STATUTORY INSTRUMENTS

2006 No. 2702

The Avian Influenza and Influenza of Avian Origin in Mammals (England) (No.2) Order 2006

PART 9

Inspection, enforcement, offences, amendments and revocations

Veterinary investigations

81.—(1) An inspector executing this Order may—

(a) mark, or cause to be marked, for identification purposes any bird, mammal, carcase or other thing;

(b) count birds and mammals;

(c) take samples from any bird, mammal, carcase or other thing;

(d) take with him such people and things as he considers necessary.

(2) Any person who enters premises under paragraph (1)(d) may return unaccompanied to take any further steps necessary to carry out the relevant functions.

(3) A person carrying out a veterinary investigation who suspects that avian influenza or influenza virus of avian origin exists or has existed on the premises must seek to establish—

(a) the length of time avian influenza has existed on the premises or on any vehicle,

(b) the possible origin of avian influenza on the premises,

(c) which premises may have been exposed to contamination by avian influenza from the same origin or from the premises under investigation, and

(d) the extent to which avian influenza may have been carried to or from the premises under investigation by the movement of birds, people, animals, vehicles, eggs, carcases, implements or any other thing.

(4) The occupier of the premises under investigation and any person appearing to the person carrying out the investigation to have charge of birds or mammals on the premises must provide such assistance as the person carrying out the investigation may reasonably require.

(5) No person shall deface, obliterate or remove any mark applied under paragraph (1)(a) except with the written authority of a veterinary inspector.

(6) Any person who carries out an investigation under this Order must keep a record of the dates he visits premises, of his findings at the premises and of any action he has required the occupier of the premises to take.

(7) Any person who imposes any requirements or restrictions under this Order must take account of the results of any relevant veterinary inquiries of which he should reasonably be aware.