

SCHEDULE 1 **S**

Articles 9, 10, 11, 12, 20, 25, 39, 44

Measures where avian influenza is suspected on premises

Record of poultry, other captive birds and mammals **S**

1. The occupier must make and update daily a record of poultry, other captive birds and mammals of domestic species on the premises showing, for each species the number or approximate number—

- (a) alive;
- (b) which have died;
- (c) which show clinical signs of avian influenza;
- (d) which are likely to be infected;
- (e) born or hatched.

Housing or isolation of poultry and other captive birds **S**

2.—(1) The occupier must ensure that poultry and other captive birds are—

- (a) housed; or
- (b) kept isolated from poultry and other captive birds on other premises (if, in the view of a veterinary inspector, housing is impractical or would adversely affect the birds' welfare to an significant degree).

(2) The occupier must take all reasonable steps to minimise contact with wild birds, in accordance with a veterinary inspector's instructions.

Prohibition on movement of poultry and other captive birds to and from the premises **S**

3. No person shall move any poultry or other captive birds to or from the premises, unless licensed by a veterinary inspector.

Prohibition on the removal of other things liable to transmit avian influenza **S**

4. No person may remove from the premises any carcase, poultry meat (including offal), poultry feed, utensils, material, waste, droppings, poultry or other captive bird manure, slurry, used litter or anything else liable to transmit avian influenza, unless that person is licensed to do so by a veterinary inspector.

Prohibition on movement of persons, mammals and vehicles to and from the premises **S**

5.—(1) No person shall move to or from the premises and no person shall move any mammal, vehicle or equipment to or from the premises unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

(2) Paragraph (1) does not apply to pet mammals which—

- (a) only have access to a part of the premises where people live;
- (b) have no contact with poultry or other captive birds on the premises; and
- (c) have no access to any cages or areas on the premises where poultry or other captive birds are kept.

Changes to legislation: There are currently no known outstanding effects for the *The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006*. (See end of Document for details)

Restrictions on the movement of eggs **S**

6. No person shall move any eggs from the premises except, under the authority of a licence granted by a veterinary inspector—
- (a) directly to an establishment for the manufacture of egg products; or
 - (b) for disposal.
7. A person moving eggs under paragraph 6(a) must ensure that—
- (a) each consignment of eggs is sealed by a veterinary inspector or in accordance with the instructions of a veterinary inspector before dispatch; and
 - (b) vehicles used to transport the eggs to the establishment have been cleansed and disinfected before the eggs are loaded;
8. No person shall tamper with a seal attached under paragraph 7 or remove it before the consignment arrives at the designated establishment.

Disinfection at entrances and exits **S**

9. The occupier must, in accordance with an inspector's instructions, provide and maintain means of disinfection at the entrances and exits of the premises and of buildings housing poultry or other captive birds ^{M1}.

Marginal Citations

M1 Disinfectants approved for use under this Order are set out in the Schedules to the Diseases of Animals (Approved Disinfectants) Order 1978 (S.I. 1978/32, amended by S.I. 1999/919).

SCHEDULE 2 **S**

Articles 13,16,18, 20, 25, 35, 44

Additional measures on premises where highly pathogenic avian influenza is confirmed

Killing and seizure **S**

1. The occupier must give all reasonable assistance to a person exercising a duty relating to the killing of poultry or other captive birds under the Order or under paragraph 5 of Schedule 3 to the Act or to the seizure of any thing under the Diseases of Animals (Seizure) Order 1993 ^{M2}.

Marginal Citations

M2 S.I. 1993/1685.

Measures to minimise the risk of spread of avian influenza to wild birds **S**

2. The occupier must take such action as a veterinary inspector reasonably requires to reduce the risk of the spread of avian influenza to wild birds.

Disposal of carcasses and eggs **S**

3. The occupier must ensure that all carcasses and eggs not seized or disposed of by a veterinary inspector are disposed of in accordance with a veterinary inspector's instructions unless the veterinary inspector licenses their use for diagnosis of disease.

Tracing **S**

4. The occupier must give all reasonable assistance to a veterinary inspector in the tracing of anything liable to transmit avian influenza to or from the premises.

Cleansing and disinfection **S**

5. The occupier must cleanse and disinfect the premises in accordance with article 65 and Schedule 3.

Restocking **S**

6. The occupier must not restock the premises except in accordance with article 66.

SCHEDULE 3 **S**

Article 65

Cleansing and disinfection of premises other than regulated places and of any thing (including any vehicle) on those premises

PART 1 **S**

General procedures for cleansing, disinfection and treatment

1. A person carrying out cleansing, disinfection and treatment (including measures to destroy rodents and insects) must do so in accordance with this part of (if different) any instructions given by a veterinary inspector.

2. A person using a disinfectant or degreasing agent under this Order must ensure that they are used as effectively as possible and must, in particular, give consideration to the following in deciding which products to use and how to use them—

- (a) the nature of the premises to be cleansed or disinfected;
- (b) the type of vehicle or other thing to be cleansed or disinfected;
- (c) any instructions from the manufacturer of the product (or of a veterinary inspector) as to pressure, minimum temperature and required contact time.

3. A person cleansing and disinfecting under this Order must ensure that—

- (a) bedding, litter and faecal matter are thoroughly soaked with disinfectant;
- (b) equipment and installations which would otherwise impair effective cleansing and disinfecting are, where possible, removed or dismantled and either cleansed and disinfected or destroyed (if this is considered necessary by the person carrying out the cleansing and disinfecting or is required by a veterinary inspector);
- (c) the ground, any floors, ramps and walls are washed and cleansed by thorough brushing and scrubbing.

4. A person washing with liquids applied under pressure must avoid recontaminating areas or parts previously cleansed.
5. A person who has cleansed and disinfected part of any premises must avoid recontaminating that part as he cleanses and disinfects other parts.
6. A person carrying out a cleansing or disinfecting procedure must ensure that a written record of that procedure is made, showing the date and time the procedure took place.
7. A person who makes such a record must keep it at the premises (or, if that person is a person in charge of a vehicle and the procedure involved cleansing or disinfecting that vehicle, with the vehicle).

PART 2 **S**

Specific procedures for the cleansing and disinfecting of infected premises

1. This Part applies to the cleansing and disinfecting of infected premises except to the extent that its requirements are varied by a veterinary inspector.

Preliminary cleansing and disinfecting **S**

2. Cleansing and disinfecting must be carried out during and after the killing of poultry or other captive birds by a veterinary inspector or in accordance with a veterinary inspector's instructions.
3. A person carrying out a cleansing or disinfection procedure must take all appropriate measures to reduce the risk of avian influenza virus spreading and must, in particular—
 - (a) use appropriate equipment;
 - (b) wear protective clothing (which must be cleansed and disinfected or disposed of after use);
 - (c) take a shower immediately after the cleansing and disinfecting;
 - (d) cleanse and disinfect any equipment which may be contaminated before it is removed from the premises;
 - (e) turn off the power supply to any ventilation system if required to do so by a veterinary inspector.
4. Following killing—
 - (a) carcasses must be sprayed with disinfectant;
 - (b) transport from the premises for disposal of carcasses and of any tissue and blood spilled during killing or post-mortem examination must be in closed, leak-proof containers and in accordance with a veterinary inspector's instructions;
 - (c) the following parts of the premises must be sprayed with disinfectant as soon as the killed poultry and other captive birds have been removed—
 - (i) parts where the poultry or other captive birds were housed;
 - (ii) parts contaminated during the killing of the poultry or other captive birds;
 - (iii) parts contaminated during any post-mortem examination.
 - (d) any tissue or blood spilled during the killing or any post-mortem must be collected and disposed of with the killed poultry or other captive birds;
 - (e) disinfectant must remain on the surface for at least 24 hours.

Final cleansing and disinfecting **S**

5. Manure and used bedding must be treated in accordance with Part 3 of this Schedule.
6. All surfaces must be subjected to the following procedures—
 - (a) grease and dirt must be removed from them by the application of a degreasing agent;
 - (b) they must then be cleansed with water;
 - (c) they must be washed with cold water, following which disinfectant must be applied;
 - (d) after seven days, they must again be treated with a degreasing agent, rinsed with water, sprayed with disinfectant and rinsed again with water.

PART 3 **S**

Disinfection of contaminated litter, manure and slurry

1. Manure and used bedding must—
 - (a) be steam treated at a temperature of at least 70°C; or
 - (b) be destroyed by burning; or
 - (c) be buried deep enough to prevent access by wild birds and animals; or
 - (d) be stacked to heat, sprayed with disinfectant and left for at least 42 days.
2. Slurry must be stored for at least 60 days after the last addition of infectious material unless (in the case of slurry which has been treated in accordance with a veterinary inspector's instructions) a veterinary inspector authorises a shorter storage period.
3. Manure, litter and bedding which may be contaminated may, if licensed by a veterinary inspector, be moved—
 - (a) to a treatment plant carrying out procedures for the destruction of avian influenza virus;
 - (b) for storage prior to destruction; or
 - (c) to such other place as the veterinary inspector may license.
4. The transport of such manure, litter or bedding must be in closed, leak-proof vehicles or containers and in accordance with a veterinary inspector's instructions.

SCHEDULE 4 **S**

Articles 28, 30, 31, 32, 33

Measures in a protection zone

Record keeping and duty to inform the Scottish Ministers of birds' change in health **S**

1. The occupier of any premises must make a record of—
 - (a) the name and address of any person visiting the premises (unless the visit is only to a part of the premises where people live and where no poultry or other captive birds are kept);
 - (b) the date of the visit;
 - (c) whether the person had any contact with poultry or other captive birds on the premises.
2. The occupier of any such premises must keep a record of all poultry entering or leaving those premises.

Changes to legislation: There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006. (See end of Document for details)

3. Every person who is engaged in the transport or marketing of poultry or poultry eggs must keep a record of all poultry and poultry eggs transported or marketed by that person.
4. The records referred to in paragraphs 2 and 3 must include—
 - (a) the quantity and description (including species of poultry and type of egg) transported or marketed;
 - (b) in the case of movement from premises—
 - (i) the date of the movement off the premises;
 - (ii) the premises of destination (if known);
 - (iii) the name and address of the person to whom ownership or possession is being or has been transferred;
 - (c) in the case of movement onto premises—
 - (i) the date of the movement on to the premises;
 - (ii) the premises from which the movement originated (if known);
 - (iii) the name and address of the person from whom ownership or possession is being or has been transferred;
 - (d) in the case of marketing without an associated movement, the name and address of the person to whom and the date on which ownership was transferred;
 - (e) the identity and address of any such person.
5. Paragraphs 1 and 3 do not apply to—
 - (a) the retail distribution of eggs and movements subsequent to such distribution; or
 - (b) the movement of people to zoos, wildlife parks or (unless required by the Scottish Ministers) any other premises open to the public, provided the public has no access to any area where birds are kept.
6. The occupier of any premises in the protection zone must maintain the following records—
 - (a) the number or approximate number of poultry (if any) on the premises;
 - (b) the number of poultry falling ill on the premises;
 - (c) the number of poultry dying on the premises;
 - (d) the amount of feed and, where possible, water being consumed by any poultry on the premises;
 - (e) any egg production on the premises.

Isolation of poultry and other captive birds **S**

7. The occupier of premises where poultry or other captive birds are kept must ensure that they are—
 - (a) housed; or
 - (b) kept isolated (if, in the view of a veterinary inspector, housing is impractical or would adversely affect the birds' welfare to a significant degree).
8. If birds are kept isolated but not housed, the occupier must—
 - (a) ensure that they have no contact with poultry or other captive birds on other premises; and
 - (b) take all reasonable steps to minimise their contact with wild birds in accordance with a veterinary inspector's instructions.

Disposal of carcases **S**

9. The occupier must ensure that all carcasses not seized or disposed of by a veterinary inspector are disposed of in accordance with a veterinary inspector's instructions (unless he licenses their use for diagnosis of disease).

Biosecurity measures **S**

10. The occupier and any person entering or leaving premises where poultry, other captive birds or eggs are kept must—

- (a) take appropriate biosecurity measures to reduce the risk of the spread of avian influenza to or from the premises; and
- (b) comply with any biosecurity requirements which a veterinary inspector, by notice, imposes.

Litter, poultry manure and slurry **S**

11. No person shall remove from premises in the zone or spread used poultry litter, poultry manure or poultry slurry unless licensed to do so by a veterinary inspector.

Gatherings of poultry **S**

12. No person shall permit any poultry or other captive birds to be collected together at any fair, market, show, exhibition or other gathering.

Release of game **S**

13. No person shall release game birds.

Restrictions on the movement of mammals, birds, eggs, poultry meat and carcasses **S**

14.—(1) Subject to sub-paragraph (2), no person shall move any domestic mammal within, into or out of the protection zone unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

(2) Sub-paragraph (1) does not apply to a pet animal which—

- (a) only has access to a part of the premises where people live;
- (b) has no contact with poultry or other captive birds on the premises; and
- (c) has no access to any cages or areas on the premises where poultry or other captive birds are kept.

15. Subject to paragraph 16, no person shall move any poultry, other captive bird, egg or carcase within, into or out of the protection zone unless—

- (a) the movement is set out in paragraph 17 and is;
 - (i) direct;
 - (ii) licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector;
- (b) the movement involves only the retail distribution of table eggs or is a movement subsequent to such distribution; or
- (c) the movement is within the same premises.

16. Poultry and eggs may be transported through the protection zone on a major highway or railway if no stop is made within the zone.

17. The movements referred to in paragraph 15(a) are the following—

- (a) poultry from premises in the protection zone for immediate slaughter at a slaughterhouse (if the requirements of paragraph 18 and any additional licence conditions are met);
- (b) poultry meat within or out of the protection zone (if the requirements of paragraph 19 and any additional licence conditions are met);
- (c) poultry to a designated slaughterhouse within the protection zone from premises outside the zone (if the requirements of paragraph 20 and any additional licence conditions are met);
- (d) day old chicks hatched from eggs produced in the protection zone or from eggs which came into contact with such eggs (if the requirements of paragraph 21 and any additional licence conditions are met);
- (e) day old chicks hatched from eggs originating outside the protection zone and the surveillance zone kept separate from eggs produced in such a zone (if the requirements of paragraph 22 and any additional licence conditions are met);
- (f) ready to lay poultry [^{F1}or brood-and-move poultry] to premises, or part of premises, where no poultry are kept (if the requirements of paragraph 23 and any additional licence conditions are met);
- (g) hatching eggs from outside the zone to a designated hatchery in the zone or to designated laboratories or institutes for use for scientific, diagnostic or pharmaceutical purposes (if any licence conditions are met);
- (h) hatching eggs from the zone—
 - (i) to any designated hatchery; or
 - (ii) to designated laboratories or institutes for use for scientific, diagnostic or pharmaceutical purposes
 (if, in both cases, the requirements of paragraph 24 and any additional licence conditions are met);
- (i) eggs to a packing centre (if the requirements of paragraph 25 and any additional licence conditions are met);
- (j) eggs to premises for the manufacture of egg products [^{F2}as referred to in Chapter II of Section X of Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin] (if any licence conditions are met);
- (k) eggs for disposal (if any licence conditions are met);
- (l) carcasses for disposal [^{F3}or diagnosis] (if any licence conditions are met).
- [^{F4}(m) poultry or other captive birds to a location where veterinary assistance of animals takes place for treatment or return to the premises of origin following such a movement.]

Textual Amendments

- F1** Words in sch. 4 para. 17(f) inserted (19.12.2023) by [The Avian Influenza and Influenza of Avian Origin in Mammals \(Scotland\) Amendment Order 2023 \(S.S.I. 2023/361\)](#), arts. 1, **2(18)(a)(i)**
- F2** Words in sch. 4 para. 17(j) substituted (28.3.2019) by [The Animal Health \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/71\)](#), regs. 1(1)(a), **4(3)**

- F3** Words in sch. 4 para. 17(l) inserted (19.12.2023) by The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361), arts. 1, **2(18)(a)(ii)**
- F4** Sch. 4 para. 17(m) inserted (19.12.2023) by The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361), arts. 1, **2(18)(a)(iii)**

Requirements for the transport of poultry from premises in the zone for immediate slaughter at a designated slaughterhouse **S**

18. Poultry must not be moved unless the following requirements are met—
- (a) a veterinary inspector must have clinically examined poultry at the premises a maximum of 24 hours before they leave the premises; ^{F5}...
 - (b) the poultry are transported in vehicles sealed by a veterinary inspector or in accordance with the instructions of a veterinary inspector.
- [^{F6}(c) where the movement is within Great Britain, the appropriate Minister responsible for the designated slaughterhouse has authorised the movement of that poultry.]

Textual Amendments

- F5** Word in sch. 4 para. 18(a) omitted (19.12.2023) by virtue of The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361), arts. 1, **2(18)(b)(i)**
- F6** Sch. 4 para. 18(c) inserted (19.12.2023) by The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361), arts. 1, **2(18)(b)(ii)**

Requirements for the movement of poultry meat from poultry sent to a designated slaughterhouse from premises within the zone **S**

19. Poultry meat must not be moved unless it meets the requirements of article 61.

Requirements for the movement of poultry to a slaughterhouse within the zone from premises outside the zone **S**

20. Poultry must not be moved unless they are kept separate from poultry originating within the zone and are subsequently slaughtered separately or at different times from other poultry.

Requirements for the movement of day old chicks hatched from eggs produced in the zone or from eggs which had contact with such eggs **S**

21. Day old chicks must not be moved unless they are transported in vehicles sealed by a veterinary inspector or in accordance with the instructions of a veterinary inspector.

Requirements for the movement of day old chicks hatched from eggs originating outside the zone **S**

22. Day-old chicks from eggs originating outside the protection and surveillance zones must not be transported unless the hatchery within the zone is operated in such a way that those eggs do not come into contact with eggs or day old chicks from within the zone.

Requirements for the movement of ready to lay [^{F7}poultry and brood-and-move] poultry **S**

23. Ready to lay poultry [^{F8}and brood-and-move poultry] must not be moved from premises within the zone unless—

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- (a) poultry and other captive birds at the premises have been clinically [^{F9}inspected] by a veterinary inspector; and
- (b) the ready to lay poultry [^{F10} and brood-and-move poultry] are transported in vehicles sealed by the veterinary inspector or in accordance with the instructions of a veterinary inspector.

Textual Amendments	
F7	Words in sch. 4 para. 23 heading inserted (19.12.2023) by The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361) , arts. 1, 2(18)(c)(i)
F8	Words in sch. 4 para. 23 inserted (19.12.2023) by The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361) , arts. 1, 2(18)(c)(ii)
F9	Word in sch. 4 para. 23(a) substituted (19.12.2023) by The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361) , arts. 1, 2(18)(c)(iii)
F10	Words in sch. 4 para. 23(b) inserted (19.12.2023) by The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361) , arts. 1, 2(18)(c)(iv)

Requirements for the movement of hatching eggs from the zone to a designated hatchery or a designated laboratory or institute for use for scientific, diagnostic or pharmaceutical purposes **S**

24. Hatching eggs must not be moved from the zone to any hatchery, laboratory or institute unless–
- (a) a veterinary inspector does not suspect avian influenza in the flocks from which the eggs derive;
 - (b) the eggs and their packaging are disinfected before dispatch; and
 - (c) the eggs are transported in vehicles sealed by a veterinary inspector or in accordance with the veterinary inspector's instructions.

Requirements for the movement of table eggs to a packing centre **S**

25. Table eggs must not be moved to a packing centre unless–
- ^{F11}(a)
 - (b) any person transporting the eggs complies with any biosecurity requirements laid down by a veterinary inspector.

Textual Amendments	
F11	Sch. 4 para. 25(a) omitted (4.12.2021) by virtue of The Avian Influenza (H5N1 in Birds etc.) (Miscellaneous Amendment and Revocation) (Scotland) Order 2021 (S.S.I. 2021/444) , arts. 1(1), 2(3)

Requirements at slaughterhouses **S**

26. The occupier of a slaughterhouse to which poultry from the zone is sent must ensure that the requirements of article 61 are met.

Requirements for poultry meat **S**

27. Poultry meat from poultry originating in the zone is subject to the requirements set out in article 61(3).

28. Poultry meat from poultry originating outside the zone is subject to the requirements set out in article 61(4).

Cleansing and disinfection of vehicles **S**

29. A person who transports any poultry, other captive bird, meat, feed, manure, slurry, litter or any other thing which may be contaminated must cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded, in accordance with article 65.

30. A person who enters or leaves premises by vehicle must cleanse and disinfect any part of the vehicle which may have been contaminated without delay in accordance with article 65.

Access to prohibited places **S**

31. No person shall enter any place the subject of a prohibition notice under article 33 except in accordance with that article.

Veterinary surveillance **S**

32. The Scottish Ministers must ensure that such veterinary surveillance as they consider necessary to monitor for avian influenza are carried out at premises to which things are moved in accordance with this Schedule.

SCHEDULE 5 **S**

Articles 29, 30, 31, 32, 33

Measures in Surveillance Zones

Record keeping and duty to inform the Scottish Ministers of birds' change in health **S**

1. The occupier of any premises must make a record of—
 - (a) the name and address of any person visiting the premises (unless the visit is only to a part of the premises where people live and where no poultry or other captive birds are kept);
 - (b) the date of the visit;
 - (c) whether the person had any contact with poultry or other captive birds on the premises.
2. The occupier of any such premises must keep a record of all poultry entering or leaving those premises.
3. Every person who is engaged in the transport or marketing of poultry or poultry eggs must keep a record of all poultry and poultry eggs transported or marketed by that person.
4. The records referred to in paragraphs (2) and (3) must include—
 - (a) the quantity and description (including species of poultry and type of egg) transported or marketed;
 - (b) in the case of movement from premises—
 - (i) the date of the movement off the premises;
 - (ii) the premises of destination (if known);
 - (iii) the name and address of the person to whom ownership or possession is being or has been transferred;
 - (c) in the case of movement onto premises—

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- (i) the date of the movement on to the premises;
 - (ii) the premises from which the movement originated (if known);
 - (iii) the name and address of the person from whom ownership or possession is being or has been transferred;
 - (d) in the case of marketing without an associated movement, the name and address of the person to whom and the date on which ownership was transferred;
 - (e) the identity and address of any such person.
5. Paragraphs 1 and 3 do not apply to—
- (a) the retail distribution of eggs and movements subsequent to such distribution; or
 - (b) the movement of people to zoos, wildlife parks or (unless required by the Scottish Ministers) any other premises open to the public, provided the public has no access to any area where birds are kept.
6. The occupier of any premises in the surveillance zone must maintain the following records—
- (a) the number or approximate number of poultry (if any) on the premises;
 - (b) the number of poultry falling ill on the premises;
 - (c) the number of poultry dying on the premises;
 - (d) the amount of feed and, where possible, water being consumed by any poultry on the premises;
 - (e) any egg production on the premises.

Restrictions on the movement of poultry, other captive birds and mammals onto and off premises **S**

7.—(1) No person shall move poultry, other captive birds or mammals of domestic species from or to premises within the surveillance zone, unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

- (2) Sub-paragraph (1) does not apply to pet mammals which—
- (a) only have access to a part of the premises where people live;
 - (b) have no contact with poultry or other captive birds on the premises; and
 - (c) have no access to any cages or areas on the premises where poultry or other captive birds are kept.

Biosecurity measures **S**

8. The occupier and any person entering or leaving premises where poultry, other captive birds or eggs are kept must—

- (a) take appropriate biosecurity measures to reduce the risk of the spread of avian influenza to or from the premises; and
- (b) comply with any biosecurity requirements which a veterinary inspector, by notice, imposes.

Litter, poultry manure and slurry **S**

9. No person shall remove from premises in the zone or spread used poultry litter, poultry manure or poultry slurry unless licensed to do so by a veterinary inspector.

Gatherings of poultry **S**

10. No person shall permit any poultry or other captive birds to be collected together at any fair, market, show, exhibition or other gathering.

Release of game **S**

11. No person shall release game birds.

Restrictions on the movement of poultry and eggs within the surveillance zone **S**

12. No person shall move any poultry or eggs [^{F12}into or] within the surveillance zone (other than through the zone by road or rail without stopping), unless licensed to do so by a veterinary inspector.

Textual Amendments

F12 Words in *sch. 5 para. 12* inserted (19.12.2023) by *The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Amendment Order 2023 (S.S.I. 2023/361)*, arts. 1, **2(19)(a)**

13. Paragraph 12 does not apply to the retail distribution of eggs and movements subsequent to such distribution

14. A veterinary inspector must not grant a licence under paragraph 12 unless satisfied that the licensee will take appropriate biosecurity measures at the premises and the taking of these measures must be conditions of the licence.

15. A veterinary inspector may license the transport of poultry from outside the protection and surveillance zones to a designated slaughterhouse within the surveillance zone and subsequent movements of the meat derived from such poultry.

Restrictions on the movement of poultry [^{F13}, carcasses] and eggs out of the surveillance zone **S**

16. No person shall move any poultry [^{F14}, carcasses] or eggs out of the surveillance zone, unless the movement is one of the following and is licensed by a veterinary inspector—

- (a) poultry for slaughter (if the requirements of paragraph 18 and any additional licence conditions are met);
- (b) day-old chicks hatched from eggs originating within the surveillance zone (if the requirements of paragraph 19 and any additional licence conditions are met);
- (c) day-old chicks hatched from eggs originating outside the protection and surveillance zones (if the requirements of paragraph 20 and any additional licence conditions are met);
- (d) ready-to-lay poultry [^{F15}or brood-and-move poultry] to premises, or part of premises, where no poultry are kept if any licence conditions are met;
- (e) hatching eggs from the zone—
 - (i) to a designated hatchery; or
 - (ii) to a designated laboratory or institute for use for scientific, diagnostic or pharmaceutical purposes,(if the requirements of paragraph 21 and any additional licence conditions are met);
- (f) eggs to a designated packing centre (if the requirements of paragraph 22 and any additional licence conditions are met);

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- (g) eggs to premises for the manufacture of egg products (if the requirements of paragraph 23 and any additional licence conditions are met);
- (h) eggs for disposal if any licence conditions are met.
- [^{F16}(i) poultry to a location where veterinary assistance of animals takes place for treatment or return to the premises of origin following such a movement,
- (j) carcasses for disposal or diagnosis if any licence conditions are met.]

Textual Amendments

- F13** Word in sch. 5 para. 16 heading inserted (19.12.2023) by [The Avian Influenza and Influenza of Avian Origin in Mammals \(Scotland\) Amendment Order 2023 \(S.S.I. 2023/361\)](#), arts. 1, **2(19)(b)(i)**
- F14** Word in sch. 5 para. 16 inserted (19.12.2023) by [The Avian Influenza and Influenza of Avian Origin in Mammals \(Scotland\) Amendment Order 2023 \(S.S.I. 2023/361\)](#), arts. 1, **2(19)(b)(ii)**
- F15** Words in sch. 5 para. 16(d) inserted (19.12.2023) by [The Avian Influenza and Influenza of Avian Origin in Mammals \(Scotland\) Amendment Order 2023 \(S.S.I. 2023/361\)](#), arts. 1, **2(19)(b)(iii)**
- F16** Sch. 5 para. 16(i)(j) inserted (19.12.2023) by [The Avian Influenza and Influenza of Avian Origin in Mammals \(Scotland\) Amendment Order 2023 \(S.S.I. 2023/361\)](#), arts. 1, **2(19)(b)(iv)**

17. Paragraph 16 does not apply to the retail distribution of eggs and movements subsequent to such distribution.

Requirements for the transport of poultry from premises in the surveillance zone for immediate slaughter at a designated slaughterhouse **S**

- [^{F17}18. Poultry must not be moved to a designated slaughterhouse unless—
- (a) a veterinary inspector has clinically inspected poultry at the premises no more than 24 hours before the poultry leaves the premises, and
- (b) where the movement is within Great Britain, the appropriate Minister responsible for the designated slaughterhouse has authorised the movement of that poultry.]

Textual Amendments

- F17** Sch. 5 para. 18 substituted (19.12.2023) by [The Avian Influenza and Influenza of Avian Origin in Mammals \(Scotland\) Amendment Order 2023 \(S.S.I. 2023/361\)](#), arts. 1, **2(19)(c)**

Requirements for the movement of day-old chicks hatched from eggs produced within the surveillance zone or from eggs which have had contact with such eggs **S**

19. Day-old chicks must not be moved unless any biosecurity measures laid down by a veterinary inspector are complied with.

Requirements for the movement of day-old chicks hatched from eggs originating outside the protection and surveillance zones **S**

20. Day-old chicks hatched from eggs originating outside the protection and surveillance zones must not be moved unless the hatchery within the zone is operated in such a way that eggs from outside the zone do not come into contact with eggs or day old chicks from within the zone.

Requirements for the movement of hatching eggs from the zone to a designated hatchery, or to a designated laboratory or institute for use for scientific, diagnostic or pharmaceutical purposes **S**

21. Hatching eggs must not be moved from the zone to any hatchery, laboratory or institute unless the eggs and their packaging are disinfected before they leave the premises.

Requirements for the movement of table eggs to a packing centre **S**

22. Table eggs must not be transported to a designated packing centre unless—

^{F18}(a)

(b) any person transporting the eggs complies with any biosecurity measures laid down by a veterinary inspector.

Textual Amendments

F18 Sch. 5 para. 22(a) omitted (4.12.2021) by virtue of [The Avian Influenza \(H5N1 in Birds etc.\) \(Miscellaneous Amendment and Revocation\) \(Scotland\) Order 2021 \(S.S.I. 2021/444\)](#), arts. 1(1), **2(4)**

Requirements for the movement of table eggs to premises for the manufacture of egg products **S**

23. Eggs must not be transported to premises for the manufacture of egg products except in accordance with Chapter XI of Annex II to Regulation (EC) No. 852/2004.

Cleansing and disinfection of vehicles **S**

24. A person who transports any poultry, other captive bird, carcase, feed, manure, slurry, litter or any other thing which may be contaminated must cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded in accordance with article 65.

25. A person who enters or leaves premises by vehicle must, without delay, cleanse and disinfect any part of the vehicle which may have been contaminated in accordance with article 65.

SCHEDULE 6 **S**

Article 46

PART 1 **S**

Measures on premises where low pathogenic avian influenza is confirmed

Record of poultry, other captive birds and mammals **S**

1. The occupier must make and update daily a record of poultry, other captive birds and mammals of domestic species on the premises showing, for each species the number or approximate number—

- (a) alive;
- (b) which have died;
- (c) which show clinical signs of avian influenza;
- (d) which are likely to be infected;

- (e) born or hatched.

Housing or isolation of poultry and other captive birds S

- 2.—(1) The occupier must ensure that poultry and other captive birds are—
- (a) housed; or
 - (b) kept isolated (if, in the view of a veterinary inspector, housing is impractical or would adversely affect the birds' welfare to a significant degree).
- (2) The occupier must take all reasonable steps to minimise contact with wild birds, in accordance with a veterinary inspector's instructions.

Prohibition on movement of poultry and other captive birds to and from the premises S

3. No person shall move any poultry or other captive birds to or from the premises, unless licensed by a veterinary inspector.

Movement of poultry or other captive bird to a slaughterhouse S

4. No person shall move any poultry or other captive bird to a slaughterhouse unless—
- (a) the slaughterhouse is a designated slaughterhouse;
 - (b) the birds are sent directly to the slaughterhouse; and
 - (c) they are transported in vehicles sealed by a veterinary inspector or in accordance with the instructions of a veterinary inspector.
5. No person shall remove the seal on a vehicle transporting birds to a slaughterhouse until the vehicle has arrived at the slaughterhouse.
6. Any person who transports any bird or any thing which may be contaminated must, as soon as the bird or thing is unloaded, cleanse and disinfect the vehicle and any equipment used for transportation in accordance with article 65.

Prohibition on the movement of people, mammals and vehicles and equipment to and from premises S

- 7.—(1) No person shall move to or from the premises unless the movement is licensed by a veterinary inspector.
- (2) No person shall move any mammal of domestic species, vehicle or equipment to or from the premises unless the movement is licensed by an inspector or veterinary inspector.
- (3) Paragraph (2) does not apply to pet animals which—
- (a) only have access to a part of the premises where people live;
 - (b) have no contact with poultry or other captive birds on the premises; and
 - (c) have no access to any cages or areas on the premises where poultry or other captive birds are kept.

Restrictions on the movement of eggs S

8. No person shall move any eggs from the premises unless licensed to do so under article 47.

Disposal of carcasses **S**

9. The occupier must ensure that carcasses are disposed of as soon as possible in accordance with a veterinary inspector's instructions unless he licenses their use for diagnosis of disease.

Disposal of hatching eggs **S**

10. The occupier must (subject to paragraph 12) ensure that hatching eggs on the premises not seized by a veterinary inspector are disposed of in accordance with a veterinary inspector's instructions.

11. A veterinary inspector may direct, on special category premises, that hatching eggs are not disposed of, where the veterinary inspector considers that to do so would not endanger disease control in which case the occupier must comply with any requirements imposed under article 47.

Tracing of hatching eggs and of poultry from such eggs **S**

12. The occupier must give all reasonable assistance to a veterinary inspector in the tracing of hatching eggs (and of poultry from such eggs).

Manure, slurry and bedding **S**

13. The occupier of the premises must ensure that manure, slurry and bedding which may be contaminated are treated in accordance article 65.

Cleansing and disinfection **S**

14. The occupier must cleanse and disinfect the premises in accordance with article 64 after all poultry or other captive birds on the premises have been killed or moved from the premises to a slaughterhouse.

Other material which may be contaminated **S**

15. The occupier of the premises must ensure that any other material or substance which may be contaminated is treated in accordance with a veterinary inspector's instructions or disposed of.

Killing and seizure **S**

16. The occupier must give all reasonable assistance to any person exercising a duty relating to the killing of poultry or other captive birds under regulation 4 of the Regulations or under paragraph 5 of Schedule 3 to the Act or to the seizure of any thing seized under the Diseases of Animals (Seizure) Order 1993 ^{M3}.

Marginal Citations

M3 [S.I. 1993/1685](#).

Disinfection at entrances and exits **S**

17. The occupier must, in accordance with an inspector's instructions, provide and maintain means of disinfection at the entrances and exits of the premises and of buildings housing poultry or other captive birds ^{M4}.

Marginal Citations

- M4** Disinfectants approved for use under this Order are set out in the Schedules to the Diseases of Animals (Approved Disinfectants) Order 1978 (S.I. 1978/32, amended by S.I. 1999/919).

PART 2 S**Criteria to be considered by the Scottish Ministers before permitting movements from premises where low pathogenic avian influenza has been confirmed**

18. The criteria to be considered by the Scottish Ministers before permitting movements from premises where low pathogenic avian influenza has been confirmed include—

- (a) the species of birds on the premises;
- (b) the number of premises which they know to contain poultry or other captive birds in the area around the premises;
- (c) the location of slaughterhouses, hatcheries and packing centres to which poultry and eggs could be moved;
- (d) biosecurity measures already in place or which could be applied at the premises, during movement and during slaughter;
- (e) possible routes on which things could be moved;
- (f) any evidence of disease spread;
- (g) any risk to human health;
- (h) any treatment procedures which could be applied to any thing to be moved
- (i) socio-economic and other impacts.

SCHEDULE 7 S

Article 55

Measures in a low pathogenic avian influenza restricted zone**Restrictions on the movement of poultry, other captive birds and mammals onto and off premises S**

1.—(1) No person shall (subject to sub-paragraph (2)) move poultry, other captive birds or mammals from or to premises within the restricted zone unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

(2) Paragraph (1) does not apply to pet animals which—

- (a) only have access to a part of the premises where people live;
- (b) have no contact with poultry or other captive birds on the premises; and
- (c) have no access to any cages or areas on the premises where poultry or other captive birds are kept.

Biosecurity measures S

2. The occupier and any person entering or leaving premises where poultry or other captive birds are kept must—

- (a) take appropriate biosecurity measures to reduce the risk of the spread of avian influenza to or from the premises; and
- (b) comply with any biosecurity requirements which a veterinary inspector, by notice, imposes.

Litter, poultry manure and slurry S

3. No person shall remove from premises in the zone or spread used poultry litter, poultry manure or poultry slurry unless licensed to do so by a veterinary inspector.

Gatherings of poultry S

4. No person shall permit any poultry or other captive birds to be collected together at any fair, market, show, exhibition or other gathering, unless licensed by a veterinary inspector.

Release of game S

5. No person shall release game birds.

Restrictions on the movement of poultry, other captive birds and eggs within the zone S

6. No person shall move any poultry, other captive birds or eggs within the zone (other than through the zone by road or rail without stopping), unless licensed to do so by a veterinary inspector or an inspector at the direction of a veterinary inspector.

Restrictions on the movement of poultry, other captive birds and eggs out of the zone S

7. No person shall move any poultry, other captive birds or eggs out of the zone, unless the movement is one of the following and is licensed by a veterinary inspector—

- (a) poultry for slaughter at a designated slaughterhouse (if any licence conditions are met);
- (b) poultry to premises, or part of premises, where no poultry are kept (if any licence conditions are met);
- (c) day-old chicks from eggs originating within the zone or from eggs which have come into contact with such eggs (if any licence conditions are met);
- (d) day-old chicks from eggs originating outside the zone (if the hatchery is operated in such a way that such chicks and eggs are kept separate from day old chicks and eggs originating in the zone and if any licence conditions are met);
- (e) hatching eggs to a designated hatchery if the eggs and their packaging are disinfected before dispatch and if any licence conditions are met;
- (f) eggs to a designated packing centre ^{F19}... in accordance with biosecurity requirements specified by a veterinary inspector (if any licence conditions are met);
- (g) eggs to premises inside or outside the zone for the manufacture of egg products (if any licence conditions are met);
- (h) eggs for disposal (if any licence conditions are met).

Textual Amendments

F19 Words in sch. 7 para. 7(f) omitted (4.12.2021) by virtue of [The Avian Influenza \(H5N1 in Birds etc.\) \(Miscellaneous Amendment and Revocation\) \(Scotland\) Order 2021 \(S.S.I. 2021/444\)](#), arts. 1(1), **2(5)**

Changes to legislation: There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006. (See end of Document for details)

8. Paragraphs 6 and 7 do not apply to the retail distribution of table eggs and movements subsequent to such distribution.

Requirements for the movement of hatching eggs from the zone to a designated hatchery or a designated laboratory or institute for use for scientific, diagnostic or pharmaceutical purposes **S**

9. Hatching eggs must not be moved from the zone to any hatchery, laboratory or institute unless—
- (a) a veterinary inspector does not suspect avian influenza in the flocks from which the eggs derive;
 - (b) the eggs and their packaging are disinfected before dispatch; and
 - (c) the eggs are transported in vehicles sealed by a veterinary inspector or in accordance with the veterinary inspector's instructions.

Carcases **S**

10. The occupier of any premises within the zone must ensure that carcasses are disposed of in accordance with a veterinary inspector's instructions unless the veterinary inspector licenses their use for the diagnosis of disease.

Cleansing and disinfection of vehicles **S**

11. A person who transports any poultry, other captive bird, meat, feed, manure, slurry, litter or any other thing which may be contaminated must cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded in accordance with article 65.

Changes to legislation:

There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006.