

SCHEDULE

Measures applicable in respect of a vaccination zone

PART 3

Products other than fresh meat etc.

Milk and milk products produced from vaccinated animals

12.—(1) No person shall sell or consign for sale the milk of 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 or 14 of Schedule 6 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 Secretary of State 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 Secretary of State imposing such conditions as she considers 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 14 of Schedule 6 to the Order,
 - (ii) is transported to the premises for such treatment, or
 - (iii) is raw milk obtained from outside a vaccination zone;
- (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, 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.

(3) A vehicle complies with this sub-paragraph if it—

- (a) has been authorised to operate within the part of England in which the journey is to take place by a licence granted by the Secretary of State; and

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- (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 Secretary of State.
- (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 where susceptible animals are kept 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) and either sub-paragraph (4) or (5).
- (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 Secretary of State;
 - (b) the semen collected is clearly marked in accordance with the directions of the Secretary of State;
 - (4) Collection of semen for artificial insemination complies with this sub-paragraph if—
 - (a) the donor animal is unvaccinated; and
 - (b) all animals present in the semen collection centre at the time of collection 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 Secretary of State.
 - (5) Collection of semen for artificial insemination complies with this sub-paragraph if—
 - (a) the donor animal is vaccinated; and
 - (b) the vaccination took place following a test for antibodies against the disease virus carried out by the Secretary of State with negative result.
 - (6) No person shall use semen collected in compliance with this paragraph for artificial insemination unless—
 - (a) it was stored separately from other semen for at least 30 days after collection;
 - (b) if collected from an unvaccinated animal, that animal has been subjected with negative result to a serological test carried out by the Secretary of State for the detection of antibodies against disease on a sample taken not earlier than 28 days after collection of the semen; and
 - (c) if collected from a vaccinated animal—

- (i) 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 by the Secretary of State at the end of the quarantine period for the semen on samples taken from all susceptible animals present at the semen collection centre at that time; and
- (ii) 5% of the semen from each collection (with a minimum of five straws) has been subjected to a virus isolation test for disease carried out by the Secretary of State 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 6 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) it has been treated so that it falls within paragraph 3 of Schedule 6 to the Order.

Other animal products

17.—(1) This paragraph applies to any animal product other than—

- (a) fresh meat, minced meat, mechanically separated meat or any meat preparation;
- (b) milk or any milk product;
- (c) any semen, ovum or embryo;
- (d) any hide or skins; or
- (e) any wool, ruminant hair or pig bristles,

if it is produced from susceptible animals originating in a vaccination zone.

(2) No person shall sell or consign for sale an 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 6 to the Order;
- (c) where it is referred to in one of paragraphs 5 to 9 of Schedule 6 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 6 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—
 - (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 14(2) of the Order; and
 - (b) suspect premises means any premises declared to be suspect premises under article 12(7) or 14(1) 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,
 - (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, the date confirmed by the Chief Veterinary Officer of the Department for Environment, Food and Rural Affairs under article 12(10) 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 dung or manure to which this paragraph applies unless such transport complies with sub-paragraph (3), (5) or (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 under the authority of a licence granted by the Secretary of State.

[^{F1}(4) The occupier of any premises to which dung or manure is transported by authority of a licence granted under sub-paragraph (3) shall ensure that it is treated in accordance with—

- (a) Articles 15 and 32 of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council; and
- (b) Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.]

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

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

(6) No person shall spread dung or manure to which this paragraph applies unless such spreading is authorised by an inspector and the dung or manure—

- (a) is spread from not more than 1 metre above the ground;
- (b) if spread as a liquid, is not 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 of dung or manure complies with this sub-paragraph if—

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

(8) No person shall spread dung or manure transported by authority of a licence granted under sub-paragraph (7) unless such spreading is authorised by a licence granted by an inspector and the dung or manure is injected into the ground.

(9) Any licence granted under sub-paragraph (5), (6) or (8) shall contain at least the following terms—

- (a) designation of the areas within which the dung or manure must be spread;
- (b) designation of a distance from other premises where susceptible animals are kept 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 a vehicle which is—

- (a) constructed and maintained so that there is no leakage of the load during transport; and
- (b) cleansed and disinfected 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 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 (10) or (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.

Textual Amendments

- F1** Sch. para. 18(4) substituted (23.3.2011) by [The Animal By-Products \(Enforcement\) \(England\) Regulations 2011 \(S.I. 2011/881\)](#), reg. 1, **Sch. 2 para. 9**; and Sch. para. 18(4) substituted (12.12.2013) (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Animal By-Products \(Enforcement\) \(England\) Regulations 2013 \(S.I. 2013/2952\)](#), reg. 1(2), **Sch. 2 para. 3(4)** (S.I. 2011/881, Sch. 2 para. 9 revoked (12.12.2013) by S.I. 2013/2952, reg. 28(d))

Changes to legislation:

There are currently no known outstanding effects for the The Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2006, PART 3.