

SCHEDULE 1

Measures applicable in respect of a wild bird protection zone

PART 1

Movement and gathering of birds

Prohibition on the movement of poultry and other captive birds from premises in a wild bird protection zone

1. –

(1) No person may move poultry or other captive birds from premises in a wild bird protection zone except under the authority of a licence granted by a veterinary inspector or an inspector acting at the direction of a veterinary inspector.

(2) The veterinary inspector may not grant, nor direct an inspector to grant, a licence under paragraph (1) unless it is for one of the following movements—

- (a) the movement of poultry and farmed feathered game to premises in the wild bird protection zone or the associated wild bird surveillance zone;
- (b) the movement of ready-to-lay pullets to other premises in the United Kingdom;
- (c) the movement of poultry to a slaughterhouse for slaughter;
- (d) the movement of day-old chicks to premises where no poultry or captive birds (other than pet birds, which are kept separately from the chicks) are kept;
- (e) the movement of day-old chicks in a vehicle sealed by, or under the supervision of, a veterinary inspector to premises ;
- (f) the movement of a maximum of five pet birds to premises on which no poultry are kept;
- (g) the movement of other captive birds—
 - (i) from a body, institute or centre in a wild bird protection zone approved in relation to the birds to be moved under regulation 9 of the Animals and Animal Products (Import and Export) (Scotland) Amendment Regulations 2005; and
 - (ii) to another body, institute or centre so approved.

(3) In this paragraph, “associated wild bird surveillance zone” means, in relation to a wild bird protection zone, the wild bird surveillance zone centred on the same place as that wild bird protection zone.

Prohibition on the movement of poultry and other captive birds in to or out of a wild bird protection zone

2. No person may move poultry or other captive birds in to or out of a wild bird protection zone except where—

- (a) the movement is through the zone on a major highway or railway if no stop is made within the zone; or
- (b) in the case of poultry, the movement is from outside the zone to a slaughterhouse in the zone.

Status: This is the original version (as it was originally made).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

PART 2

Movement of hatching eggs

Prohibition on the movement of hatching eggs from a wild bird protection zone

3. –

(1) No person may move any hatching egg out of a wild bird protection zone except under the authority of a licence granted by a veterinary inspector or an inspector acting at the direction of a veterinary inspector.

(2) A veterinary inspector may not grant, nor authorise an inspector to grant, a licence under subparagraph (1), except for the movement of hatching eggs—

- (a) to a hatchery or other premises which uses hatching eggs;
- (b) to a designated laboratory or an institute for scientific, diagnostic or pharmaceutical use; or
- (c) for the purpose of trade with another member State, Norway, Iceland or Liechtenstein.

(3) A veterinary inspector may not grant, nor authorise an inspector to grant, a licence under subparagraph (1) for movement for the purpose of trade with another member State, Norway, Iceland or Liechtenstein unless—

- (a) every hatching egg was collected from a flock which—
 - (i) is not suspected of being infected with avian influenza, and
 - (ii) has tested negative in a serological survey for avian influenza capable of detecting 5% prevalence of the disease with at least a 95% level of confidence, carried out by the Scottish Ministers;
- (b) the inspector is satisfied that all the hatching eggs and their packaging have been disinfected before loading; and
- (c) the inspector is satisfied that, once moved, all the hatching eggs will be traceable to the premises of despatch.

(4) No person may move any hatching egg under the authority of a licence granted under subparagraph

(1) for a movement for the purpose of trade with another member State, Norway, Iceland or Liechtenstein unless the vehicle used for movement was sealed after loading by a veterinary inspector or by a person acting at his direction.

Prohibition on the movement of an SPF-egg from the wild bird protection zone

4. No person may move any SPF egg out of a wild bird protection zone except to a designated laboratory or institute for scientific, diagnostic or pharmaceutical uses under the authority of a licence granted by a veterinary inspector or an inspector acting at the direction of a veterinary inspector.

PART 3

Movement of controlled meat

Restriction on the movement of controlled meat out of a wild bird protection zone

5. –

- (1) No person may move controlled meat, other than controlled meat in sub-paragraphs (a) to (f), out of a wild bird protection zone—
- (a) fresh meat from poultry that was produced in accordance with Annex II and Sections II and III of Annex III to Regulation (EC) No. 853/2004⁽¹⁾ and has been subject to the official controls set out in Sections I, II and III, and Chapters V and VII of Section IV of Annex I to Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽²⁾;
 - (b) processed fresh meat produced from fresh meat from poultry that was produced in accordance with Sections V and VI of Annex III to Regulation (EC) No. 853/2004;
 - (c) fresh meat from wild feathered game originating in the zone that is marked in accordance with paragraph 6 and transported to an establishment for a treatment against avian influenza;
 - (d) a meat product which has been subjected to a treatment against avian influenza;
 - (e) fresh meat from wild feathered game originating outside the zone that was produced at an establishment in the zone in accordance with Section IV of Annex III to Regulation (EC) No. 853/2004 and has been subject to the official controls set out in Chapter VIII of Section IV of Annex I to Regulation (EC) No. 854/2004;
 - (f) processed fresh meat produced from fresh meat from wild feathered game originating outside the zone that was produced at an establishment in the zone in accordance with Sections V and VI of Annex III to Regulation (EC) No. 853/2004.
- (2) In this paragraph “a treatment against avian influenza” means either—
- (a) a heat treatment in a hermetically sealed container with an F° value of 3 or more (where F° is the calculated killing effect on bacterial spores and an F° value of 3 means that the coldest point in the meat has been heated to achieve the same killing effect as 121°C in three minutes with instantaneous heating and chilling); or
 - (b) a heat treatment at a minimum temperature of 70°C, which temperature must be reached throughout the meat.

Requirement for the marking of meat

6. –

- (1) The mark applied under paragraph 5(1)(c) must bear a diagonal cross consisting of 2 straight lines intersecting at the centre of the stamp and enabling the information on the stamp to remain legible.
- (2) The mark may be applied using a single oval stamp, 6.5 centimetres wide by 4.5 centimetres high.
- (3) The following information must appear on the mark and be clearly legible—
- (a) on the upper part, “United Kingdom” or “UK”;
 - (b) in the centre, the slaughterhouse approval number;
 - (c) on the lower part, “EC”;
 - (d) such information as an officer of the Scottish Ministers or of the Food Standards Agency may require allowing the inspector of the meat to be identified.
- (4) The letters on the mark must be at least 0.8 centimetres high and the figures at least 1 centimetre high.

(1) O.J. No. L 139, 30.4.04, p.55. The revised text of the Regulation is contained in a corrigendum (O.J. No. L 226, 25.6.04, p.22).

(2) O.J. No L 139, 30.4.04, p.206. The revised text of the Regulation is contained in a corrigendum (O.J. No L 226, 25.6.04, p.83).

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Cleansing of vehicles leaving a slaughterhouse

7. A person who removes a vehicle containing meat from a slaughterhouse must ensure that the wheels and wheel arches are cleansed and disinfected prior to departure from the slaughterhouse.

PART 4

Movement of poultry products other than hatching eggs and controlled meat

Prohibition on the movement of poultry products from premises in a wild bird protection zone

8. –

(1) No person may move a poultry product, other than a poultry product in paragraphs (a) to (n), from premises in a wild bird protection zone—

- (a) processed animal protein within the meaning of paragraph 42 of Annex 1 to Regulation (EC) No 1774/2002 which complies with the requirements in Part A of Chapter II of Annex VII to that Regulation⁽³⁾;
- (b) blood products within the meaning of paragraph 4 of Annex 1 to Regulation (EC) No 1774/2002 which comply with the requirements in Part B of Chapter III of Annex VII to that Regulation;
- (c) rendered fats within the meaning of paragraph 50 of Annex I to Regulation (EC) No. 1774/2002 which comply with the requirements in Part A of Chapter IV of Annex VII to that Regulation;
- (d) gelatin within the meaning of paragraph 26 of Annex I to Regulation (EC) No 1774/2002 which complies with the requirements in Part A of Chapter VI of Annex VII to that Regulation;
- (e) hydrolysed protein within the meaning of paragraph 31 of Annex I to Regulation (EC) No 1774/2002 which complies with the requirements in Part B of Chapter VI of Annex VII to that Regulation;
- (f) dicalcium phosphate within the meaning of Part A of Chapter VII of Annex VII to Regulation (EC) No. 1774/2002 which complies with the requirements of that Part;
- (g) tricalcium phosphate within the meaning of Part A of Chapter VIII of Annex VII to Regulation (EC) No. 1774/2002 which complies with the requirements of that Part;
- (h) collagen within the meaning of paragraph 59 of Annex I to Regulation (EC) No. 1774/2002 which complies with the requirements in Part A of Chapter IX of Annex VII to that Regulation;
- (i) egg products within the meaning of Part A of Chapter X of Annex VII to Regulation (EC) No. 1774/2002 which comply with that Part;
- (j) processed petfood within the meaning of paragraph 43 of Annex I to Regulation (EC) No 1774/2002 which comply with the requirements in Part B of Chapter II of Annex VIII to that Regulation.;
- (k) dogchews within the meaning of paragraph 22 of Annex I to Regulation (EC) No 1774/2002 which comply with the requirements in Part B of Chapter II of Annex VIII to that Regulation;

(3) O.J. No. L 273, 10.10.02, p.1.

- (l) processed manure and processed manure products within the meaning of Part A of Chapter III(II) of Annex VIII to Regulation (EC) No. 1774/2002 which comply with the requirements for placing on the market in that Part;
 - (m) untreated feathers or parts of untreated feathers produced from poultry originating outside the wild bird protection zone which comply with the requirements of point 1(a) of Part A of Chapter VIII of Annex VIII to Regulation (EC) No. 1774/2002;
 - (n) poultry feathers or parts of poultry feathers which have been treated with a steam current, or by another method to eliminate the avian influenza virus.
- (2) The prohibition in sub-paragraph (1) does not apply to a movement of a poultry product permitted under Part 3.

PART 5

Other measures

Prohibition on movement of used litter or manure

9. No person may move any used litter or manure from premises in a wild bird protection zone to premises outside the zone unless—

- (a) the movement is to an establishment for treatment in accordance with Regulation (EC) No. 1774/2002; or
- (b) the used litter or manure has already been so treated.

Prohibition on the spread of used litter or manure

10. No person may spread any used litter or manure from premises in a wild bird protection zone outside the zone unless it has been treated in accordance with Regulation (EC) No. 1774/2002.

Prohibition on hunting wild birds in a wild bird protection zone

11. No person may hunt wild birds in a wild bird protection zone.

Prohibition on gatherings of poultry and other captive birds in a wild bird surveillance zone

12. No person may permit any poultry or other captive birds to be collected together in a wild bird protection zone at any fair, market, show or other gathering.