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STATUTORY INSTRUMENTS

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**2002 No. 2154**

**ANIMALS, ENGLAND**

**ANIMAL HEALTH**

**The Pigs (Records, Identification and Movement)  
(Interim Measures) (England) (No. 2) Order 2002**

*Made* - - - - *5.15 pm 16th August*  
*2002*  
*Coming into force* - - *6th September 2002*

The Secretary of State, in exercise of the powers conferred on her by sections 1, 8 and 83(2) of the Animal Health Act 1981(1) and of all other powers enabling her in that behalf, makes the following Order—

**PART I**  
**PRELIMINARY**

**Title, extent, commencement and cessation**

1.—(1) This Order may be cited as the Pigs (Records, Identification and Movement) (Interim Measures) (England) (No. 2) Order 2002 and shall extend to England only.

(2) This Order shall come into force on 6th September 2002 and shall cease to have effect on 1st February 2003.

**Interpretation**

2.—(1) In this Order—

“animal” means cattle (excluding bison and yak), deer, goats, sheep and swine;

“collecting centre” means premises used for the intermediate reception of animals intended to be moved elsewhere and includes any place used, whether as a market or otherwise, for the

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(1) 1981 c. 22. See section 86(1) for the definitions of “the Ministers” and “the Minister”. Functions of “the Ministers”, so far as exercisable by the Secretaries of State for Scotland and Wales, were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) and were then transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

sale or trading of animals but only where the animals being sold or traded are intended for immediate slaughter thereafter;

“CPH number” means the county parish holding number assigned from time to time to any premises or part of any premises by the Department for Environment, Food and Rural Affairs;

“farm” means any holding on which pigs are kept for the purpose of breeding or fattening them;

“holding” means any establishment, construction or, in the case of an open air farm, any place in which animals are held, kept or handled;

“identification mark” means a mark complying with article 5;

“identification number of the holding” means the numeric code which is allotted to the holding by the Secretary of State;

“keeper” means any person having care and control of pigs even on a temporary basis but not including any person who is only a keeper because he is transporting the animals;

“market” means a market place or sale-yard or any other premises or place to which animals are brought from other places and exposed for sale; and includes any place adjoining those premises used by visitors to the market for parking vehicles and any lairage adjoining a market and used in connection with it;

“slaughterhouse” has the meaning given in regulation 2(1) of the Fresh Meat (Hygiene and Inspection) Regulations 1995<sup>(2)</sup>; and

“sole occupancy group” has the meaning given in the Disease Control (Interim Measures) (England) (No. 2) Order 2002<sup>(3)</sup>.

(2) It shall be sufficient compliance with any provision of this Order requiring or permitting the making of an application, the issue of a licence, notice or authority, the depositing of a document or the sending or giving of a document to effect this by means of a facsimile transmission service.

## PART II

### RECORDS AND IDENTIFICATION OF PIGS RECORDS OF PIGS

#### **Records and notifications of holdings**

**3.—**(1) The owner or keeper of any pig on a holding shall notify in writing the Divisional Veterinary Officer for the area in which the holding is situated of—

- (a) the address of the holding;
- (b) the name and address of the owner or occupier of the holding;
- (c) the identification number of the holding (if known to the person giving the notification);  
and
- (d) the species of any animal kept on the holding.

(2) In the case of a holding established after this Order comes into force, the obligation imposed by paragraph (1) shall be complied with within one month of the establishment of the holding.

(3) Within one month of any change being made in the notified particulars or of any addition to the information referred to in paragraph (1), the owner or keeper of any pig on a holding shall in writing notify the Divisional Veterinary Officer of the change or the addition.

(4) The owner or keeper of a pig on a holding shall give the notified particulars to an inspector if requested to do so.

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(2) [S.I. 1995/539](#) to which there are amendments not relevant to this Order.

(3) [S.I. 2002/2152](#).

(5) In this article “Divisional Veterinary Officer” means the veterinary inspector appointed as such by the Secretary of State for the area in which the holding is situated.

### **Records of pigs**

4.—(1) The owner or keeper of a pig on a holding shall make and maintain a record—

- (a) in the form set out in Schedule 1 in respect of each movement of pigs to or from the holding; and
- (b) of the maximum number of pigs ordinarily present on the holding (revised at least annually).

(2) In the case of any person who sells any pig (whether by auction or by private treaty) on premises used as a market of pigs by auction, he shall (in addition to the records required by paragraph (1) above) make and retain a written record of the name and address of the vendor and purchaser of each lot of pigs, and the number of the pen or pens in which each lot was held.

(3) Every record under this article shall—

- (a) be made within 36 hours after the movement or sale recorded; and
- (b) be retained by the owner or keeper of the pig or owner or person in charge of the holding for a period of three years from the end of the year in which the last entry was made.

(4) Any person who is for the time being in charge of any record required to be kept under this article shall, on demand made by an inspector at any reasonable hour, produce the record and allow a copy to be made of it.

(5) Where a record required to be made under this article is made in electronic or magnetic form, references in paragraph (4)—

- (a) to production of the record are, if the inspector so requires, references to its production in written form; and
- (b) to taking of extracts or copies of the record, are references to the taking thereof in written form.

## **IDENTIFICATION OF PIGS**

### **Identification marks**

5.—(1) No person shall move a pig with a view to its being moved to a place outside Great Britain unless, before the movement commences, it is marked with an identification mark (which shall be legible for the life of the pig to which it is applied) in the form of an ear tag or of a tattoo.

(2) The identification mark referred to in paragraph (1)—

- (a) shall comprise the country code “UK” and the herd mark of the holding on which the mark is applied; and
- (b) shall include a distinctive number allotted to the pig by the owner or keeper of it prefixed, in the case of an ear tag, by the letter “P”.

(3) It shall not be lawful to move a pig from a holding (other than with a view to it being moved outside Great Britain) unless, before the movement commences, it is marked—

- (a) in the case of a pig moving to an exhibition or show or for breeding purposes and which is intended to be returned to the premises from which it is moved, with an identification mark comprising the herd mark of the holding on which the mark is applied and a unique individual identification number allotted to the pig by the owner or keeper of it; or
- (b) in all other cases—
  - (i) with an identification mark which complies with paragraph (2) or (3)(a); or

- (ii) with an identification mark which will last at least until the pig reaches its destination and which, either by itself or by reference to a document accompanying the pig during the movement, enables the holding from which the pig was last moved to be identified.

(4) Save in accordance with an authority issued by a veterinary inspector, it shall not be lawful for any person—

- (a) to remove from a pig an identification mark which has been applied or attached to it in accordance with the foregoing provisions of this article; or
- (b) to replace an identification mark applied or attached to a pig in accordance with those provisions otherwise than in replacement of one which has become illegible or which has been lost.

### **Ear tags**

**6.—**(1) No person shall attach an identification mark to a pig in the form of an ear tag unless the ear tag satisfies the provisions of paragraph (2); and in this Order references to an ear tag are to an ear tag which satisfies those provisions.

(2) An ear tag shall be so constructed as—

- (a) not adversely to affect the well-being of the pig to which it is attached;
- (b) to be incapable of being altered in such a way that the fact of alteration cannot be readily observed; and
- (c) to be incapable of re-use.

## **PART III**

### **MOVEMENT OF PIGS**

#### **Prohibition on certain movements of pigs**

**7.** —No person shall—

- (a) move or cause to be moved a pig from a market or collecting centre to another market or collecting centre (other than a collecting centre for pigs intended for immediate slaughter);
- (b) move a pig to a slaughterhouse save for the purpose of slaughter within 48 hours of its arrival there;
- (c) remove a pig from a slaughterhouse except after slaughter; or
- (d) return a pig to a farm from a market for pigs intended for immediate slaughter.

#### **Restriction on movement of pigs within 20 days of a previous movement**

**8.—**(1) Subject to the following provisions of this article, whenever any animal has been moved to any premises, no person shall move any pig from those premises (or any other premises in the same sole occupancy group) before the expiry of a period of 20 days from the day on which the animal first referred to was delivered to those premises.

(2) The restriction contained in paragraph (1) shall not apply in any of the cases set out in article 3(2) of the Disease Control (Interim Measures) (England) (No. 2) Order 2002.

(3) Notwithstanding the prohibition in paragraph (1), no account shall be taken of the following movements—

- (a) any movement referred to in article 3(3) of the Disease Control (Interim Measures) (England) (No. 2) Order 2002; or
- (b) movement of a pig intended for breeding or growing from a source approved by the Secretary of State onto any premises, when such movement is authorised in accordance with conditions set out in writing by a veterinary inspector.

### **Regulation of movement of pigs (other than pet pigs)**

9.—(1) Without prejudice to articles 7 and 8, no person shall move or cause to be moved a pig (other than a pig that is kept solely as a pet) from any premises, unless it is accompanied by a document signed by the owner of the pig or his agent and which specifies—

- (a) the address including postcode and CPH number of the premises from, and to which the pig is being moved;
- (b) the date on which the movement is taking place;
- (c) the number of pigs that the document covers;
- (d) the identification mark of each of the pigs being moved; and
- (e) in the case of a movement from a market, the lot numbers of the pigs being moved.

(2) When the pigs arrive at their destination, the person moving the pigs shall give the document referred to in paragraph (1) to the keeper at the premises of destination who shall retain it for a period of 6 months.

(3) The keeper at the premises of destination shall, within 3 days of the arrival of pigs, send a copy of the document referred to in paragraph (1) to the local authority for the area in which the premises of destination are situated.

(4) The keeper of a pig being moved to premises outside Great Britain shall send a copy of the document referred to in paragraph (1) to the Local Authority for the area in which the premises from which the pigs are being moved, are situated.

### **Regulation of movement of pet pigs**

10.—(1) Subject to paragraph (3), no person shall move, or cause to be moved from any premises, a pig kept solely as a pet, except under the authority of a licence issued under this article and in the form set out in Schedule 2.

(2) Paragraph (1) shall not apply where the pig is being moved temporarily from the premises for the purpose of emergency veterinary treatment.

(3) A licence under this article may be issued by an inspector of the local authority for the area in which the movement commences or by an inspector of the Secretary of State.

### **Regulation of sales of pigs**

11.—(1) No person shall hold a sale of pigs on a farm except in accordance with a licence issued by an inspector of the local authority for the area in which the farm is situated.

- (2) A licence under paragraph (1) above shall not be issued, and a sale shall not be held, unless—
  - (a) the sale will comprise only pigs forming the whole or part of the standing herd of that farm; and
  - (b) no animals (other than animals moved on to the farm in accordance with the provisions of article 3(3) of the Disease Control (Interim Measures) (England) (No. 2) Order 2002) have been moved on to that farm on the day of sale or within a period of 20 days preceding the day of sale.

**Provisions as to licences, etc.**

12.—(1) Any licence under this Order shall be issued only on application and shall be valid only for the period stated in it.

(2) Any licence, notice or authority under this Order shall be in writing and—

(a) shall be subject to such conditions as are specified in it; and

(b) may be varied, suspended or revoked by the issuing authority, by notice given to the person to whom it was issued but without prejudice to anything done or omitted to be done before any such variation, suspension or revocation takes effect.

(3) Where this Order refers to a form which appears in a Schedule to this Order that reference shall be taken to include a form substantially to the like effect.

## PART IV

### MISCELLANEOUS

**Enforcement**

13. —The provisions of this Order shall, except where otherwise provided, be executed and enforced by the local authority.

**Revocations etc.**

14.—(1) The Pigs (Records, Identification and Movement) (Interim Measures) (England) Order 2002(4) is revoked.

(2) The Pigs (Records, Identification and Movement) Order 1995(5) shall cease to have effect whilst this Order is in force.

**Forms**

15. —Notwithstanding article 9 of the Animals (Miscellaneous Provisions) Order 1927(6), the local authority may provide and supply printed copies of any document or form required under this Order.

*Elliot Morley*  
Parliamentary Under Secretary of State,  
Department for Environment, Food and Rural  
Affairs

Signed at: 5.15 pm on: 16th August 2002

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(4) [S.I. 2002/241](#).  
(5) [S.I. 1995/11](#).  
(6) [S.I. 1927/290](#).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Article 4

HOLDING MOVEMENT RECORD

The Pigs (Records, Identification and Movement) (Interim Measures) (England) (No. 2) Order 2002

Name and address of person keeping the record . . .

Date of movement	Identification mark	Number of pigs	Premises from which moved	Premises to which moved

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 2

Article 10

MOVEMENT OF PET PIGS

LICENCE FOR THE MOVEMENT OF PET PIGS

The Pigs (Records, Identification and Movement) (Interim Measures) (England) (No. 2) Order 2002

..... (Name and address of person who will be moving the pig) is hereby licensed to move the pig/pigs\* described in the table below.

Description of pig being moved	Identification mark	Name, address (including postcode) and CPD number of premises from which pigs are to be moved and returned to

The pig/pigs\* to which this licence relates must only be moved in accordance with the route/routes\* detailed in schedule(s) [insert schedule number(s)] to this licence.

This licence is issued subject to the conditions set out overleaf.

This licence is valid until (insert date - up to 1 year from date of issue). It must be returned to the issuing authority if not used.

Date of issue

Signature

Name (in block letters) .....

Divisional Veterinary Manager

Department for Environment, Food and Rural Affairs

(\*Delete as appropriate)

**IMPORTANT SEE CONDITIONS ON THE BACK**

**Conditions**

1. This licence shall be valid only for the period stated, and may be varied, suspended or revoked by the issuing authority at any time.

2. The person moving the pig under this licence must carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give his name and address.

*Note to issuing authority: the issuing authority must send a copy of this licence to the local authority of the place of destination within 3 days of it being issued.*



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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which extends to England and ceases to have effect on 1st February 2003, temporarily dis-applies and replaces the Pigs (Records, Identification and Movement) Order 1995 ([S.I. 1995/11](#), as amended) (“the 1995 Order”). It consolidates (with amendments) the temporary changes to the 1995 Order, made by the Pigs (Records, Identification and Movement) (Interim Measures) (England) Order 2002 ([S.I. 2002/241](#)) (the 2002 Order).

In addition to the changes made by the 2002 Order, this Order—

- (a) extends the period that the Order remains in force to 1st February 2003;
- (b) removes the various forms of declaration set out in the Schedules to the 1995 Order and instead, requires that all movements of pigs (other than pet pigs) are accompanied by a movement document containing certain information (article 9); and
- (c) requires, and sets out the form of, a movement licence for the movement of pet pigs (article 10).

A regulatory impact assessment has not been prepared for this Order.