
STATUTORY INSTRUMENTS

2006 No. 182

The Foot-and-Mouth Disease (England) Order 2006

PART 1

Introduction

Interpretation

2.—(1) In this Order—

“the Act” means the Animal Health Act 1981;

[^{F1}“alert exercise” means a simulation of an emergency situation designed to test contingency plans;]

“animal gathering” means an event at which animals are brought together, including a market, show or fair, but not any occasion at which animals are brought together on the premises on which they are kept;

“animal product” means anything originating or made (whether in whole or in part) from an animal or from a carcase;

“associated protection zone” means, in relation to a surveillance zone, the protection zone centred on the same premises as that surveillance zone;

“border inspection post” means, except in article 32, a place specified as a border inspection post in Schedule 2 to the Animals and Animal Products (Import and Export) (England) Regulations 2005⁽¹⁾;

“bovine animal” includes buffalo and bison;

“Chief Veterinary Officer” means the Chief Veterinary Officer of the Department;

“collecting centre” means premises used for the intermediate reception of animals intended to be moved elsewhere;

“contact premises” means any premises declared to be contact premises under article 14(2);

“contaminated” means directly or indirectly exposed to disease and “contamination” shall be construed accordingly;

“the Department” means the Department for Environment, Food and Rural Affairs;

“the Directive” means Council Directive [2003/85/EC](#) on Community measures for the control of foot-and-mouth disease repealing Directive [85/511/EEC](#) and Decisions [89/531/EEC](#) and [91/665/EEC](#) and amending Directive [92/46/EEC](#)⁽²⁾[^{F2}, as last amended by [Commission Implementing Decision \(EU\) 2018/1099](#)];

“disease” means foot-and-mouth disease;

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(1) S.I.2005/2002.

(2) OJ No. L306, 22.11.2003, p1.

“free unit” means a separate production unit declared to be a free unit under sub-paragraph 2A(6) of Schedule 3 to the Act or under article 13;

“fresh meat” means meat (including offal) that has not undergone any preserving process other than chilling, freezing or quick-freezing, including meat that is vacuum wrapped or wrapped in a controlled atmosphere;

“health marked” means bearing the health mark [^{F4}as defined in Article 3(51) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products];

“identification marked” means bearing the identification mark required by article 5(1) of Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin⁽³⁾ and “identification mark” shall be construed accordingly;

“incubation period” means—

- (a) for cattle, pigs and other bovine animals and swine, 14 days; and
- (b) for other susceptible animals, 21 days;

“infected” means affected with disease and “infection” shall be construed accordingly;

“infected premises” means any premises declared to be infected premises under article 12(12);

“infection date” means, in respect of any premises, the date confirmed by the Chief Veterinary Officer under article 12(10) as the earliest date disease was present there;

“keeper” means any person responsible for animals, whether on a permanent or temporary basis, but does not include a person who is responsible for animals solely because he is transporting them;

“meat preparation” means fresh meat, including meat that has been reduced to fragments, which has had foodstuffs, seasonings or additives added to it or which has undergone processes insufficient to modify the internal muscle fibre structure of the meat and thus to eliminate the characteristics of fresh meat;

“meat product” means a processed product resulting from the processing of meat or from the further processing of such processed products, so that the cut surface shows that the product no longer has the characteristics of fresh meat;

“mechanically separated meat” means the product obtained by removing meat from flesh-bearing bones after boning, using mechanical means resulting in the loss or modification of the muscle fibre structure;

“milk” includes cream, separated milk, skimmed milk and buttermilk;

“milk product” includes butter, cheese, yoghurt, whey and any other product the main constituent of which is milk;

“minced meat” means boned meat that has been minced into fragments and contains less than 1% salt;

[^{F5}“national accreditation standard” means a standard recognised by the National Accreditation Body for the United Kingdom (UKAS);

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“national reference laboratory” means a laboratory responsible for coordinating standards and methods of diagnosis in the United Kingdom in accordance with the OIE manual;]

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

(3) OJ No. L139, 30.4.2004, p55. The revised text of the Regulation is contained in a corrigendum (OJ No. L226, 25.6.2004, p22).

[^{F7}“OIE manual” means Manual of Diagnostic Tests and Vaccines for Terrestrial Animals(2);
“overstamped” means, in relation to a health marked or identification marked item, bearing an additional diagonal cross consisting of two straight lines intersecting at the centre of the health mark or identification mark and allowing the information there to remain legible (whether or not that additional cross is applied by the same stamp as the mark);

“premises” includes any land, building or other place;

“protection zone” means a protection zone declared under article 31(1), 31(3), 32(1) or 32(2);

“public highway” means a highway maintainable at the public expense;

“raw milk” means milk that has not been heated to more than 40°C or undergone any treatment that has an equivalent effect;

[^{F8}“Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation) [^{F9}, as last amended by Council Regulation (EU) 1385/2013];

“Regulation (EU) No. 142/2011” means Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive [^{F10}, as last amended by Commission Regulation (EU) 2017/1262];

“restricted zone” means a restricted zone declared under article 38(1) or 38(2);

“sell” means sell to the final consumer or user and “sale” in the expression “consign for sale” shall be construed accordingly;

“slaughterhouse” means an establishment used for slaughtering and dressing animals, the meat of which is intended for human consumption and which—

- (a) is approved or conditionally approved [^{F11}in accordance with Regulation EU 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products], or
- (b) although lacking the approval or conditional approval that it requires under article 4(3) of Regulation (EC) No. 853/2004 was, on 31st December 2005, operating as a licensed slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995(4) or the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995(5);

“supplementary movement control zone” means a supplementary movement control zone declared under article 19(1);

“surveillance zone” means a surveillance zone declared under article 31(1), 31(3), 32(1) or 32(2);

“susceptible animal” means a cow, bull, sheep, goat, deer, camel, llama, alpaca, guanaco, vicuña, any other ruminant, any swine (that is, a member of the suborder *Suina* of the order *Artiodactyla*), elephant or rodent (other than a pet rodent);

(2) OJ No. L306, 22.11.2003, p1.

(4) S.I. 1995/539, revoked in England by S.I. 2005/2059, in Scotland by S.S.I. 2005/505 and in Wales by S.I. 2005/3292.

(5) S.I. 1995/540, revoked in England by S.I. 2005/2059, in Scotland by S.S.I. 2005/505 and in Wales by S.I. 2005/3292.

“suspected of being infected” means exhibiting clinical symptoms or showing post-mortem lesions or reactions to laboratory tests such that the presence of disease may reasonably be suspected;

“suspect premises” means any premises declared to be suspect premises under article 12(7) or 14(1);

“temporary control zone” means a temporary control zone declared under article 16(1);

“used litter” means any substance which has been used for the bedding of animals;

“vaccination surveillance zone” means a vaccination surveillance zone declared under regulation 12(1), 13(2) or 13(3) of the Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2006⁽⁶⁾;

“vaccination zone” means a vaccination zone declared under regulation 12(1) of the Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2006;

“vehicle” includes—

- (a) a trailer, semi-trailer or other thing which is designed or adapted to be towed by another vehicle,
- (b) a detachable part of a vehicle,
- (c) a container or other structure designed or adapted to be carried by or on a vehicle;

“wild animal infected zone” means a wild animal infected zone declared under article 40(1).

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(2) References in this Order to “emergency slaughter” mean slaughter of animals which are not suspected of infection or contamination and are not on infected premises, where an inspector considers that the circumstances require urgent slaughter (including slaughter for welfare reasons).

(3) References in this Order to “susceptible animals originating in”, in respect of a protection zone or surveillance zone or “susceptible animals originating on”, in respect of infected premises mean—

- (a) susceptible animals kept in the protection zone or surveillance zone (after the declaration of the zone) or on the infected premises, as the case may be; and
- (b) susceptible animals which were kept within the boundaries of the protection zone or surveillance zone or on the infected premises at any time during the period—
 - (i) beginning 21 days before the following date—
 - (aa) in the case of a protection zone, the earliest infection date on premises there,
 - (bb) in the case of a surveillance zone, the earliest infection date on premises in the associated protection zone,
 - (cc) in the case of infected premises, the infection date; and
 - (ii) ending with the declaration of the protection zone, surveillance zone or infected premises, as the case may be.

(4) References in this Order to “susceptible animals originating in”, in respect of a vaccination zone or temporary control zone or “susceptible animals originating on”, in respect of suspect premises or contact premises mean—

- (a) susceptible animals kept in the vaccination zone or temporary control zone (after the declaration of the zone) or on the suspect premises or contact premises, as the case may be; and

(6) S.I. 2006/183.

- (b) susceptible animals which were kept within the boundaries of the vaccination zone or temporary control zone or on the suspect premises or contact premises at any time during the period—
- (i) beginning 21 days before the declaration of the vaccination zone or temporary control zone or suspect premises or contact premises, as the case may be, and
 - (ii) ending with that declaration.

Textual Amendments

- F1** Words in art. 2 inserted (21.12.2021) by [The Exotic Animal Disease \(Amendment\) \(England\) Order 2021 \(S.I. 2021/1472\)](#), arts. 1(1), **2(2)(a)**
- F2** Words in art. 2 inserted (29.3.2019) by [The Environment, Food and Rural Affairs \(Miscellaneous Amendments etc.\) Regulations 2019 \(S.I. 2019/526\)](#), regs. 1(2), **11(a)**
- F3** Words in art. 2(1) revoked (1.11.2009) by [Animal Health \(Divisional Veterinary Managers\) Order 2009 \(S.I. 2009/2713\)](#), arts. 1, 2(2), **Sch. 2**
- F4** Words in art. 2(1) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) Regulations 2019 \(S.I. 2019/1488\)](#), regs. 1(1), **18(2)(a)**
- F5** Words in art. 2 inserted (21.12.2021) by [The Exotic Animal Disease \(Amendment\) \(England\) Order 2021 \(S.I. 2021/1472\)](#), arts. 1(1), **2(2)(b)**
- F6** Words in art. 2(1) omitted (20.12.2023) by virtue of [The Exotic Disease \(Amendment\) \(England\) Order 2023 \(S.I. 2023/1415\)](#), arts. 1(1), **3(2)**
- F7** Words in art. 2 inserted (21.12.2021) by [The Exotic Animal Disease \(Amendment\) \(England\) Order 2021 \(S.I. 2021/1472\)](#), arts. 1(1), **2(2)(c)**
- F8** Words in art. 2(1) inserted (23.3.2011) by [The Animal By-Products \(Enforcement\) \(England\) Regulations 2011 \(S.I. 2011/881\)](#), reg. 1, **Sch. 2 para. 8(2)**; and words in art. 2(1) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Animal By-Products \(Enforcement\) \(England\) Regulations 2013 \(S.I. 2013/2952\)](#), reg. 1(2), Sch. 2 para. 2(2) (SI 2011/881, Sch 2 para 8(2) revoked (12.12.2013) by SI 2013/2952, reg. 28(d))
- F9** Words in art. 2 inserted (29.3.2019) by [The Environment, Food and Rural Affairs \(Miscellaneous Amendments etc.\) Regulations 2019 \(S.I. 2019/526\)](#), regs. 1(2), **11(b)**
- F10** Words in art. 2 inserted (29.3.2019) by [The Environment, Food and Rural Affairs \(Miscellaneous Amendments etc.\) Regulations 2019 \(S.I. 2019/526\)](#), regs. 1(2), **11(c)**
- F11** Words in art. 2(1) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) Regulations 2019 \(S.I. 2019/1488\)](#), regs. 1(1), **18(2)(b)**
- F12** Words in art. 2(1) omitted (27.10.2022) by virtue of [The Exotic Animal Disease \(Amendment\) \(England\) Order 2022 \(S.I. 2022/1108\)](#), arts. 1(1), **3(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Foot-and-Mouth Disease (England) Order 2006, Section 2.