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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 466**

**ANIMALS**

**Transport of Animals and Poultry (Cleansing and Disinfection) (No. 2) Order (Northern Ireland) 1997**

*Made* - - - - *25th October 1997*

*Coming into operation* *26th October 1997*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 5(1), 19(*h*) and (*i*) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(1) and of every other power enabling it in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Transport of Animals and Poultry (Cleansing and Disinfection) (No. 2) Order (Northern Ireland) 1997 and shall come into operation on 26th October 1997.

**Interpretation**

2.—(1) In this Order—

“approved disinfectant” means a disinfectant approved for the time being by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(2);

“cleansed and disinfected” means, in the case of a means of transport for animals and in the case of a lairage, cleansed and disinfected in accordance with Part I of the Schedule and, in the case of a means of transport for poultry, in accordance with Part II of the Schedule;

“commercial” includes trade or business;

“lairage” means a premises or enclosure used in connection with the transport of livestock but does not include a market;

“livestock” means horses, cattle, sheep, goats, deer, all other ruminating animals, rabbits and swine;

“market” includes a market place, fairground, sale-yard and any other place where animals or poultry are exposed for sale together with any lair adjoining or used in connection with the market;

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(1) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Article 17 and S.I. 1994/1891 (N.I. 6) Article 23  
(2) S.R. & O. (N.I.) 1972 No. 16 as amended by S.R. 1975 No. 69 and S.R. 1995 No. 467

“means of transport” means those parts (including detachable parts) of a vehicle, vessel, rail wagon or aircraft in which animals or poultry are transported and includes any receptacle and any fitting, accessory or equipment (whether detachable or not) used for or in connection with the transport or detention of animals or poultry;

“receptacle” means any crate, box or other rigid container used for the transport of animals or poultry which is not self-propelled and does not form a part (whether detachable or not) of a means of transport;

“slaughterhouse” means a place for the slaughter of animals or poultry whose flesh is intended for sale for human consumption, and includes any place available in connection therewith for the confinement of animals or poultry awaiting slaughter there;

“transport” means any movement of animals, effected by a means of transport, and includes loading and unloading of animals;

“vehicle” means any vehicle (including a trailer of any description and the detachable body of a vehicle) constructed or adapted for use on a road; and

“vessel” includes hovercraft.

(2) Any notice served under this Order may be made subject to conditions and may be amended, suspended or revoked by a further notice at any time.

### **Loading**

**3.—**(1) Subject to Article 5 and paragraph (2), animals and poultry shall be loaded only into a means of transport which has been thoroughly cleansed and, where appropriate, disinfected.

(2) Paragraph (1) shall not apply—

- (a) to transport which is not of a commercial nature; and
- (b) subject to sub-paragraph (a), to the transport of pet animals or poultry accompanying their owner.

### **Cleansing of the means of transport of livestock**

**4.—**(1) Subject to Article 5, any means of transport used for or in connection with the transport of livestock shall, as soon as practicable after it has been so used, and in any event before it is used again to carry any animal or poultry or thing with which animals or poultry are likely to come into contact, be cleansed and disinfected.

(2) Any means of transport used for or in connection with the transport of either a carcase or dung shall (together with its fittings, accessories and any other equipment or thing used in connection with the loading, unloading or transport of the carcase or dung) be cleansed and disinfected before any animal or poultry, or any thing intended to be used in connection with any animal or poultry, is loaded into that means of transport.

(3) Where a means of transport has been used to transport livestock, the user of that means of transport shall, as soon as is reasonably practicable and in any event within not more than 24 hours after the means of transport is so used, ensure that it is cleansed and disinfected.

### **Exceptions**

**5.—**(1) Articles 3 and 4 shall not apply—

- (a) in relation to a means of transport which is used exclusively, in the course of a single day, for the transport of livestock between the same two places, other than between two markets, provided that the means of transport is cleansed and disinfected as soon as is reasonably practicable after the last journey during which livestock are transported on that

day, and in any event before the means of transport is used again in connection with the transport of any animal, poultry or thing; or

(b) where the whole of the journey is on a single agricultural holding.

(2) In this Article “last journey during which livestock are transported on that day” includes—

(a) a journey begun but not completed before midnight on the day in question; and

(b) where an animal carried has been participating in an event taking place during or continuing into the evening of the day in question, a journey begun as soon as is practicable after the end of that event, whether or not it begins before midnight.

### **Cleansing at lairages**

6. The owner or person in charge of a lairage shall ensure that any pen or other place in which livestock are kept, any passageway used by livestock and anything touched by livestock is cleansed and disinfected as soon as possible after it is used for the keeping of those livestock and in any event before it is used again for the keeping of any animal, poultry or thing.

### **Cleansing the means of transport of poultry**

7.—(1) Subject to paragraph (2), any means of transport used for or in connection with the transport of poultry or poultry carcasses shall, as soon as practicable after it has been so used, and in any event within not more than 24 hours after it has been so used, be cleansed and disinfected.

(2) Paragraph (1) shall not apply to—

(a) any means of transport used exclusively, in the course of a single day, for or in connection with the transport of poultry between the same two places, neither of which is a market, hatchery or slaughterhouse;

(b) any part of a means of transport used exclusively, in the course of a period not exceeding 72 hours, for or in connection with the transport of poultry between the same two places, one of which is a rearing site and the other a laying site;

(c) any receptacle which is not re-usable; or

(d) any vehicle used to transport any such receptacle as is mentioned in sub-paragraph (c).

(3) Any means of transport mentioned in paragraph (2)(a) shall be cleansed and disinfected as soon as practicable after the last occasion on which it was used on any day for, or in connection with, the transport of poultry and in any case before it is so used again; and for the purpose of this paragraph the expression “the last occasion on which it was used on any day” shall include a journey begun but not completed before midnight on the day in question.

(4) Any means of transport mentioned in paragraph (2)(b) shall be cleansed and disinfected as soon as practicable after the last occasion on which it is used during the period referred to in that paragraph and in any case before it is so used again.

(5) In this Article—

“laying site” means a place used for keeping poultry for egg production; and

“rearing site” means a place used for rearing poultry intended for egg production.

### **Powers of inspectors**

8.—(1) Where an inspector is of the opinion either that a means of transport or a lairage has not been cleansed and disinfected in accordance with this Order or that a means of transport or a lairage needs to be cleansed and disinfected to prevent the spread of any of the diseases specified in Part III of Schedule 1 to the Diseases of Animals (Northern Ireland) Order 1981 to or from any animal or

in Part IV of that Schedule to or from any poultry, he may serve a notice on any person appearing to him to be in charge of that means of transport or lairage either—

- (a) prohibiting the use of that means of transport or lairage for the transport or detention of animals or poultry until it has been cleansed and disinfected; or
- (b) requiring him to carry out at his own expense the cleansing and disinfection set out in the notice within a period specified in the notice.

(2) Notwithstanding that this Order requires treatment with an approved disinfectant, if an inspector is satisfied that a particular disinfectant is necessary in any given case, he may serve a notice on the person who is required to carry out cleansing and disinfection requiring that person to use the disinfectant specified in the notice, at the strength specified in the notice.

(3) A person on whom a notice has been served under this Article shall comply with the notice.

(4) Where any person on whom the notice prescribed in paragraph (1) is served fails to comply with the requirements thereof the Department may, without prejudice to any proceedings for an offence arising out of such default, carry out or cause to be carried out such cleansing and disinfection as is required in the notice.

### **Revocation and saving**

9.—(1) The Transport of Animals and Poultry (Cleansing and Disinfection) Order (Northern Ireland) 1997(3) is hereby revoked.

(2) Nothing in this Order shall affect the operation of any other Order, made under the Diseases of Animals (Northern Ireland) Order 1981 requiring the cleansing and disinfection of vehicles for the purposes of that Order.

Sealed with the Official Seal of the Department of Agriculture on

L.S.

25th October 1997.

*R. S. Johnston*  
Assistant Secretary

## SCHEDULE

Article 2(1)

### Methods of Cleansing And Disinfection

#### Part I

##### Animals

1. In the case of a means of transport, the sides, floor and roof of the interior of that part of the means of transport which is used for the accommodation of animals, any other part of the means of transport with which any animal or its droppings or other discharge or excretion has come into contact, and (in the case of a vehicle) the sides and ends of the exterior of the vehicle shall be swept or otherwise cleansed, then washed or scrubbed with water, and then treated with an approved disinfectant. All sweepings, dung, litter and other matter shall be removed from the means of transport and either destroyed or disposed of in such a way that it does not come into contact with any animal.

2. In the case of any equipment or other thing and any fitting (whether detachable or not) of a means of transport, it shall be washed or scrubbed with water and then treated with an approved disinfectant.

3. In the case of a pen or passageway in a lairage it shall be swept or otherwise cleaned, then washed or scrubbed with water, and then treated with an approved disinfectant. All sweepings, dung, litter and other matter shall be removed and either destroyed or removed from contact with any animal. Any equipment or other thing and any fitting which forms part (whether detachable or not) of that pen shall be washed or scrubbed with water and then treated with an approved disinfectant.

4. In the case of any other thing required to be disinfected, it shall be washed or scrubbed with water and then treated with an approved disinfectant.

#### Part II

##### Poultry

1. In the case of a means of transport, the sides, floor and roof of the interior of that part of the means of transport which is used for the accommodation of poultry, any other part of the means of transport with which any poultry, litter, droppings or other discharge or excretion has come into contact, and (in the case of a vehicle) the sides and ends of the exterior of the vehicle shall be swept or otherwise cleaned, then washed or scrubbed with water, and then treated with an approved disinfectant. All sweepings, discharges, dung, litter and other matter shall be removed from the means of transport and either destroyed or disposed of in such a way that it does not come into contact with any poultry.

2. In the case of a fitting (whether detachable or not) of a means of transport, it shall be washed or scrubbed with water and then treated with an approved disinfectant.

3. Any receptacle required by this Order to be cleansed and disinfected in accordance with the provisions of this Schedule shall be effectively cleansed and then disinfected by being thoroughly sprayed, washed or saturated with an approved disinfectant.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This Order revokes and replaces the Transport of Animals and Poultry (Cleansing and Disinfection) Order (Northern Ireland) 1997. The Order requires the cleansing and disinfection of any means of transport in which animals (Article 3), livestock (Article 4) or poultry (Article 7) are transported and provides for exemptions in certain circumstances (Articles 5 and 7(2)). The Order also makes provision for the cleansing and disinfection of lairages (Article 6) and any means of transport used for the transport of carcasses or dung (Article 4(2)).

Article 8 provides that an inspector may serve a notice prohibiting the use of a means of transport or a lairage until it has been cleansed and disinfected or requiring a person in charge of it to carry out cleansing or disinfection at his own expense. Where a person fails to comply with such a notice, the Department of Agriculture may itself carry out cleansing and disinfection.

The operation of any other Order made under the Diseases of Animals (Northern Ireland) Order 1981 requiring the cleansing and disinfection of vehicles shall not be affected by anything in this Order (Article 9).

The methods by which this cleansing and disinfection are to take place are set out in the Schedule to this Order.

The Order has been notified to the European Commission in accordance with the provisions of EC Directive 83/189 (as amended).