
STATUTORY INSTRUMENTS

2008 No. 465

The Products of Animal Origin (Disease Control) (England) Regulations 2008

PART 1

Introduction

Title, application and commencement

1. These Regulations—

- (a) may be cited as the Products of Animal Origin (Disease Control) (England) Regulations 2008;
- (b) apply in England only; and
- (c) come into force on 6th April 2008.

Interpretation: general

2. In these Regulations—

“the Act” means the Animal Health Act 1981⁽¹⁾;

“animal” means any mammal;

“disease” means any of the following: classical swine fever; African swine fever; swine vesicular disease; rinderpest; sheep and goat plague, Newcastle disease;

“disease legislation” means any of the legislation listed in Schedule 1;

“establishment” means a slaughterhouse or a game handling establishment;

“game handling establishment” means an establishment where the preparation of wild game carcasses takes place;

“inspector” means an inspector appointed as such by the Secretary of State or a local authority for the purpose of these Regulations or of the Act and, unless the context otherwise requires, includes a veterinary inspector;

“local authority” means—

- (a) in a part of England where there is, within the meaning of the Local Government Changes for England Regulations 1994⁽²⁾, a unitary authority for that local government area, that authority;
- (b) where there is not a unitary authority—
 - (i) in a metropolitan district, the council of that district;
 - (ii) in a non-metropolitan county, the council of that county;

⁽¹⁾ 1981, c. 22, as amended by the Animal Health Act 2002, c. 42, S.I. 1992/3293, 2003/1734 and. 2006/182.

⁽²⁾ S.I. 1994/867 to which there are amendments not relevant to these Regulations.

- (iii) in each London borough, the council of that borough;
- (iv) in the city of London, the Common Council;
- (v) where there is a port health authority, that authority;

“meat” means any part of the carcase of either an animal or poultry intended for human consumption, and includes a product resulting from the processing of meat from that animal or poultry or a product resulting from the further processing of such processed meat product;

“occupier” means, in relation to any premises or establishment, the person in charge of those premises or that establishment;

“poultry” means all species of poultry reared or kept in captivity for the production of meat or eggs for human consumption, the production of other commercial products for human consumption, the restocking of supplies of game or for the purposes of any breeding programme for the production of these categories of birds;

“premises” means any land, building or place in business use, other than a slaughterhouse or game handling establishment;

“relevant date” means the date disease was confirmed at infected premises or an establishment or the date of earliest infection where the Secretary of State specifies such a date;

“slaughter” means killing for the production of food for human consumption but does not include killing wild game;

“slaughterhouse” means an establishment where the slaughter and dressing of any animal or poultry takes place;

“supply” means supply to the final consumer or to a person who then supplies to the final consumer and includes consignment for sale;

“treatment centre” means premises designated under regulation 5 for the purpose of subjecting meat to a treatment listed in Schedule 2;

“vehicle” includes—

- (a) a trailer, semi-trailer or other thing designed or adapted to be towed by another vehicle;
- (b) a detachable part of any vehicle;
- (c) a container or other structure designed or adapted to be carried on a vehicle;

“veterinary inspector” means a person appointed as such by the Secretary of State for the purposes of these Regulations or under the Act; and

“wild game” means a wild animal which is hunted for human consumption.

Restricted animal, restricted poultry and restricted meat: definitions

3.—(1) In these Regulations, a “restricted animal” is an animal which is—

- (a) at, in or from—
 - (i) suspect premises;
 - (ii) an establishment where a disease is suspected;
 - (iii) infected premises;
 - (iv) an establishment where a disease is confirmed;
 - (v) an infected area;
 - (vi) a protection zone; or
 - (vii) a surveillance zone; and

(b) of a species susceptible to the disease in respect of which restrictions have been imposed under disease legislation.

(2) In these Regulations, “restricted poultry” is poultry which is at, in or from any of the following under the Diseases of Poultry (England) Order 2003(3) —

- (a) suspect premises;
- (b) a slaughterhouse where a disease is suspected;
- (c) infected premises;
- (d) a slaughterhouse where a disease is confirmed;
- (e) an infected area;
- (f) a protection zone; or
- (g) a surveillance zone.

(3) “Suspect premises” are premises where movement restrictions are in place under disease legislation because a disease is suspected there.

(4) “Infected premises” are premises where a disease has been confirmed under disease legislation.

(5) An “infected area” is an area of this name declared by the Secretary of State under disease legislation following confirmation of a disease.

(6) A “protection zone” is an area of this name declared by the Secretary of State under disease legislation following confirmation of a disease.

(7) A “surveillance zone” is an area of this name declared by the Secretary of State under disease legislation following confirmation of a disease.

(8) “Restricted meat” is meat produced from the relevant date from a restricted animal or restricted poultry from an infected area, a protection zone or a surveillance zone that has not been treated in accordance with Schedule 2 at a designated treatment centre, and includes meat that has come into contact with such meat.

Notices

4. Notices under these Regulations—

- (a) must be in writing; and
- (b) may be amended, suspended or revoked, by further notice, at any time.

Designation of premises, slaughterhouses and game handling establishments

5.—(1) The Secretary of State may designate any establishment or premises for the purposes of slaughtering animals or poultry, or cutting, preparing, processing, packing, wrapping, storage or treatment of meat.

(2) Designation under these Regulations—

- (a) must be in writing;
- (b) may be subject to conditions; and
- (c) may be amended, suspended or revoked by notice.

(3) Premises and establishments designated by the Scottish Ministers, the Welsh Ministers or the Department for Agriculture and Rural Development of Northern Ireland for the same purposes as

they may be designated under these Regulations are designated premises or establishments for the purposes of these Regulations.

(4) In these Regulations, “designated” refers to premises and establishments which are designated under this regulation.

Restrictions relating to movements from Scotland, Wales or Northern Ireland

6.—(1) Unless the Secretary of State directs otherwise, measures in these Regulations applying in respect of anything moved from any of the premises, establishments, areas or zones referred to in regulation 3 also apply in respect of such a movement from any equivalent premises, establishment, area or zone in Scotland, Wales or Northern Ireland.

(2) This regulation only applies if the person to whom the measure applies is aware or should reasonably have been aware that the movement is from such premises, establishment, area or zone.