

SCHEDULE 5

Measures applicable in respect of protection zones and surveillance zones

PART 1

Measures applicable in respect of both protection zones and surveillance zones

Record keeping in protection zones and surveillance zones

1.—(1) The occupier of every premises in a protection zone or surveillance zone where susceptible animals are kept shall create and maintain the following records in respect of the premises—

- (a) the number of each species of animal kept;
- (b) for each species of susceptible animal, the number of dead, the number suspected of being infected and the number suspected of being contaminated;
- (c) the stock of milk, milk products, meat, meat products, carcasses, hides and skins, wool, semen, embryos, ova, slurry, manure, fodder and used litter.

(2) Records shall be kept in a form approved for the purpose by the Secretary of State.

(3) The occupier shall maintain the records kept under sub-paragraphs (1)(a) and (1)(b) by updating them within 24 hours of any change.

Straying of susceptible animals

2.—(1) The keeper of a susceptible animal in a protection zone or surveillance zone shall take all such steps as are necessary to prevent it from straying from the premises on which it is kept.

(2) An inspector may detain any stray or feral susceptible animal found in a protection zone or a surveillance zone.

Control of dogs and poultry in protection zones and surveillance zones

3.—(1) The owner of any dog in a protection zone or surveillance zone shall keep it under control by—

- (a) confining it in a dwellinghouse, kennel or other enclosure;
- (b) securing it to a fixed object by a collar and chain; or
- (c) accompanying it or ensuring that it is accompanied by a responsible person.

(2) An inspector may seize any dog which is not kept under control in accordance with sub-paragraph (1) and deal with it as if it was a dog seized under the powers conferred by section 149 of the Environmental Protection Act 1990⁽¹⁾.

(3) An inspector may, if he considers any dog or poultry not to be under control, by notice served on the occupier of the premises where it is kept require him to keep that dog or poultry under control, or to confine it to the part of the premises specified in the notice.

Shearing or dipping sheep in a protection or surveillance zone

4.—(1) Subject to sub-paragraph (2), no person shall—

(1) 1990, c. 43.

Status: This is the original version (as it was originally made).

- (a) shear or dip sheep; or
- (b) handle fleeces or sheep during shearing or dipping,

in a protection zone or surveillance zone except under the authority of a licence granted by an inspector.

(2) The prohibition in sub-paragraph (1) does not apply to the occupier of any premises or his employees (other than any person employed by him primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.

- (3) In this article—
 - (a) “shearing” includes clipping and dagging; and
 - (b) “dipping” includes showering and jetting sheep with sheep dip.

Ultrasound scanning of sheep in a protection or surveillance zone

5.—(1) Subject to sub-paragraph (2), no person shall carry out ultrasound scanning of sheep in a protection zone or surveillance zone except under the authority of a licence granted by an inspector.

(2) The prohibition in sub-paragraph (1) does not apply to the occupier of any premises or his employees (other than any person employed by him primarily for the purpose of carrying out ultrasound scanning of sheep) in respect of the carrying out of ultrasound scanning of sheep kept on those premises using ultrasound scanning equipment of which the occupier is the owner or person in charge.

Semen, ova and embryos collected in a protection or surveillance zone

6.—(1) This paragraph applies to semen, ova and embryos collected from susceptible animals originating in a protection zone or surveillance zone.

- (2) No person shall sell or consign for sale—
 - (a) any ova or embryos unless they comply with sub-paragraph (3); or
 - (b) any semen unless it complies with sub-paragraph (3) or (4).

(3) Semen, ova and embryos comply with this sub-paragraph if they satisfy the following requirements—

- (a) they are frozen;
- (b) they were collected and stored more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone;
- (c) they have at all times been stored separately from semen, ova and embryos which were not so collected and stored.

(4) Semen complies with this sub-paragraph if it satisfies the following requirements—

- (a) it is frozen;
- (b) it was collected and stored 21 or fewer days before the earliest infection date in the protection zone (in the case of a surveillance zone, the associated protection zone) or on or after that infection date;
- (c) it was at all times stored separately from semen which was not so collected and stored;
- (d) it is not sold or consigned for sale until the premises on which it was collected is no longer in a protection zone or surveillance zone;
- (e) a veterinary inspector certifies by notice served on the owner of the semen that he has—
 - (i) clinically examined all susceptible animals on the premises on which it was collected,

- (ii) subjected a serological sample from each such animal to a test for disease with a negative result, and
- (iii) subjected a serological sample taken from the donor animal 28 days or more after collection of the semen to a test for the detection of antibodies against disease with a negative result.

Hides and skins of susceptible animals originating in a protection or surveillance zone

7.—(1) This paragraph applies to hides and skins of susceptible animals originating in a protection zone or surveillance zone.

(2) No person shall sell or consign for sale any animal product to which this paragraph applies unless either—

- (a) it was—
 - (i) produced more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone, and
 - (ii) at all times stored separately from hides and skins which were not so produced; or
- (b) it has been treated so that it falls within paragraph 2 of Schedule 6.

Wool, ruminant hair and pig bristles from animals originating in a protection or surveillance zone

8.—(1) This paragraph applies to wool, ruminant hair and pig bristles from animals originating in a protection zone or a surveillance zone.

(2) No person shall sell or consign for sale any animal product to which this paragraph applies unless either—

- (a) it was—
 - (i) produced more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone; and
 - (ii) at all times was stored separately from wool, ruminant hair and pig bristles which were not so produced; or
- (b) it has been treated so that it falls within paragraph 3 of Schedule 6.

Other animal products produced in a protection zone or a surveillance zone or from animals originating in such a zone

9.—(1) This paragraph applies to any animal product other than—

- (a) fresh meat, minced meat, mechanically separated meat or any meat preparation;
- (b) milk or any milk product;
- (c) any semen, ovum or embryo;
- (d) any hide or skin; or
- (e) any wool, ruminant hair or pig bristles,

if it is produced in a protection zone or surveillance zone from susceptible animals, or from susceptible animals originating in a protection zone or surveillance zone.

(2) No person shall sell or consign for sale an animal product to which this paragraph applies unless it satisfies one of the following requirements—

- (a) it was—

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

- (i) produced more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone, and
 - (ii) at all times stored and transported separately from animal products not so produced;
- (b) it has been treated so that it falls within paragraph 4 of Schedule 6;
- (c) where it is referred to in one of paragraphs 5 to 9 of Schedule 6, it has been treated so that it falls within that paragraph;
- (d) it forms part of a composite product (that is, a manufactured or processed product containing more than one ingredient at least one of which is an animal product) and each ingredient which is an animal product—
 - (i) is referred to in a paragraph of Schedule 6 and has been treated so that it falls within that paragraph (either before manufacturing or processing, or as part of the composite product), or
 - (ii) was not produced from susceptible animals originating on infected premises, suspect premises or contact premises or in a temporary control zone, protection zone, surveillance zone or vaccination zone;
- (e) it is a packaged product ready for use—
 - (i) as a reagent, reagent product, calibrator, kit or any other system (whether used alone or in combination);
 - (ii) in vitro for the examination of samples of human or animal origin (with the exception of donated organs or blood); and
 - (iii) solely or principally with a view to the diagnosis of a physiological state, state of health, disease or genetic abnormality or to determine safety and compatibility with reagents.