
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 158

The Products of Animal Origin (Disease Control) (Scotland) Order 2008

PART 1

Introduction

Citation, commencement and extent

1.—(1) This Order may be cited as the Products of Animal Origin (Disease Control) (Scotland) Order 2008 and comes into force on 12th May 2008.

(2) This Order extends to Scotland only.

Interpretation: general

2. In this Order—

“the Act” means the Animal Health Act 1981;

“disease legislation” means any of the legislation listed in Schedule 1;

“establishment” means a slaughterhouse or a game handling establishment;

“game handling establishment” means an establishment where the preparation of wild game carcasses takes place;

“meat” means any part of the carcase of any animal or poultry intended for human consumption, and includes a product resulting from the processing of meat from that animal or poultry or a product resulting from the further processing of such processed meat product;

“occupier” means, in relation to any premises or establishment, the person in charge of those premises or that establishment;

“premises” means any land, building, plant or place in business use, other than a slaughterhouse or game handling establishment;

“relevant date” means the date disease was confirmed at infected premises or at an establishment or the date of earliest infection where the Scottish Ministers specify such a date;

“slaughter” means killing for the production of food for human consumption but does not include killing wild game;

“slaughterhouse” means an establishment where the slaughter and dressing of any animal or poultry takes place;

“supply” means supply to the final consumer or to a person who then supplies to the final consumer and includes consignment for sale;

“treatment centre” means premises designated under article 6 for the purpose of subjecting meat to a treatment listed in Schedule 2;

“vehicle” includes—

- (a) a trailer, semi trailer or other thing designed or adapted to be towed by another vehicle;
 - (b) a detachable part of any vehicle;
 - (c) a container or other structure designed or adapted to be carried on a vehicle; and
- “wild game” means a wild animal or bird which is hunted for human consumption.

Disease, poultry and animals: definitions, and extensions of meaning

3.—(1) In this Order—

“disease” means classical swine fever, African swine fever, swine vesicular disease, rinderpest, sheep and goat plague or Newcastle disease; and

“poultry” means all species of birds reared or kept in captivity for the—

- (a) production of meat or eggs for human consumption;
- (b) production of other commercial products for human consumption;
- (c) restocking of supplies of game; or
- (d) purposes of any breeding programme for the production of those categories of birds.

(2) The definition of “disease” in section 88(1) of the Act is extended to include swine vesicular disease for all of the purposes of that Act.

(3) The definition of “animals” in section 87(1) of the Act is extended for all of the purposes of that Act in its application to this Order so as to comprise any kind of mammal except man.

Restricted animal, restricted poultry and restricted meat: definitions

4.—(1) In this Order the definitions in paragraphs (2) to (9) apply.

(2) A “restricted animal” is an animal which is—

- (a) at, in or from—
 - (i) suspect premises;
 - (ii) an establishment where a disease is suspected;
 - (iii) infected premises;
 - (iv) an establishment where a disease is confirmed;
 - (v) an infected area;
 - (vi) a protection zone; or
 - (vii) a surveillance zone; and
- (b) of a species susceptible to the disease in respect of which restrictions have been imposed under disease legislation.

(3) “Restricted poultry” is poultry which is at, in or from any of the following declared or notified under the Diseases of Poultry (Scotland) Order 2003(1)—

- (a) suspect premises;
- (b) a slaughterhouse where a disease is suspected;
- (c) infected premises;
- (d) a slaughterhouse where a disease is confirmed;
- (e) an infected area;
- (f) a protection zone; or

(g) a surveillance zone.

(4) “Suspect premises” are premises where movement restrictions are in place under disease legislation because a disease is suspected there.

(5) “Infected premises” are premises where a disease has been confirmed under disease legislation.

(6) An “infected area” is an area of this name declared by the Scottish Ministers under disease legislation following confirmation of a disease.

(7) A “protection zone” is an area of this name declared by the Scottish Ministers under disease legislation following confirmation of a disease.

(8) A “surveillance zone” is an area of this name declared by the Scottish Ministers under disease legislation following confirmation of a disease.

(9) “Restricted meat” is meat produced on or after the relevant date from a restricted animal or restricted poultry from an infected area, a protection zone or a surveillance zone that has not been treated in accordance with Schedule 2 at a designated treatment centre, and includes meat that has come into contact with such meat.

Notices

5. Notices under this Order—

- (a) must be in writing; and
- (b) may be amended, suspended or revoked, by further notice, at any time.

Designation of premises, slaughterhouses and game handling establishments

6.—(1) The Scottish Ministers may designate any premises or establishment for the purposes of slaughtering animals or poultry, or cutting, preparing, processing, packing, wrapping, storage or treatment of meat.

(2) Designations under this Order—

- (a) must be in writing;
- (b) may be subject to conditions; and
- (c) may be amended, suspended or revoked by notice at any time.

(3) Premises and establishments designated by the Secretary of State, the Welsh Ministers or the Department for Agriculture and Rural Development of Northern Ireland for the same purposes as they may be designated under this Order are designated premises or establishments for the purposes of this Order.

(4) In this Order, “designated” refers to premises and establishments which are designated under this article.

Restrictions relating to movements from England, Wales or Northern Ireland

7.—(1) Unless the Scottish Ministers direct otherwise in writing, measures in this Order applying in respect of anything moved from any of the premises, establishments, areas or zones referred to in article 4 also apply in respect of such a movement from any equivalent premises, establishment, area or zone in England, Wales or Northern Ireland.

(2) This article only applies if the person to whom the measure applies is aware or should reasonably have been aware that the movement is from such premises, establishment, area or zone.

Status: *This is the original version (as it was originally made).*
