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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order transposes, in part, Council Directive [2003/85/EC](#) of the 29 September 2003 on Community measures for the control of foot and mouth disease (OJNo. L306, 22.11.2003, p.1) (“the Directive”). It revokes and replaces the Foot and Mouth Disease Order 1983 as amended ([S.I. 1983 / 1950](#)) (“the 1983 Order”).

The Directive sets out the measures to be adopted in the event of a suspected or confirmed outbreak of foot and mouth disease (“the disease”). It provides for emergency vaccination as a disease control strategy alongside the slaughter susceptible animals on infected premises and those animals identified as dangerous contacts. The Directive introduces a number of “zones” of different levels of disease control (such as protection, surveillance and vaccination) where disease is either suspected, present or where vaccination is used.

The Directive provides for food chain controls on fresh meat and meat products from animals originating or produced in protection and surveillance zones, controls on animal movements in certain zones (except to slaughter) and controls on the collection and sampling of milk for hygiene purposes.

The Directive is transposed in relation to Wales, by three separate pieces of legislation. The majority of its provisions are transposed by this Order, however certain requirements pertaining to the compulsory slaughter of animals are transposed by the Animal Health Act 1981 (Amendment) Regulations 2005 ([S.I. 2005/3475](#)) with the requirements pertaining to vaccination being transposed by the Foot and Mouth Disease (Control of Vaccination) (Wales) Regulations 2006 ([S.I. 2006/180 \(W.31\)](#)).

The principal disease control and eradication provisions introduced by this Order relate to the following:

- (i) Rules pertaining to common and unenclosed land (Article 4);
- (ii) Format, content extent and publication of licences, notices, certificates and declarations made under the Order (Articles 5, 6 and 7);
- (iii) Requirements as to disinfection carried out under the Order (Article 8)
- (iv) Duties on persons to notify the presence, or suspicion, of the disease (Articles 9, 10 and 11);
- (v) Veterinary inquiry as to existence of disease and declaration of suspect, infected or contact premises (Articles 12 and 14);
- (vi) Declaration of separate production units (Article 13);
- (vii) Maintenance of measures in respect of premises (Article 15);
- (viii) Temporary Control Zones and Supplementary Movement Control Zones: Declaration as to existence of, and measures applicable within (Articles 16 to 20);
- (ix) Tracing of Products originating on infected premises (Article 21);
- (x) Slaughter of animals: Notices, clinical examination, place of, controls of carcasses and materials, cleansing and disinfection and restocking (Articles 22-30);
- (xi) Declaration of, measures applicable within, and termination of Protection and Surveillance Zones (Articles 31 to 37);

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

- (xii) Declaration of, and measures applicable within, Restricted Zones and Wild Animal Infected Zones (Articles 38 to 41);
- (xiii) Requirements pertaining to licensed movements of susceptible animals (Article 42);
- (xiv) Premises keeping animals of special value (Article 43);
- (xv) Duty of local authorities to erect signs (Article 44);
- (xvi) Cleansing, disinfection and inspection of vehicles (Article 45 and 46);
- (xvii) Marks applied to carcasses, animal products and other things under the Order (Article 47);
- (xviii) Change of occupation of premises under restriction (Article 48);
- (xix) Enforcement and execution of Order, including provision of assistance, information and records, compliance with directions and notices, powers of inspectors and offences (Articles 49 to 59);
- (xx) Amendments and revocations (Articles 60 to 63);
- (xxi) Detailed rules on cleansing and disinfection (Schedule 1);
- (xxii) Measures applicable to premises on suspicion or confirmation of disease there, including records keeping, signs, movements of animals, persons, vehicles and other things and disinfection (Schedule 2);
- (xxiii) Criteria for confirming disease (Schedule 3);
- (xxiv) Detailed measures applicable in Protection and Surveillance Zones (Schedule 4);
- (xxv) Treatments to ensure the destruction of the disease virus for both products of animal origin (including fresh meat, milk and milk products) and products not of animal origin (Schedule 5);
- (xxvi) Measures applicable to Restricted Zones and Wild Animal Infected Zones (Schedules 6 and 7);
- (xxvii) Restocking of Premises (Schedule 8);
- (xxviii) Revocations (Schedule 9)

A regulatory appraisal has been prepared in respect of this Order and is available for inspection at the Office of the Chief Veterinary Officer, National Assembly for Wales, Cathays Park, Cardiff, CF10 3NQ.