

This Statutory Instrument has been printed in substitution of the SI of the same number and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2007 No. 642

ANIMALS, ENGLAND

ANIMAL HEALTH

The Pigs (Records, Identification and Movement) Order 2007

Made - - - - *21st February 2007*

Coming into force - - *6th April 2007*

The Secretary of State, in exercise of the powers conferred upon him by sections 1 and 8(1) of the Animal Health Act 1981(1), makes the following Order.

PART 1

Introduction

Title, application and commencement

1. This Order may be cited as the Pigs (Records, Identification and Movement) Order 2007; it applies in England and comes into force on 6th April 2007.

Interpretation

2. In this Order—

“herdmark” has the meaning given in article 4(2);

“holding” means any establishment, construction or, in the case of an open air farm, any place in which pigs are held, kept or handled;

“keeper” means any person having care and control of pigs, whether on a temporary or permanent basis, but does not include a person who only transports pigs.

(1) 1981 c. 22. Functions conferred under the 1981 Act on “the Ministers” (as defined in section 86 of that Act) were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) and were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

Notifications, etc.

3. Any notification, licence, authorisation or approval under this Order must be in writing, may be subject to conditions and may be suspended, amended or revoked in writing at any time.

PART 2

Records

Notification of holdings

4.—(1) An occupier of a holding who begins to keep pigs on that holding, and any person who takes over the occupation of a holding where pigs are kept, must notify the Secretary of State within one month of—

- (a) his name and address; and
- (b) the address of the holding.

(2) When he receives notification under paragraph (1) the Secretary of State must issue an alphanumeric code for each herd of pigs on the holding (the “herdmark”).

(3) The occupier must notify the Secretary of State of any change to the information in paragraph (1) within one month.

Records

5.—(1) Within 36 hours of the movement of a pig on or off a holding, the keeper must complete the form in the Schedule.

- (2) At least once a year he must record the maximum number of pigs normally on the holding.
- (3) He must keep the records for at least 6 years.

PART 3

Identification

Ear tags and tattoos

6.—(1) An ear tag must be—

- (a) easy to read during the pig’s lifetime;
- (b) made of either metal or plastic or a combination of metal and plastic;
- (c) tamper-resistant;
- (d) incapable of re-use;
- (e) sufficiently heat-resistant that neither the ear tag nor the information printed or stamped on it can be damaged by the processing of the carcass following slaughter;
- (f) designed to remain attached to the pig without harming it.

(2) A tattoo must be applied either by tattoo forceps, in which case it must be on an ear, or by slap-marking equipment, in which case it must be on each shoulder.

(3) A keeper may mark a pig with any further information, or add further information to the ear tag or tattoo provided that the further information is clearly distinguished from the information required under this Order.

Identification of pigs moved off a holding

- 7.—(1) No person may move a pig off a holding unless it has—
- (a) an ear tag with the letters “UK” followed by the herdmark of the holding from which it is being moved; or
 - (b) a tattoo showing that herdmark (with or without the letters “UK”).
- (2) In the case of a market—
- (a) the pig may be moved off if it is marked with the herdmark of the holding from which it arrived;
 - (b) if the pig is not correctly identified when it arrives at a market, a keeper may correct the identification so that it is identified with the holding from which it arrived, but if he does not do so it may only be returned to the holding it came from.

Exception for a pig less than one year old

- 8.—(1) Article 7 does not apply in relation to a pig less than one year old provided that it is identified with a temporary mark that—
- (a) either by itself or by reference to a document accompanying the pig during the movement, enables the holding from which the pig was last moved to be identified; and
 - (b) lasts until the pig reaches its destination.
- (2) This exception does not apply in relation to a pig being moved—
- (a) to a market;
 - (b) to a slaughterhouse;
 - (c) for the purposes of intra-Community trade or export; or
 - (d) to a show, etc. in accordance with article 10.

Additional requirements for export

9. No person may move a pig off a holding for the purposes of intra-Community trade or export unless it has an ear tag or tattoo with the letters “UK” followed by a herdmark and a unique individual identification number.

Additional requirements for movements of pigs to shows, etc.

10. No person may move a pig off a holding—
- (a) to a show or exhibition; or
 - (b) for breeding purposes with the intention of returning the pig to the holding from which it was moved,

unless it is marked in accordance with article 7 and, in addition, with an identification mark that includes a unique individual identification number.

Identification of pigs moved on to a holding from outside the European Union

- 11.—(1) Any person importing a pig from outside the European Union must apply an ear tag or a tattoo to the pig containing the following information, in the following order—
- (a) the letters “UK”;
 - (b) the herdmark of the herd into which the imported pig is introduced;
 - (c) any other information, if the keeper wishes to apply such information; and

(d) the letter “F”.

(2) The ear tag or tattoo must be applied to the pig within 30 days of its arrival at the holding of destination, and in any event, before it is moved from that holding.

PART 4

Movements

Movement of pigs

12.—(1) Any person transporting pigs must carry a document, signed by the keeper, that specifies—

- (a) the address, including postcode and CPH number of the holdings from and to which the pigs are being moved;
- (b) the date of the movement;
- (c) the number of pigs that the document covers;
- (d) the identification mark of each of the pigs moved (in the case of a movement specified in article 9 or 10, this must include the unique individual identification number required by those articles); and
- (e) in the case of a movement from a market, the lot numbers of the pigs being moved.

(2) He must give the document referred to in paragraph (1) to the keeper at the holding of destination, who must keep it for at least 6 months.

(3) The keeper at the holding of destination must, within 3 days of the arrival of the pigs, send a copy of the document referred to in paragraph (1) to the local authority.

(4) The keeper of pigs being moved outside England must send a copy of the document referred to in paragraph (1) to the local authority⁽²⁾ for the consigning holding.

(5) In this article “CPH number” means the county parish holding number assigned to a holding or part of a holding by the Secretary of State.

Walking licences for pet pigs

13. The Secretary of State may grant a walking licence to a keeper of a pet pig allowing him to take the pig for a walk off the holding without complying with article 5 or 12, but the person walking the pig must carry a copy of the licence throughout the walk.

Approved holdings

14.—(1) The Secretary of State may approve a holding for the purposes of movements of pigs intended for breeding or growing.

(2) The approval must specify which holdings pigs may be moved from and which holdings they may be moved on to.

(3) A movement of pigs between holdings approved under this article does not trigger the standstill period in the Disease Control (England) Order 2003⁽³⁾.

(2) Local authority is defined in section 50 of the Animal Health Act 1981.

(3) [S. I. 2003/1729](#).

PART 5

Miscellaneous

Removing or defacing an identification mark

15. No person may, unless authorised by the Secretary of State, remove or deface an ear tag or tattoo applied under this Order.

Replacement of an identification mark

16.—(1) No person may, unless authorised by the Secretary of State, replace an identification mark applied or attached under this Order unless it has—

- (a) become illegible;
 - (b) been removed for welfare reasons; or
 - (c) been lost.
- (2) Any person replacing an identification mark must either—
- (a) apply an identical identification mark; or
 - (b) apply a new identification mark and cross-refer the new identification mark with the original identification mark in the record kept under article 5.

Production of documents and records

17. An inspector may require any record made under this Order to be produced on demand and a copy or printout of it to be made.

Enforcement

18.—(1) This Order is enforced by the local authority.

(2) The Secretary of State may direct, in relation to cases of a particular description or any particular case, that he will enforce this Order instead of the local authority.

Revocations

19. The Pigs (Records, Identification and Movement) Order 2003(4) is revoked.

Ben Bradshaw
Minister of State
Department for Environment, Food and Rural
Affairs

21st February 2007

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

SCHEDULE

Article 5

HOLDING MOVEMENT RECORD

The Pigs (Records, Identification and Movement) Order 2007				
Name and address of the person keeping the record				
Date of movement	The identification number(a) or temporary mark	Number of pigs	Holding from which moved	Holding to which moved

(a) In the case of a movement specified in article 9 or 10, this must include the unique individual identification number required by those articles.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies in England, continues to implement Council Directive [92/102/EEC](#) on the identification and registration of animals (OJ No L 355, 5.12.92, p. 32). It revokes and replaces the Pigs (Records, Identification and Movement) Order 2003.

The principal change is that it clarifies that, subject to exceptions for pigs aged under one year, a pig moved from a holding other than a market must be marked with the herdmark of that holding (articles 7 and 8).

As before, the Order requires a person keeping pigs on a holding to notify the Secretary of State (article 4) and requires records to be kept (article 5 and the Schedule).

Articles 6 to 11 to require pigs to be marked with ear tags or tattoos, and specify what they have to contain, which varies in different circumstances.

Articles 12 to 14 to deal with documentation necessary when pigs are moved.

The Order is enforced by the local authority (article 18).

Breach of the Order is an offence under section 73 of the Animal Health Act 1981, punishable in accordance with section 75 of that Act.

A Regulatory Impact Assessment has been prepared for this Order and placed in the library of each House of Parliament. It is available, together with a transposition note, at <http://defraweb/corporate/consult/pigidentify-amendleg/ria.pdf>.