
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 42

The Foot-and-Mouth Disease
Regulations (Northern Ireland) 2006

PART III

MEASURES FOLLOWING CONFIRMATION OF DISEASE

Tracing of products originating on infected premises

20.—(1) The Department shall trace all milk, milk products, meat, meat products, carcasses, hides and skins and wool, semen, ova and embryos derived from susceptible animals originating on infected premises.

(2) After tracing any semen, ovum or embryo, the Department shall, by notice served on the person in charge of it, direct that person to dispose of it.

(3) After tracing any other item referred to in paragraph (1), the Department shall, by notice served on its owner, or if the owner is not readily ascertainable, the person in charge of it, direct the owner or that person to either—

- (a) arrange for such treatment as the Department considers necessary to ensure the destruction of the disease virus; or
- (b) dispose of it.

Notice of intention to slaughter animals

21.—(1) Where the Department proposes to slaughter an animal under paragraph 3, 3A or 3B of Part 1 of Schedule 2 to the Order it shall serve notice of its intention to cause such slaughter—

- (a) on the occupier of the premises where the animal is kept; or
- (b) where the animal is in transit, on the person in charge of it.

(2) Paragraph (1) does not apply where the Department intends to cause the slaughter of a stray or feral animal detained by an inspector under regulation 17(2) or under paragraph 2(2) of Part I of Schedule 5 or paragraph 5(2) of Schedule 7.

Sampling and clinical examination of a susceptible animal before slaughter

22. Where the Department serves notice of its intention to cause the slaughter of a susceptible animal under paragraph 3, 3A or 3B of Part I of Schedule 2 to the Order, it shall ensure that any sampling and clinical examination it considers necessary to carry out under a veterinary inquiry in regulation 11 has been undertaken before, or immediately following, such slaughter.

Place of slaughter

23.—(1) This regulation applies where the Department serves notice under regulation 21 of its intention to cause the slaughter of a susceptible animal under paragraph 3, 3A or 3B of Part I of Schedule 2 to the Order.

(2) Subject to paragraph (5) where the animal to be slaughtered is on particular premises, slaughter shall take place there without delay.

(3) Paragraph (2) shall not apply where—

(a) in the opinion of the Department the slaughter on those premises would be an unsatisfactory method of preventing the spread of disease; or

(b) the premises are a slaughterhouse.

(4) In the case referred to in paragraph (3) the Department may direct that slaughter be carried out at another place it considers satisfactory for the purpose of preventing the spread of disease.

(5) Where the animal to be slaughtered is in transit, it shall be transported to such place for slaughter as the Department may direct as soon as is reasonably practicable and before slaughter.

(6) In directing transport to any place under this regulation the Department shall grant a licence under Schedule 1 authorising movement of the animal, persons and vehicle necessary for that action under such conditions as it considers fit to minimise the risk of spread of disease.

Slaughter: control of carcasses

24.—(1) This regulation applies to every carcass of a susceptible animal on premises where the Department has caused the slaughter of an animal under paragraph 3, 3A or 3B of Part I of Schedule 2 to the Order.

(2) A person shall not move any carcass to which this regulation applies from the premises except for disposal and under the authority of a licence granted by the Department.

(3) The Department shall ensure that every carcass to which this regulation applies is disposed of without undue delay, and in so ensuring—

(a) It may serve a notice on the occupier requiring immediate disposal or disposal within a specified period; and

(b) It shall grant any necessary licence under paragraph (2).

(4) A person shall not, except under the authority of a licence granted by the Department, dig up or cause to be dug up the carcass of any animal which has died of disease or has been slaughtered by the Department.

Slaughter: control of faecal material

25.—(1) This regulation applies to premises where the Department has caused the slaughter of an animal under paragraph 3, 3A or 3B of Part I of Schedule 2 to the Order.

(2) A person shall not move any dung, manure, slurry or used litter of a susceptible animal from premises in relation to which this regulation applies except—

(a) for disposal under the authority of a licence granted by the Department; or

(b) where such material is from a slaughterhouse, for treatment in accordance with point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal

by-products not intended for human consumption, as amended⁽¹⁾, and under the authority of a licence granted by the Department.

Slaughter: isolation of things liable to spread disease

26.—(1) This regulation applies to the occupier of—

- (a) any premises, other than a slaughterhouse, where the Department has caused the slaughter of an animal under paragraph 3, 3A or 3B of Part I of Schedule 2 to the Order;
- (b) any premises, other than a slaughterhouse, where the Department has caused the slaughter of an animal under paragraph 3, 3A or 3B of Part I of Schedule 2 to the Order, in a case where it directs that this regulation applies; and
- (c) any slaughterhouse where the Department has caused the slaughter of an animal under The Foot-and Mouth Disease (Control of Vaccination) Regulations (Northern Ireland) 2006 or the Order in a case where it directs that this regulation applies.

(2) Subject to paragraph (3) a person to whom this regulation applies shall isolate all milk, milk products, meat, meat products, carcasses, hides and skins, wool, semen, embryos, ova, slurry, manure, animal feed and used litter on the premises until—

- (a) the Department declares by notice served on that person that all such items are free of contamination; or
- (b) all such items have been treated in accordance with its directions; or
- (c) the Department grants a licence authorising any such item to be removed from the premises to be treated in accordance with Regulation (EC) No. 1774/2002 as amended.

(3) Paragraph (2) does not apply to milk on free units where this is authorised by a licence granted by the Department.

(4) A licence granted under paragraph (3) shall contain terms requiring that—

- (a) where it is for human consumption, the milk is subjected to one of the treatments in paragraph 3 of Part IV of Schedule 6; or
- (b) where it is not for human consumption, the milk is subjected to one of the treatments in paragraph 4 of Part IV of Schedule 6.

Slaughter: cleansing and disinfection of premises other than slaughterhouses

27.—(1) This regulation applies to any premises, other than a slaughterhouse, where the Department has caused the slaughter of an animal under paragraph 3, 3A or 3B of Part I of Schedule 2 to the Order and to any vehicle on those premises after—

- (a) disposal of all carcasses from those premises in accordance with regulation 24; and
- (b) if regulation 26(2) applies, isolation of the items referred to in that paragraph.

(2) The Department shall ensure that every building, other part of the premises, vehicle used to carry a susceptible animal and any other thing or place on the premises normally used by an animal which may be contaminated is cleansed and disinfected in accordance with Schedule 3.

(3) The Department shall ensure that any part of the premises normally used by humans to the exclusion of an animal (including a dwelling) it suspects to be contaminated is cleansed and disinfected in accordance with Schedule 3.

(1) O.J. No. L273, 10.10.2002, p.1 as last amended by Commission Regulation (EC) No. 668/2004 (O.J. No. L112, 19.4.2004, p.1).

Slaughter; cleansing and disinfection of slaughterhouses

28.—(1) This regulation applies to a slaughterhouse where the Department has caused the slaughter of an animal under paragraph 3, 3A or 3B of Part 1 of Schedule 2 to the Order, and to any vehicle there, after—

- (a) the disposal of all carcasses in accordance with regulation 24; and
- (b) if the Department grants a licence under regulation 25(2), removal for disposal or treatment of the items referred to in that sub-paragraph.

(2) The Department shall ensure that every building and place, equipment, vehicle and other thing which may be contaminated on premises to which this regulation applies are cleansed and disinfected in accordance with Schedule 3.

(3) A person shall not move any animal onto the premises until at least 24 hours after completion of the final cleansing and disinfection measures in paragraphs 5 to 7 of Part II of Schedule 3.

Declaration of protection zones and surveillance zones on confirmation of disease in Northern Ireland

29.—(1) The Department shall, declare an area to be a protection zone and an area to be a surveillance zone in the circumstances mentioned in paragraph (2).

(2) The circumstances referred to in paragraph (1) are when the Chief Veterinary Officer confirms disease on premises in Northern Ireland, other than—

- (a) at a slaughterhouse; or
- (b) on premises to which infected or contaminated animals have been transported following a direction under regulation 10(1)(b).

(3) The Department may declare an area to be a protection zone in the circumstances mentioned in paragraph (4) and if it decides to do so, it shall also declare an area to be a surveillance zone.

(4) The circumstances referred to in paragraph (3), are when the Chief Veterinary Officer confirms the disease—

- (a) at a slaughterhouse in Northern Ireland;
- (b) on premises in Northern Ireland to which an infected or contaminated animal has been transported following a direction under regulation 10(1)(b); or
- (c) at premises in the Republic of Ireland.

(5) Subject to paragraph (6), a protection zone or surveillance zone declared under this regulation shall be of such size as the Department considers fit to prevent the spread of disease.

(6) A declaration under this regulation shall designate—

- (a) the extent of the protection zone which shall be centred on infected premises and of at least three kilometres minimum radius; and
- (b) the extent of the surveillance zone which shall be centred on the same premises and of at least ten kilometres minimum radius.

(7) The Department may declare by notice that any other measure it considers fit so as to prevent the spread of disease shall apply in respect of the whole or any part of any protection or surveillance zone and any such measure shall then apply in respect of that protection or surveillance zone or that part of it.

(8) The Department shall ensure that signs marking the boundaries of protection and surveillance zones are erected in a conspicuous position on roads entering those zones.

(9) The Department shall take such steps as it considers necessary to ensure that all persons within the zone are made fully aware of the restrictions in force in relation to that zone.

Declaration of protection zones and surveillance zones on confirmation of the disease in the Republic of Ireland

30.—(1) If the Department is satisfied that the disease is present on premises (other than a slaughterhouse) in the Republic of Ireland—

- (a) it shall declare an area to be a protection zone if those premises are situated within three kilometres of the border with Northern Ireland; and
- (b) it shall declare an area to be a surveillance zone if those premises are situated within ten kilometres of that border.

(2) If the Department is satisfied that the disease is present at—

- (a) any premises in the Republic of Ireland situated more than ten kilometres from the border with Northern Ireland, or
- (b) a slaughterhouse or border inspection post in the Republic of Ireland situated within ten kilometres of the border with Northern Ireland,

it may declare an area to be a protection zone, or an area to be a surveillance zone, or both, in Northern Ireland.

(3) Subject to paragraph (4), a protection zone or surveillance zone declared under this regulation shall be of such size as the Department considers fit so as to prevent the spread of disease.

(4) A declaration under this regulation shall designate the extent of any protection zone or surveillance zone declared and the Department shall ensure that—

- (a) any such zone abuts the border with the Republic of Ireland;
- (b) any protection zone extends from that border such that its boundary is at least three kilometres from that border;
- (c) any surveillance zone extends from that border such that its boundary is at least ten kilometres from that border.

Protection zones and surveillance zones: general provisions

31.—(1) Any premises which are partly inside and partly outside a protection zone shall be deemed to be wholly inside that zone.

(2) Any premises (except premises which are also partly inside a protection zone) which are partly inside and partly outside a surveillance zone shall be deemed to be wholly inside that zone.

(3) Any protection zone or surveillance zone is an infected area for the purposes of the Order.

(4) Nothing in paragraph (1) shall deem any part of a premises outside Northern Ireland to be inside a protection zone and nothing in paragraph (2) shall deem any such part of a premises to be inside a surveillance zone.

Measures applicable in respect of protection zones and surveillance zones

32.—(1) The measures in Parts I and II of Schedule 5 apply in respect of a protection zone and those in Parts I and III of Schedule 5 apply in respect of a surveillance zone.

(2) The Department may declare that any other measure it considers fit so as to prevent the spread of disease applies in respect of the whole or any part of any protection zone or surveillance zone and any such measure shall then apply in respect of that protection zone or surveillance zone or that part of it.

(3) The Department shall not make a declaration under paragraph (2), unless it is satisfied that the measures to be applied by that declaration are—

- (a) necessary to prevent the spread of disease; and

- (b) a proportionate method of preventing such spread, taking into account the epidemiological, animal husbandry, commercial and social conditions in the protection zone or surveillance zone.

(4) The Department shall take into account the recommended measures in paragraph 2.2 of Annex VI to the Directive before restricting the movement of horses in a surveillance zone by a declaration under paragraph (2).

(5) An area shall remain a protection or surveillance zone until the declaration creating it is amended or revoked in accordance with regulation 34.

Veterinary inspection of premises in protection zones and surveillance zones

33.—(1) The Department shall ensure that every premises within a protection zone or a surveillance zone where susceptible animals are kept is inspected by an inspector as regularly as it considers fit to prevent the spread of disease.

(2) An inspector inspecting premises under this regulation shall ensure that the inspection includes—

- (a) clinical inspection of all susceptible animals; and
- (b) inspection of the records required to be created and maintained by paragraph 1 of Schedule 5.

Amendment and revocation of declarations creating protection zones and surveillance zones

34.—(1) The Department may, where it is satisfied that the conditions in paragraph (2) are met, amend the declaration creating a protection zone so that the area within its boundaries becomes part of the surveillance zone centred on the same premises.

(2) The conditions for amendment of a declaration creating a protection zone are—

- (a) at least 15 days have elapsed since the completion of any preliminary cleansing and disinfection in that protection zone; and
- (b) a survey of all susceptible animals to substantiate the absence of infection has been carried out on behalf of the Department in that protection zone with negative results.

(3) The Department may, where it is satisfied that the conditions in paragraph (4) are met, revoke the declaration creating a surveillance zone.

(4) The conditions for revocation of a declaration creating a surveillance zone are—

- (a) at least 30 days have elapsed since completion of any cleansing and disinfection in the area within the boundaries of that surveillance zone; and
- (b) if the declaration creating that surveillance zone also created a protection zone centred on the same premises, it has previously been amended so that the protection zone has become part of the surveillance zone;
- (c) if the declaration creating that surveillance zone did not create a protection zone centred on the same premises, any zone in the Republic of Ireland having equivalent effect to a protection zone and centred on the same premises as that surveillance zone is no longer in effect; and
- (d) a survey of susceptible animals to substantiate the absence of infection has been carried out in that surveillance zone since that amendment on behalf of the Department with negative results.

(5) An amendment or revocation under this regulation shall refer to the declaration creating the protection zone and surveillance zone and specify the date and time the amendment or revocation is to take effect.

(6) In this regulation, “preliminary cleansing and disinfection” means cleansing and disinfection undertaken in accordance with paragraphs 2 and 3 of Part II of Schedule 3 as required by regulations 27 and 28 and ending 24 hours after the application of disinfectant.

Declaration of a restricted zone

35.—(1) The Department shall declare a restricted zone if the Chief Veterinary Officer advises it that in his opinion disease has become extensive in Northern Ireland and the declaration of such a zone would prevent its spread.

(2) The Department may, on confirmation by the Chief Veterinary Officer of disease on premises in Northern Ireland, declare an area to be a restricted zone.

(3) A restricted zone shall be in such part of Northern Ireland and of such size as the Department considers fit to prevent the spread of disease, having considered a thorough epidemiological assessment of the situation.

(4) The epidemiological assessment shall include consideration of the of the possible time and probable location of introduction of disease to Northern Ireland, its possible spread and the probable period of time necessary to eradicate it.

(5) An area shall remain a restricted zone (or part of one) until—

- (a) such date as may be stated in the declaration;
- (b) the Department amends the declaration to exclude that area; or
- (c) the Department revokes the declaration.

(6) Any amendment or revocation of a declaration creating a restricted zone shall refer to that declaration and state the date and time it is to take effect.

(7) Subject to paragraph (8) any premises which are partly inside and partly outside a restricted zone shall be deemed to be wholly inside that restricted zone.

(8) Paragraph (7) does not apply to premises which are also partly inside—

- (a) a temporary control zone; or
- (b) a supplementary movement control zone;
- (c) a protection zone;
- (d) a surveillance zone;
- (e) a vaccination zone;
- (f) a vaccination surveillance zone; or
- (g) a wild animal infected zone.

(9) The Department shall take such steps as it considers necessary to ensure that all persons within the zone are made fully aware of the restrictions in force in relation to that zone.

(10) Nothing in paragraph (7) shall deem any part of a premises outside Northern Ireland to be part of a restricted zone.

Measures applicable in respect of a restricted zone

36.—(1) The measures in Schedule 7 apply in respect of a restricted zone in addition to any requirements or restriction applying in any part of it because that part falls within a zone listed in regulation 35(8).

(2) The Department may declare by notice any other measure it considers fit so as to prevent the spread of disease in respect of the whole or any part of any restricted zone and any such measure shall then apply in respect of that restricted zone or that part of it.

Presence of disease in a wild animal and declaration of a wild animal infected zone

37.—(1) The Department shall, on confirmation of the disease in a wild animal in Northern Ireland, declare an area to be a wild animal infected zone.

(2) The Department may, if it is satisfied that disease is present in a wild animal in the Republic of Ireland, declare a wild animal infected zone in Northern Ireland.

(3) A wild animal infected zone shall be in such part of Northern Ireland and of such size as the Department considers fit to prevent the spread of disease.

(4) An area shall remain a wild animal infected zone (or part of one) until—

- (a) such date as may be stated in the declaration;
- (b) the Department amends the declaration to exclude that area; or
- (c) the Department revokes the declaration.

(5) Any amendment or revocation of a declaration creating a wild animal infected zone shall refer to that declaration and state the date and time it is to take effect.

(6) Any premises which are partly inside and partly outside a wild animal infected zone shall be deemed to be wholly inside that zone.

(7) Nothing in paragraph (6) should deem any part of a premises outside Northern Ireland to be within a wild animal infected zone.

(8) Any wild animal infected zone is an infected area for the purposes of the Order.

Measures applicable in a wild animal infected zone

38.—(1) The measures in Schedule 8 apply in respect of a wild animal infected area in addition to any measures applying in any part of it because that part falls within—

- (i) a protection zone;
- (ii) a surveillance zone;
- (iii) a vaccination zone; or
- (iv) a vaccination surveillance zone.

(2) The Department may declare that any other measure it considers fit so as to prevent the spread of disease applies in respect of the whole or any part of a wild animal infected zone and any such measure shall then apply in respect of that wild animal infected zone or part of it.

(3) The Department shall take such steps as it considers necessary to ensure that all persons within the zone are made fully aware of the restrictions in force in relation to that zone.