WELSH STATUTORY INSTRUMENTS

2009 No. 1372

The Swine Vesicular Disease (Wales) Regulations 2009

PART 3

Suspicion and confirmation of swine vesicular disease

CHAPTER 1

Scope of Part 3 and initial controls

Scope of Part 3

6. This Part applies to all premises other than slaughterhouses (for which see Part 4).

Initial controls following notification

7.—(1) This regulation applies where the Welsh Ministers are notified under regulation 5(1) of a suspect pig or carcase and a veterinary inspector considers that further investigation relating to the possible presence of swine vesicular disease is necessary.

(2) The veterinary inspector must orally or otherwise inform the person reporting the suspect pig or carcase that further investigation is necessary, and the controls in paragraph (3) then apply.

(3) The controls are that, except as permitted in writing by a veterinary inspector, the person in possession or charge of a notified pig or carcase must ensure that—

(a) the notified pig or carcase is not moved from the premises where it is,

(b) no other pig or carcase or any thing likely to spread swine vesicular disease virus is moved from or to those premises, and

(c) any person who has been in contact with any pig or carcase on the premises, or been on any part of the premises that may be contaminated with swine vesicular disease virus, takes all necessary biosecurity precautions to reduce the risk of spreading swine vesicular disease virus before leaving the premises,

and failure to do so is an offence.

(4) Any controls imposed under this regulation continue to apply until—

(a) a veterinary inspector serves a notice under these Regulations designating the premises as suspect premises, or

(b) a veterinary inspector confirms (orally or otherwise) that the presence of swine vesicular disease virus on the premises is not suspected.

CHAPTER 2

Action on suspicion of disease and declaration of infected premises

Imposing measures on suspicion of disease

8.—(1) An inspector must act in accordance with this regulation on suspicion that—

(a) a pig that is or has been infected with swine vesicular disease virus is on any premises (whether or not following a notification under these Regulations), or

(b) premises are contaminated with swine vesicular disease virus.

(2) The inspector must—

(a) serve a notice on the occupier designating those premises as suspect premises and imposing the measures in Schedule 1, and

(b) ensure that warning signs prohibiting entry are erected at suitable points around the premises.

(3) A veterinary inspector must begin an epidemiological inquiry to try to establish at least—

(a) the length of time that swine vesicular disease virus may have existed on the premises,

(b) the origin of that virus,

(c) the identification of other premises contaminated with that virus from the same source,

(d) the movement of any person or thing that could have carried that virus to or from the premises, and

(e) the possibility that pigs living in the wild may be involved in the spread of the virus,

and must continue the inquiry until these matters have been established so far as is practicable or the possibility of disease has been discounted.

Measures following suspicion — non-contact premises

9.—(1) This regulation applies where a veterinary inspector suspects that swine vesicular disease virus exists on any premises but this suspicion does not arise out of the fact that the premises have an epidemiological link with infected premises.

(2) Following service of a notice on suspicion of swine vesicular disease, a veterinary inspector must take all reasonable steps to establish whether or not the suspicion is correct.

(3) These steps must include taking samples from pigs on the premises (if there are any) and having them tested.

(4) When premises do not have pigs on them at the time of the notice, the veterinary inspector may take samples from the pigs or carcases that have been on the premises, and may take environmental samples from the premises.

(5) If the tests carried out under paragraphs (3) and (4) demonstrate that—

(a) swine vesicular disease virus is in a pig or on the premises, or

(b) the premises contain pigs that are seropositive for swine vesicular disease and in addition those pigs or other pigs on the premises show clinical signs of swine vesicular disease,

the Welsh Ministers must serve a notice declaring the premises to be infected premises.

(6) If the tests carried out under paragraph (3) demonstrate that there are seropositive pigs on the premises, but none of the pigs on the premises shows clinical signs of swine vesicular disease, the Welsh Ministers must—

(a) continue to monitor the premises and take further samples and test those samples, with an interval of 28 days at least between the samples taken when disease was first suspected and the samples taken under this sub-paragraph,

(b) declare the premises to be infected premises if the test on the further samples shows that swine vesicular disease virus exists in a pig on the premises,

(c) otherwise ensure that all pigs that have tested seropositive are—

(i) killed and destroyed under the supervision of an inspector, or

(ii) slaughtered in a slaughterhouse designated for the purpose by the Welsh Ministers where they are kept and slaughtered separately from other pigs,

and the Welsh Ministers must remove the measures in Schedule 1 once all seropositive pigs have been killed or removed from the premises.

(7) If the tests carried out under paragraphs (3) and (4) demonstrate that there is no swine vesicular disease virus in a pig or on the premises and that there are no seropositive pigs on the premises the Welsh Ministers must remove the measures in Schedule 1.

Measures following suspicion — contact premises

10.—(1) This regulation applies where a veterinary inspector suspects that swine vesicular disease virus exists on any premises and this suspicion arises out of the fact that the premises have an epidemiological link with infected premises.

(2) If any pig on the suspect premises shows clinical signs of swine vesicular disease the Welsh Ministers must serve a notice declaring the suspect premises to be infected premises.

(3) If no pig on the suspect premises shows clinical signs of swine vesicular disease the Welsh Ministers must assess the risk of swine vesicular disease virus being present on the suspect premises, taking account of the degree of contact between the suspect premises and the infected premises, and on the basis of the assessment must either—

(a) kill all the pigs on the suspect premises without further confirmation of the existence of the disease on those premises and without declaring the premises to be infected premises, or

(b) monitor the pigs on the suspect premises for at least 28 days.

(4) The Welsh Ministers must serve a notice declaring the suspect premises to be infected premises if tests demonstrate that the premises—

(a) contain or contained a pig that is infected with swine vesicular disease virus, or

(b) contain a pig that is seropositive for swine vesicular disease virus.

(5) If the Welsh Ministers do not declare the suspect premises to be infected premises the Welsh Ministers must assess when the measures in Schedule 1 can be lifted.

(6) On the basis of the assessment the Welsh Ministers must decide what actions (including if necessary cleansing and disinfection and re-stocking with sentinel pigs) must be carried out before the measures in Schedule 1 can be lifted, and notify the occupier of these (if not all the pigs were killed on the premises, the measures in Schedule 1 may not be lifted during the 28 day monitoring period).

(7) The Welsh Ministers must remove the measures in Schedule 1 when satisfied that the actions notified to the occupier have been carried out.

Declaration of infected premises where premises are close to a confirmed outbreak

11. If pigs on any premises show clinical signs of swine vesicular disease and there are infected premises sufficiently close to the premises for the Welsh Ministers to be satisfied that the premises are also infected a veterinary inspector must—

(a) serve a notice on the occupier declaring those premises as infected premises and imposing the measures in Schedule 1, and

(b) ensure that warning signs prohibiting entry are erected at suitable points around the premises,

without first declaring the premises to be suspect premises.

Suspicion relating to pigs living in the wild

12.—(1) This regulation applies where a veterinary inspector suspects that a pig living in the wild is infected with swine vesicular disease virus.

(2) A veterinary inspector must take all reasonable steps to establish whether or not the suspicion is correct.

(3) Where the veterinary inspector concludes that swine vesicular disease virus is likely to be present in a pig living in the wild, the Welsh Ministers must take appropriate action to minimise the risk of that virus spreading to domestic pigs.

Conditions and warning signs

13.—(1) Breach of any of the measures in Schedule 1 is an offence.

(2) Those measures remain in place until the Welsh Ministers serve a notice on the occupier of the premises removing them.

(3) When a warning sign has been erected under this Part, the occupier of the premises must ensure that it is properly maintained, and failure to do so is an offence.

(4) It is an offence to remove a warning sign erected under this Part except under the authority of a veterinary inspector.

(5) A veterinary inspector may only authorise the removal of the warning signs when the measures in Schedule 1 are removed.

CHAPTER 3

Killing pigs and initial cleansing and disinfection

Killing pigs on the infected premises

14. If premises are declared as infected premises, the Welsh Ministers must immediately kill all the pigs on the premises.

Removal of carcases and initial cleansing and disinfection

15.—(1) When any pigs are killed under this Part the Welsh Ministers must remove all carcases from the infected premises and dispose of them in such a way as to avoid the risk of swine vesicular disease virus spreading.

(2) The Welsh Ministers must then without delay spray with disinfectant—

(a) all parts of the premises (other than fields, slurry lagoons and other parts of the premises where the disinfectant would have no effect) and all equipment to which the pigs have had access, and

(b) anything contaminated during killing,

and ensure that disinfectant remains on the sprayed surfaces for at least 24 hours.

Conservation and related measures

16.—(1) The Welsh Ministers may decide not to kill pigs—

(a) kept in—

(i) a zoo or wildlife park; or

(ii) premises approved for the purposes of intra-Community trade in porcine semen, ova or embryos;

(b) kept for—

(i) display;

(ii) educational purposes;

(iii) scientific research or breeding for such research; or

(iv) purposes related to conservation of species or genetic resource.

(2) Where the Welsh Ministers decide not to kill such pigs, a veterinary inspector may serve a notice on the occupier of the premises on which they are kept detailing the biosecurity arrangements that the occupier must follow to reduce the risk of spread of swine vesicular disease virus, and failure to comply with such a notice is an offence.

CHAPTER 4

Removal of measures in Schedule 1 from infected premises

Removal of restrictions from infected premises

17.—(1) Unless otherwise provided for in these Regulations, the fallback position is that a veterinary inspector may not remove the measures in Schedule 1 on infected premises until the Welsh Ministers are satisfied that sufficient time has elapsed for the virus to have decayed naturally to the extent that it will no longer infect pigs.

(2) But a veterinary inspector may remove the measures in Schedule 1 before that time in parts of the premises capable of being cleansed and disinfected if—

(a) the occupier has cleansed and disinfected those parts of the premises to the satisfaction of the veterinary inspector, and

(b) the premises have been tested for the existence of swine vesicular disease virus using sentinel pigs with negative results.

Cleansing and disinfection — general

18.—(1) Disinfectants used and, where appropriate, their concentrations, must be approved by the Welsh Ministers and used in accordance with the manufacturer's instructions (if any).

(2) Cleansing and disinfection must be carried out in such a way as to minimise the risk of spread or survival of swine vesicular disease virus.

Method of cleansing and disinfection

19.—(1) The cleansing and disinfection must be carried out by the occupier in accordance with written instructions from a veterinary inspector.

(2) The instructions must if necessary include requirements for—

(a) the treatment of manure, bedding and feed so as to inactivate the virus;

(b) the removal of grease and other dirt from all surfaces by soaking with a degreasing agent followed by washing the surfaces with water;

(c) spraying all surfaces with disinfectant (or treating them with a flame gun) and repeating after 14 days; and

(d) repairing damaged floors and walls.

Testing with sentinel pigs

20.—(1) Following cleansing and disinfection in accordance with the veterinary inspector's instructions, a veterinary inspector must certify in writing that the cleansing and disinfection has been carried out in a satisfactory manner.

(2) The premises must then be tested for swine vesicular disease virus using sentinel pigs.

(3) The number of sentinel pigs must be limited to the minimum necessary for the test.

(4) Sentinel pigs may not be introduced until at least 28 days after the certificate has been issued, and must be introduced in accordance with a licence from a veterinary inspector.

(5) The pigs must have been tested at the expense of the occupier before being brought on to the premises and found to be negative for the presence of antibodies against swine vesicular disease virus.

(6) The veterinary inspector must ensure that the pigs are placed throughout the premises in sufficient numbers such that it is reasonable to expect any residual virus to affect one or more of the pigs.

(7) The pigs must be examined 28 days after having been placed on the premises, and sampled for the presence of antibodies against swine vesicular disease virus by a veterinary inspector.

(8) If none of the pigs shows clinical signs of swine vesicular disease or has developed antibodies against swine vesicular disease virus, the veterinary inspector must remove restrictions from those parts of the premises.

(9) As an alternative to introducing the minimum number of sentinel pigs, a veterinary inspector may licence the introduction of an unlimited number of sentinel pigs, but in this case—

(a) paragraphs (4), (5) and (6) apply in relation to the introduction of the sentinel pigs;

(b) all the pigs must arrive within a period of eight days;

(c) they must come from premises situated outside a protection zone or surveillance zone;

(d) a veterinary inspector must clinically examine all the pigs, and sample and carry out a test for the presence of antibodies against swine vesicular disease virus on a statistically valid number of pigs, at the earliest 28 days after the arrival of the last pig; and

(e) even if none of the pigs shows clinical signs of swine vesicular disease, a veterinary inspector may not remove the restrictions until 60 days after the arrival of the last pig.

Compulsory cleansing and disinfection

21.—(1) Irrespective of whether or not pigs are to be brought on to the premises again, the Welsh Ministers may serve a notice on an occupier requiring that occupier to carry out cleansing and disinfection of the premises specified in the notice, and failure to comply with the notice is an offence.

(2) The notice must specify a reasonable period within which the cleansing and disinfection must be carried out.

(3) If the notice is not complied with, the Welsh Ministers may arrange for it to be complied with, whether by officers of the Welsh Ministers or other persons, at the expense of the occupier.