

SCHEDULE

Measures applicable in respect of a vaccination zone

PART 3

Products other than fresh meat

Milk and milk products produced from vaccinated animals

12.—(1) No person shall sell or consign for sale any milk produced from a vaccinated animal or any milk product produced from such milk unless it complies with sub-paragraph (2).

(2) Milk and milk products comply with this sub-paragraph if—

(a) they have been treated so as to fall within paragraph 13 (where it is for human consumption) or paragraph 14 (where it is for other than human consumption) of Schedule 5 to the Order; and

(b) that treatment was carried out either—

(i) inside the vaccination zone on premises complying with sub-paragraph (3); or

(ii) outside the vaccination zone on such premises as the Scottish Ministers may direct.

(3) Premises comply with this sub-paragraph if they satisfy the following requirements—

(a) they are authorised by a licence granted by the Scottish Ministers imposing such conditions as they think necessary to ensure strict veterinary control;

(b) they are operated so that all milk transported to the premises—

(i) has been treated so as to fall within paragraph 13 or paragraph 14 of Schedule 5 to the Order;

(ii) is transported to the premises for such treatment; or

(iii) is raw milk obtained from outside a vaccination zone; and

(c) they are operated so that milk on the premises and leaving the premises is clearly identified as eligible for sale outside the vaccination zone to the final consumer and is at all times stored and transported separately from raw milk and raw milk products which are not so eligible.

Collection, transport and processing of milk produced in a vaccination zone

13.—(1) No person shall collect and transport milk produced in a vaccination zone unless such transport complies with sub-paragraph (2) and is carried out in a vehicle which complies with sub-paragraph (3).

(2) Transport complies with this sub-paragraph if it is—

(a) transport of samples of raw milk—

(i) to a laboratory authorised in respect of the disease under article 4 of the Specified Animal Pathogens Order 1998⁽¹⁾; or

(ii) to another laboratory under the authority of a licence granted by an inspector; or

(b) transport to premises other than a laboratory under the authority of a licence granted by an inspector.

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- (3) A vehicle complies with this sub-paragraph if it—
 - (a) has been authorised to operate within the part of Scotland in which the journey is to take place by a licence granted by the Scottish Ministers; and
 - (b) has been marked so as to identify the geographical area in which it is authorised to operate in accordance with the directions of the Scottish Ministers.
- (4) A licence granted under sub-paragraph (2)(b) shall specify the route to be taken and shall include a condition prohibiting the vehicle used from entering any premises in the zone keeping susceptible animals for purposes other than to load milk.
- (5) Any person transporting milk under the authority of a licence granted under sub paragraph (2) shall ensure that—
 - (a) the vehicle used is constructed and maintained so that there is no leakage of milk during transport and is equipped to avoid aerosol dispersion during loading and unloading;
 - (b) before every loading, the vehicle is cleansed and disinfected in accordance with the directions of an inspector; and
 - (c) after every loading and before leaving the premises, the connection pipes, tyres, wheel cases and lower parts of the vehicle, and any spillage of milk, are cleansed and disinfected in accordance with the directions of an inspector.
- (6) No person shall process milk transported under sub-paragraph (2) except under the authority of a licence granted by an inspector.

Artificial insemination and collection of ova and embryos

14.—(1) No person shall collect semen for artificial insemination from a susceptible animal kept in a semen collection centre in a vaccination zone unless such collection complies with sub-paragraph (3).

- (2) No person shall collect ova or embryos from susceptible animals kept in a vaccination zone.
- (3) Collection of semen for artificial insemination complies with this sub-paragraph if—
 - (a) it is under the authority of a licence granted by the Scottish Ministers;
 - (b) the semen collected is clearly marked in accordance with the directions of the Scottish Ministers and is stored separately from other semen for at least 30 days before use;
 - (c) where the donor animal is unvaccinated—
 - (i) all animals kept in the semen collection centre have undergone a clinical examination and samples have been subjected to a serological test which substantiates the absence of infection in that centre to the satisfaction of the Scottish Ministers; and
 - (ii) it has been subjected with negative result to a serological test for the detection of antibodies against the disease on a sample taken not earlier than 28 days after collection of the semen; and
 - (d) where the donor animal is vaccinated—
 - (i) the vaccination took place following a test for antibodies against the disease virus with negative results;
 - (ii) a negative result has been achieved in a test for detection of either the disease virus or viral genome or for the detection of antibody against non-structural proteins, carried out at the end of the quarantine period for the semen on samples taken from all susceptible animals kept at the semen collection centre at that time; and
 - (iii) 5% of the semen from each collection (with a minimum of five straws) has been subjected to a virus isolation test for the disease with negative results.

Hides and skins

15.—(1) This paragraph applies to hides and skins of susceptible animals originating in a vaccination 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 before the date 21 days before the vaccination zone was declared; 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 to the Order.

Wool, ruminant hair and pig bristles

16.—(1) This paragraph applies to wool, ruminant hair and pig bristles from animals originating in a vaccination 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 before the date 21 days before the vaccination zone was declared; and
 - (ii) at all times stored separately from wool, ruminant hair and pig bristles which were not so produced; or
- (b) has been treated so that it falls within paragraph 3 of Schedule 5 to the Order.

Other animal products

17.—(1) This paragraph applies to any animal product other than one to which the other paragraphs in this Schedule apply, where they are produced from susceptible animals originating in a vaccination zone.

(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 before the date 21 days before the vaccination zone was declared; and
 - (ii) at all times stored and transported separately from animal products which were not so produced;
- (b) it has been treated so that it falls within paragraph 4 of Schedule 5 to the Order;
- (c) where it is referred to in one of paragraphs 5 to 9 of Schedule 5 to the Order, it 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) and each ingredient which is an animal product—
 - (i) is referred to in a paragraph of Schedule 5 to the Order and has been treated so that it falls within that paragraph (either before manufacturing or processing, or as part of the composite product); or
 - (ii) was not produced from susceptible animals originating on infected premises, suspect premises or contact premises or susceptible animals originating in a temporary control zone, protection zone, surveillance zone or vaccination zone;
- (e) it is a packaged product ready for use—

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- (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.
- (3) In this paragraph—
- (a) contact premises means any premises declared to be contact premises under article 13 of the Order; and
 - (b) suspect premises means any premises declared to be suspect premises under article 11(7) or 13 of the Order.
- (4) In this paragraph, the expressions “susceptible animals originating in”, in respect of a protection zone or a surveillance zone, or “susceptible animals originating on” in respect of infected premises mean—
- (a) susceptible animals kept in the protection zone or surveillance zone (after the declaration of the zone) or on the infected premises, as the case may be; and
 - (b) susceptible animals which were kept within the boundaries of the protection zone or surveillance zone or on the infected premises at any time during the period—
 - (i) beginning 21 days before the following date—
 - (aa) in the case of a protection zone, the earliest infection date on premises there;
 - (bb) in the case of a surveillance zone, the earliest infection date on premises in the associated protection zone; and
 - (cc) in the case of infected premises, the infection date; and
 - (ii) ending with the declaration of the protection zone, surveillance zone or infected premises, as the case may be.
- (5) In this paragraph, the expressions “susceptible animals originating in”, in respect of a temporary control zone, or “susceptible animals originating on”, in respect of suspect premises or contact premises mean—
- (a) susceptible animals kept in the temporary control zone (after the declaration of the zone) or on the suspect premises or contact premises, as the case may be; and
 - (b) susceptible animals which were kept within the boundaries of the temporary control zone or on the suspect premises or contact premises at any time during the period—
 - (i) beginning 21 days before the declaration of the temporary control zone or suspect premises or contact premises, as the case may be; and
 - (ii) ending with that declaration.
- (6) In this paragraph, “infection date” means, in respect of any premises, any date confirmed by the Scottish Ministers under article 11(11) of the Order as the earliest date disease was present there.

Transport, treatment and distribution of dung and manure

18.—(1) This paragraph applies to dung or manure from premises in a vaccination zone where susceptible animals are kept.

(2) No person shall transport or spread dung or manure from premises in a vaccination zone where susceptible animals are kept unless such transport or spreading complies with sub paragraph (3) or sub-paragraph (5) or sub-paragraph (7), and with sub-paragraph (10).

(3) Transport of dung or manure complies with this sub-paragraph where it is to an establishment for treatment to destroy the disease virus and is authorised by a licence granted by the Scottish Ministers.

(4) The occupier of any premises to which dung or manure is transported by authority of a licence granted under sub-paragraph (2) shall ensure that it is treated in accordance with point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002, as amended.

(5) Transport and spreading of dung or manure complies with this sub-paragraph if—

- (a) it is under the authority of a licence granted by an inspector; and
- (b) before grant of the licence a veterinary inspector has clinically examined all susceptible animals on the premises where it was produced and is satisfied that they are not suspected of infection.

(6) A licence granted under sub-paragraph (5) shall include terms requiring that dung or manure—

- (a) is spread from not more than 1 metre above the ground;
- (b) if liquid, is not be discharged by equipment producing a jet or spray unless the discharge point is directed downwards at an angle of not less than 45° from the horizontal; and
- (c) is immediately incorporated into the ground.

(7) Transport and spreading of dung or manure complies with this sub-paragraph if—

- (a) it is under the authority of a licence granted by an inspector; and
- (b) before grant of the licence a veterinary inspector has clinically inspected all susceptible animals on the premises where it was produced and is satisfied that they are not suspected of infection.

(8) A licence granted under sub-paragraph (7) shall include a term requiring that manure is injected into the ground.

(9) Any licence granted under sub-paragraph (5) or sub-paragraph (7) shall contain at least the following terms—

- (a) designation of the areas within which the dung and manure must be spread; and
- (b) designation of a distance from other premises keeping susceptible animals within which dung or manure must not be spread.

(10) Transport of dung or manure complies with this sub-paragraph if it is carried out in vehicles which are—

- (a) constructed and maintained so that there is no leakage of the load during transport; and
- (b) cleansed and disinfected in accordance with the directions of an inspector, after loading and before leaving the premises of origin.

(11) After transporting dung or manure under this paragraph, the person in charge of the vehicle shall ensure it is cleansed and disinfected in accordance with the directions of an inspector, after unloading or spreading and before leaving the premises of destination.

(12) The person in charge of a vehicle to be cleansed and disinfected under sub-paragraph (11) shall ensure that such cleansing and disinfection is carried out so that—

- (a) the exterior (including the wheels and wheel arches) is not marked with mud, dung, manure or similar matter on leaving the premises of origin or the premises of destination;
- (b) the interior (excluding any driver or passenger compartment) is not so marked on leaving the premises of destination; and
- (c) any additional requirements as an inspector directs are complied with.

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