph (2)(b) shall specify the route to be taken and shall include a condition prohibiting the vehicle from entering any premises in the zone where a susceptible animal is kept for purposes other than to load milk.

(5) Any person transporting milk under the authority of a licence granted under sub-paragraph (2) (b) shall ensure that—

- (a) the vehicle used is constructed and maintained so that there is no leakage of milk during transport and is equipped to avoid aerosol dispersion during loading and unloading;
- (b) before every loading, the vehicle is cleansed and disinfected in accordance with the directions of an inspector, and
- (c) after loading and before leaving the premises, the connection pipes, tyres, wheel cases and lower parts of the vehicle, and any spillage of milk, are cleansed and disinfected in accordance with the directions of an inspector.

(6) A person shall not process milk transported under this paragraph except under the authority of a licence granted by an inspector.

Commencement Information

I7 Sch. 5 Pt. III para. 7 in operation at 23.2.2006, see [reg. 1](#)

Transport, treatment and spreading of dung, manure, slurry and litter produced in a surveillance zone

8.—(1) This paragraph applies to dung, manure, slurry and litter—

- (a) from premises in a surveillance zone keeping susceptible animals; or
- (b) collected from vehicles carrying susceptible animals from or within a surveillance zone.

(2) A person shall not transport dung, manure or slurry to which this paragraph applies unless such transport complies with sub-paragraphs (3), (5) or (7), and with sub-paragraph (10).

(3) Transport of dung, manure or slurry complies with this sub-paragraph where it is transported to an establishment for treatment to destroy the disease virus and under the authority of a licence granted by the Department.

(4) The occupier of any premises to which dung, manure or slurry is transported by authority of a licence granted under sub-paragraph (3) shall ensure that it is treated in accordance with [F1 Articles 15 and 32 of Regulation (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011 to Regulation (EU) No. 142/2011].

(5) Transport and spreading of dung, manure or slurry complies with this sub-paragraph if—

- (a) the dung, manure or slurry is for spreading;
- (b) the transport is under the authority of a licence granted by an inspector; and
- (c) before grant of the licence an inspector has clinically examined all susceptible animals on the premises where it was produced and was satisfied by such examination that they are not suspected of infection.

(6) A person shall not spread dung, manure or slurry to which this paragraph applies unless such spreading is authorised by a licence granted by an inspector and the dung, manure or slurry—

- (a) is spread from not more than 1 metre above the ground;
- (b) if spread as a liquid, is not discharged by equipment producing a jet or spray unless the discharge point is directed downwards at an angle of not less than 45° from the horizontal; and
- (c) is immediately incorporated into the ground.

(7) Transport of dung, manure or slurry complies with this sub-paragraph if—

- (a) the dung, manure or slurry is for spreading;
- (b) the transport is under the authority of a licence granted by an inspector; and
- (c) before grant of the licence an inspector clinically inspected all susceptible animals on the premises where it was produced and was satisfied that they are not suspected of infection.

(8) A person shall not spread dung, manure or slurry transported by authority of a licence granted under sub-paragraph (7) unless such spreading is authorised by a licence granted by an inspector and the dung, manure or slurry is injected into the ground.

(9) Any licence granted under sub-paragraph (6) or (8) shall contain at least the following terms—

- (a) designation of the areas within which the dung and manure must be spread;
- (b) designation of a distance from other premises where a susceptible animal is kept within which dung, manure or slurry must not be spread.

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(10) Transport of dung, manure or slurry complies with this sub-paragraph if it is carried out in a vehicle which is—

- (a) constructed and maintained so that there is no leakage of the load during transport; and
- (b) cleansed and disinfected in accordance with the directions of an inspector, after loading and before leaving the premises of origin.

(11) After transporting dung or manure under this paragraph, the person in charge of the vehicle shall ensure it is cleansed and disinfected in accordance with the directions of an inspector, after unloading or spreading and before leaving the premises of destination.

(12) The person in charge of a vehicle to be cleansed and disinfected so as to comply with sub-paragraph (10) or under sub-paragraph (11) shall ensure that such cleansing and disinfection is carried out so that—

- (a) the exterior (including the wheels and wheel arches) is not marked with mud, dung, manure or similar matter on leaving either premises;
- (b) the interior (excluding any driver or passenger compartment) is not so marked on leaving either premises; and
- (c) any additional requirements as an inspector directs are complied with.

Textual Amendments

F1 Words in [Sch. 5 para. 8\(4\)](#) substituted (19.3.2011) by [The Animal By-Products \(Enforcement\) Regulations \(Northern Ireland\) 2011 \(revoked\) 2011 \(S.R. 2011/124\)](#), reg. 1, [Sch. para. 21\(b\)](#)

Commencement Information

I8 Sch. 5 Pt. III para. 8 in operation at 23.2.2006, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006, PART III.