
 S T A T U T O R Y I N S T R U M E N T S

1979 No. 815

ANIMALS

DISEASES OF ANIMALS

The Aujeszky's Disease of Swine Order 1979

Made - - - - 11th July 1979

Coming into Operation 1st August 1979

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 1, 8(3), 10, 11 and 84(3)(a) of the Diseases of Animals Act 1950(a), and now vested in them(b), and of all their other enabling powers, hereby order as follows:—

Citation, extent and commencement

1. This order, which may be cited as the Aujeszky's Disease of Swine Order 1979, shall apply throughout Great Britain, and shall come into operation on 1st August 1979.

Interpretation

2. In this order, unless the context otherwise requires—

“the Act” means the Diseases of Animals Act 1950, as amended or extended by any subsequent enactment;

“carcase” means the carcase of any swine, or any part thereof;

“dressed carcase” means a carcase which has been prepared for human consumption;

“inspector” means a person appointed to be an inspector for the purposes of the Act by the Minister or by a local authority, and, when used in relation to an inspector of the Ministry includes a veterinary inspector;

“the Minister” and “the Ministry” mean respectively the Minister and Ministry of Agriculture, Fisheries and Food;

“premises” includes land, with or without buildings;

“veterinary inspector” means a veterinary inspector appointed by the Minister;

“veterinary surgeon” means a person registered in the Register of Veterinary Surgeons or the Supplementary Veterinary Register.

Extension of definition of “disease” for the purposes of the Act

3. For the purposes of the Act, the definition of the expression “disease” in section 84(3)(a) thereof is hereby extended so as to include Aujeszky's disease of swine.

(a) 1950 c. 36.

(b) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958) and the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

Notification of Aujeszky's disease of swine

4.—(1) A person who knows or suspects that any swine or carcase in his possession or under his charge is affected with Aujeszky's disease shall, with all practicable speed, give notice of that fact to a constable of the police force for the area wherein the swine or carcase is, or to an inspector or to the veterinary inspector appointed for the time being by the Minister to receive such information within the area wherein the swine or carcase is.

(2) A veterinary surgeon who examines any swine or carcase affected with or which he suspects is affected with Aujeszky's disease shall, with all practicable speed, give notice of that fact to a constable of the police force for the area wherein the swine or carcase is, or to an inspector or to the veterinary inspector appointed as aforesaid.

(3) A constable or an inspector of the local authority receiving any such notice shall immediately transmit the information by the most expeditious means to the veterinary inspector appointed as aforesaid.

(4) For the purpose of paragraph (d) in Parts I and II of Schedule 5 to the Movement and Sale of Pigs Order 1975(a) (which requires in the declaration for use in case of a licensed movement of pigs under the order a statement that pigs are not affected or suspected of being affected with a notifiable disease) Aujeszky's disease shall not be a notifiable disease.

Restrictions on premises

5. The occupier of premises on which there is any swine or carcase affected with or suspected of being affected with Aujeszky's disease shall forthwith, and until the swine or carcase has been examined by a veterinary inspector—

- (a) prevent the access of any person (other than a person exercising any right of entry or way granted by law or a person attending the swine) to the part of the premises on which the swine or carcase is or has been kept; and
- (b) detain on the premises all swine and carcasses, except dressed carcasses not affected with or suspected of the disease.

Provision of assistance and information

6. For the purpose of establishing whether information in any manner received concerning the existence or suspected existence of Aujeszky's disease on any premises is correct, the occupier of the premises, his employees and any person who is or has been in possession or charge of any swine or carcase which is or has been within the preceding 56 days on the premises, shall—

- (a) give all reasonable assistance to a veterinary inspector for the examination of swine and carcasses and for the taking of such samples as may be required by him for the purpose of diagnosis; and
- (b) if so required by a veterinary inspector, give such information as he possesses as to any swine or carcase which is or has been on the premises, as to any other swine or carcase with which any such swine or carcase may have been in contact, and as to the location and movement of any other swine or carcase which is or has been in his possession or charge.

(a) S.I. 1975/203.

Local authority to enforce order

7. The provisions of this order shall, except where it is otherwise provided, be executed and enforced by the local authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th July 1979.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

10th July 1979.

George Younger,
Secretary of State for Scotland.

11th July 1979.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends the meaning of the expression "disease" in the Diseases of Animals Act 1950 to include Aujeszky's disease of swine for all purposes of the Act.

The Order imposes a duty on any person who knows or suspects that any swine or carcase of swine in his possession or charge is affected with Aujeszky's disease to notify that fact to the authorities mentioned in the Order.

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