

STATUTORY RULES OF NORTHERN IRELAND

2007 No. 68

The Avian Influenza and Influenza of Avian Origin
in Mammals Regulations (Northern Ireland) 2007

PART V

MEASURES ON SUSPICION OR CONFIRMATION OF HIGHLY PATHOGENIC
AVIAN INFLUENZA IN A REGULATED PLACE AND VEHICLE

Veterinary measures at a slaughterhouse

37. If the Department suspects that highly pathogenic avian influenza exists at a slaughterhouse or has confirmed that it exists there it must —

- (a) serve a notice on the occupier of the slaughterhouse informing him of this and applying the measures set out in paragraphs 3, 4 and 5 of Schedule 1; and
- (b) ensure that a veterinary inquiry is carried out at the slaughterhouse.

Commencement Information

I1 Reg. 37 in operation at 10.2.2007, see [reg. 1](#)

Veterinary inquiry where avian influenza is suspected or confirmed in a vehicle

38. An inspector must ensure that a veterinary inquiry is carried out in relation to any vehicle on which he knows or suspects that highly pathogenic avian influenza or highly pathogenic avian influenza virus exists.

Commencement Information

I2 Reg. 38 in operation at 10.2.2007, see [reg. 1](#)

Slaughter of poultry in a slaughterhouse where disease is suspected or confirmed

39. The occupier of a slaughterhouse where highly pathogenic avian influenza is suspected or has been confirmed must ensure that all poultry present on the premises at the date a notice is served on him under regulation [37\(a\)](#) are slaughtered there without delay and in accordance with the instructions of an inspector.

Commencement Information

I3 Reg. 39 in operation at 10.2.2007, see [reg. 1](#)

Poultry meat and by-products in a slaughterhouse where disease is suspected or confirmed

40.—(1) The occupier of a slaughterhouse where highly pathogenic avian influenza is suspected or has been confirmed must, in accordance with the instructions of an inspector—

- (a) keep poultry referred to in regulation 39 separate from any other poultry subsequently arriving at the slaughterhouse; and
- (b) keep the following separate from other bird carcasses, poultry meat and by-products—
 - (i) bird carcasses and poultry meat from poultry referred to in regulation 39;
 - (ii) the by-products of such poultry;
 - (iii) poultry meat from any other poultry which may have been contaminated with avian influenza at the slaughterhouse during the killing of such poultry or the production process;
 - (iv) the by-products of the poultry referred to in paragraph (1)(b)(iii).

(2) Paragraph (1) applies to poultry moved to a slaughterhouse—

- (a) from a [^{F1}border control post] in accordance with regulation 41(2), as if references to regulation 39 were to that regulation; and
- (b) on a vehicle in accordance with regulation 42, as if references to regulation 39 were to that regulation.

(3) The occupier of a slaughterhouse where highly pathogenic avian influenza is confirmed must dispose of the things set out in paragraph (1)(b) in accordance with the instructions of an inspector, or assist him in removing those things from the premises.

Textual Amendments

- F1** Words in reg. 40(2)(a) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **16(3)**

Commencement Information

- I4** Reg. 40 in operation at 10.2.2007, see [reg. 1](#)

Measures at border inspection posts

41.—(1) The Department must, if it considers it necessary to reduce the risk of the spread of avian influenza—

- (a) require a veterinary inquiry to be carried out at a [^{F2}border control post] where avian influenza is suspected or has been confirmed; and
- (b) impose (by notice served on the occupier of the [^{F2}border control post]) such of the measures in Schedule 1 as it considers appropriate.

(2) The Department must, by notice served on the occupier of the [^{F2}border control post], direct where birds specified in the notice are to be killed, slaughtered or isolated.

(3) The Department must ensure that poultry and other captive birds at [^{F2}border control post] which are to be killed under paragraph 11 of Part I of Schedule 2 to the 1981 Order are killed or slaughtered without delay.

(4) The Department must ensure that poultry and other captive birds which are not to be so killed or slaughtered are kept isolated in accordance with the instructions of an inspector.

Textual Amendments

- F2** Words in [reg. 41](#) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **16(3)**

Commencement Information

- I5** Reg. 41 in operation at 10.2.2007, see [reg. 1](#)

Control of vehicles

42.—(1) An inspector who knows or suspects that any poultry, other captive bird or any thing on a vehicle is infected or contaminated with highly pathogenic avian influenza may, by notice served on the owner or driver of the vehicle or on the occupier of any premises—

- (a) require the detention at such place, as the inspector directs, of any vehicle, equipment or other thing suspected of being contaminated; and
- (b) direct that the vehicle be moved to such premises as the inspector directs.

(2) Any expenses arising from the movement or detention of any bird or any thing (including the cost of feeding and watering any bird) must be paid by its owner.

Commencement Information

- I6** Reg. 42 in operation at 10.2.2007, see [reg. 1](#)

Cleansing and disinfection of a regulated place and vehicle

43.—(1) The occupier of any regulated place where highly pathogenic avian influenza is suspected or confirmed must cleanse and disinfect those premises and any equipment and vehicles on those premises which may be contaminated in accordance with the instructions of an inspector.

(2) The owner or driver of a vehicle on which highly pathogenic avian influenza is suspected or confirmed must cleanse and disinfect the vehicle.

Commencement Information

- I7** Reg. 43 in operation at 10.2.2007, see [reg. 1](#)

Reintroduction of poultry and other captive birds

44.—(1) A person shall not reintroduce poultry to a slaughterhouse where highly pathogenic avian influenza was suspected or confirmed for at least 24 hours after an inspector has confirmed that the cleansing and disinfection referred to in regulation [43](#) has been carried out.

(2) A person shall not reintroduce poultry or other captive birds to a border inspection post where highly pathogenic avian influenza was suspected or has been confirmed for at least 24 hours after an inspector has confirmed that the cleansing and disinfection referred to in regulation [43](#) has been carried out.

(3) If the Department considers it necessary to reduce the risk of the spread of avian influenza, it may, by notice served on the occupier of a [^{F3}border control post] , prohibit the introduction of animals other than birds onto the premises until the cleansing and disinfection referred to in regulation [43](#) has been carried out.

Textual Amendments

- F3** Words in [reg. 44\(3\)](#) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **16(3)**
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Commencement Information

- I8** Reg. 44 in operation at 10.2.2007, see [reg. 1](#)

Measures at other premises and for vehicles

45.—(1) If the Department suspects that highly pathogenic avian influenza or highly pathogenic avian influenza virus exists at a slaughterhouse or in a vehicle or if it has confirmed that it exists there, it must—

- (a) apply the measures in Schedule 1 to the premises of origin;
- (b) apply the measures in Schedule 1 to premises which it considers to be suspect premises (because of their epidemiological link with the premises of origin); and
- (c) apply the measures in Schedule 2 to the premises of origin, unless it is satisfied (having considered the results of veterinary inquiries) that this is not necessary.

(2) If the Department suspects that highly pathogenic avian influenza exists at any [^{F4}border control post] or has confirmed that it exists there, it must apply the measures in Schedule 1 to premises which it considers to be suspect premises because of their epidemiological link with the [^{F4}border control post].

(3) The Department must apply measures under this regulation by notice served on the occupier of the relevant premises.

(4) In this regulation, “premises of origin” means any premises from which poultry or other captive birds which may be infected with avian influenza were moved to the slaughterhouse or any vehicle on which such poultry or other captive birds were transported.

Textual Amendments

- F4** Words in [reg. 45\(2\)](#) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **16(3)**
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Commencement Information

- I9** Reg. 45 in operation at 10.2.2007, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals Regulations (Northern Ireland) 2007, PART V.