

SCHEDULE 4

Measures applicable in protection zones and surveillance zones

PART 1

Measures applicable in both protection zones and surveillance zones

Record keeping in protection and surveillance zones

1.—(1) The occupier of each premises keeping susceptible animals within a protection zone or a surveillance zone shall create and maintain the following records in respect of the premises—

- (a) the number of each species of animal kept;
- (b) for each species of susceptible animal, the number of dead, the number suspected of being infected and the number suspected of being contaminated;
- (c) the stock of milk, milk products, meat, meat products, carcasses, hides and skins, wool, semen, embryos, ova, slurry, manure, fodder and used litter.

(2) Records shall be kept in a form approved for the purpose by the Scottish Ministers.

(3) The occupier shall maintain the records kept under sub paragraphs (1)(a) and (1)(b) by updating them within 24 hours of any change.

Straying of susceptible animals

2.—(1) The keeper of a susceptible animal in a protection zone or a surveillance zone shall take all such steps as are necessary to prevent it from straying from the premises on which it is kept.

(2) An inspector may detain any stray or feral susceptible animal found in a protection zone or a surveillance zone and if, having made reasonable inquiries, the inspector cannot ascertain the owner, the inspector may arrange for its destruction.

Control of dogs and poultry in protection zones and surveillance zones

3.—(1) The owner of any dog in a protection zone or a surveillance zone shall keep it under control by—

- (a) confining it in a dwellinghouse, kennel or other enclosure;
- (b) securing it to a fixed object by a collar and chain; or
- (c) accompanying it or ensuring that it is accompanied by a responsible person.

(2) An inspector may seize any dog which is not kept under control in accordance with sub paragraph (1) and deal with it as if it was a dog seized under the powers conferred by section 149 of the Environmental Protection Act 1990 ^{F1}.

(3) An inspector may, if the inspector considers any dog or poultry not to be under control, by notice served on the occupier of any premises where it is kept, require the occupier to keep such dog or poultry under control, or to confine it to the part of the premises specified in the notice.

Textual Amendments

F1 1990, c. 43.

Shearing or dipping sheep in a protection zone or a surveillance zone

4.—(1) Subject to the provisions of this paragraph, no person shall—

- (a) shear or dip sheep; or
- (b) handle fleeces or sheep during shearing or dipping,

in a protection zone or a surveillance zone except where authorised by a licence granted by an inspector.

(2) The prohibition in sub paragraph (1) does not apply to the occupier of any premises or the occupier's employees (other than any person employed by the occupier primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.

(3) In this article—

- (a) “shearing” includes clipping and dagging; and
- (b) “dipping” includes showering and jetting sheep with sheep dip.

Ultrasound scanning of susceptible animals in a protection zone or a surveillance zone

5.—(1) Subject to the provisions of this paragraph, no person shall carry out ultrasound scanning, clipping, foot paring, freeze branding or other livestock service of susceptible animals in a protection zone or a surveillance zone except where authorised by a licence granted by an inspector.

(2) The prohibition in sub paragraph (1) shall not apply to the occupier of any premises or the occupier's employees (other than any person employed by the occupier primarily for the purpose of carrying out the livestock service in question) in respect of the carrying out of ultrasound scanning clipping, foot paring, freeze branding or other livestock service of susceptible animals kept on those premises using equipment of which the occupier is the owner or person in charge.

Semen, ova and embryos collected in a protection zone or a surveillance zone

6.—(1) This paragraph applies to semen, ova and embryos collected from susceptible animals originating in a protection zone or surveillance zone.

(2) No person shall sell or consign for sale—

- (a) any ova or embryos unless they comply with sub paragraph (3); or
- (b) any semen unless it complies with sub paragraph (3) or (4).

(3) Semen, ova and embryos comply with this sub paragraph if they satisfy the following requirements—

- (a) they are frozen;
- (b) they were collected and stored more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone; and
- (c) they have at all times been stored separately from semen, ova and embryos which were not so collected and stored.

(4) Semen complies with this sub paragraph if it satisfies the following requirements—

- (a) it is frozen;
- (b) it was collected and stored 21 or fewer days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone, or on or after that infection date;
- (c) it was at all times stored separately from semen which was not so collected and stored;
- (d) it is not sold or consigned for sale until the premises on which it was collected is no longer in a protection or surveillance zone; and

- (e) a veterinary inspector certifies by notice served on the owner of the semen that the veterinary inspector has—
 - (i) clinically examined all susceptible animals on the premises on which it was collected;
 - (ii) subjected a serological sample from each such animal to a test with the result that infection is not suspected; and
 - (iii) subjected a serological sample taken from the donor animal 28 days or more after collection of the semen to a test for the detection of antibodies against disease with a negative result.

Hides and skins of susceptible animals originating in a protection zone or a surveillance zone

7.—(1) This paragraph applies to hides and skins of susceptible animals originating in a protection zone or a surveillance zone.

(2) No person shall sell or consign for sale any animal product to which this paragraph applies unless either—

- (a) it was—
 - (i) produced more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone; and
 - (ii) at all times stored separately from hides and skins which were not so produced; or
- (b) it has been treated so that it falls within paragraph 2 of Schedule 5.

Wool, ruminant hair and pig bristles from animals originating in a protection zone or a surveillance zone

8.—(1) This paragraph applies to wool, ruminant hair and pig bristles from animals originating in a protection zone or a surveillance zone.

(2) No person shall sell or consign for sale any animal product to which this paragraph applies unless either—

- (a) it was—
 - (i) produced more than 21 days before the earliest infection date in the protection zone, or in the case of a surveillance zone, the associated protection zone, and
 - (ii) at all times stored separately from wool, ruminant hair and pig bristles which were not so produced; or
- (b) it has been treated so that it falls within paragraph 3 of Schedule 5.

Other animal products produced in a protection zone or a surveillance zone or from animals originating in such a zone

9.—(1) This paragraph applies to animal products other than—

- (a) fresh meat, minced meat, mechanically separated meat and any meat preparation;
- (b) milk and any milk product;
- (c) semen, ova and embryos;
- (d) hides and skins; and
- (e) wool, ruminant hair and pig bristles,

if it is produced in a protection zone or surveillance zone from susceptible animals, or from susceptible animals originating in a protection zone or surveillance zone.

Changes to legislation: There are currently no known outstanding effects for the The Foot-and-Mouth Disease (Scotland) Order 2006, PART 1. (See end of Document for details)

- (2) No person shall sell or consign for sale any animal product to which this paragraph applies unless it satisfies one of the following requirements—
- (a) it was—
 - (i) produced more than 21 days before the earliest infection date within the protection zone, or in the case of a surveillance zone, the associated protection zone, and
 - (ii) at all times stored and transported separately from animal products not so produced;
 - (b) it has been treated so that it falls within paragraph 4 of Schedule 5;
 - (c) where it is referred to in one of paragraphs 5 to 9 of Schedule 5, has been treated so that it falls within that paragraph;
 - (d) it forms part of a composite product (that is, a manufactured or processed product containing more than one ingredient at least one of which is an animal product) not subject to further treatment and has either—
 - (i) been treated to ensure the destruction of disease, or
 - (ii) not been produced from susceptible animals originating on infected premises, suspect premises or contact premises or in a temporary control zone, protection zone or surveillance zone or vaccination zone;
 - (e) it is a packaged product ready for use—
 - (i) as a reagent, reagent product, calibrator, kit or any other system (whether used alone or in combination),
 - (ii) in vitro for the examination of samples of human or animal origin (with the exception of donated organs or blood), and
 - (iii) solely or principally with a view to the diagnosis of a physiological state, state of health, disease or genetic abnormality or to determine safety and compatibility with reagents.

Changes to legislation:

There are currently no known outstanding effects for the The Foot-and-Mouth Disease (Scotland) Order 2006, PART 1.