
STATUTORY INSTRUMENTS

2014 No. 1894

The Diseases of Swine Regulations 2014

PART 1

Introduction

Citation, extent and commencement

- 1.—(1) These Regulations—
- (a) may be cited as the Diseases of Swine Regulations 2014;
 - (b) extend to Great Britain; and
 - (c) come into force on 14th August 2014.

Interpretation

- 2.—(1) In these Regulations—
- “carcase” means a carcase or part of a carcase of a pig, but does not include a sample taken from a carcase;
- “Chief Veterinary Officer” means the Chief Veterinary Officer for England, Scotland or Wales dependent upon where disease is present;
- “contact premises” means premises that are designated as contact premises under regulation 8(1);
- “Council [Directive 92/119/EEC](#)” means Council [Directive 92/119/EEC](#) introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease as amended from time to time;
- “Council [Directive 2001/89/EC](#)” means Council [Directive 2001/89/EC](#) on Community measures for the control of classical swine fever as amended from time to time;
- “Council [Directive 2002/60/EC](#)” means Council [Directive 2002/60/EC](#) laying down specific provisions for the control of African swine fever as amended from time to time;
- “designated slaughterhouse” means a slaughterhouse designated by the appropriate authority under the Products of Animal Origin (Disease Control) (England) Regulations 2008(1), the Products of Animal Origin (Disease Control) (Scotland) Order 2008(2) or the Products of Animal Origin (Disease Control) (Wales) Regulations 2008(3);
- “Diagnostic Manual” refers to the Diagnostic Manual contained in—
- (a) Commission [Decision 2000/428/EC](#) establishing diagnostic procedures, sampling methods and criteria for the evaluation of the results of laboratory tests for the confirmation and differential diagnosis of swine vesicular disease(4),

(1) S.I. 2008/465, amended by S.I. 2009/1297, 2012/2897.

(2) S.S.I. 2008/158, amended by S.S.I. 2009/173, 2009/174.

(3) S.I. 2008/1275 (W.132), amended by S.I. 2009/1373 (W.136), 2009/1910 (W.173).

(4) OJ No L 167, 7.7.2000 p.22.

- (b) Commission [Decision 2002/106/EC](#) approving a Diagnostic Manual establishing diagnostic procedures, sampling methods and criteria for evaluation of the laboratory tests for the confirmation of classical swine fever⁽⁵⁾,
- (c) Commission [Decision 2003/422/EC](#) approving an African swine fever Diagnostic Manual⁽⁶⁾;

“disease” in these Regulations, unless the context refers to only one or more of these diseases, means any of the following diseases of pig (and includes the virus of any such disease)—

- (a) African swine fever;
- (b) classical swine fever (otherwise known as hog cholera); and
- (c) swine vesicular disease;

“equipment”, except in regulation 34(9)(a), means any equipment that has been in contact with pigs or faeces, blood or other bodily fluids from a pig;

“feral pig” means any non-captive pig which is living in the wild;

“infected premises” means premises that have been designated as infected premises under regulation 10;

“inspector” means a person appointed to be an inspector for the purposes of the Animal Health Act 1981⁽⁷⁾ by an appropriate authority or by a local authority, and, when used in relation to an officer of the appropriate authority, includes a veterinary inspector;

“keeper” means any person who owns or is responsible for a pig, whether on a permanent or temporary basis;

“livestock” means any hoofed animals other than equidae;

“local authority” means—

- (a) in England—
 - (i) where there is an authority which is the sole principal council for its local government area (“a unitary authority”), that authority;
 - (ii) where there is not a unitary authority—
 - (aa) in a metropolitan district, the council of that district;
 - (bb) in a non-metropolitan county, the county council;
 - (cc) in each London borough, the council of that borough; or
 - (dd) in the City of London, the Common Council;
- (b) in Wales, a county council or a county borough council;
- (c) in Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽⁸⁾;

“marker vaccine” means a vaccine which results in a clear differentiation between a vaccinated pig and a diseased pig;

“occupier” means any person having day-to-day responsibility for the premises or for any pigs on the premises;

(5) OJ No L 39, 9.2.2002, p.71, as amended by Commission [Decision 2003/859/EC](#) (OJ No L.324, 11.12.2003, p.55).

(6) OJ No L 143, 11.6.2003, p.5.

(7) Section 89 of the Animal Health Act 1981 c.22. Functions conferred under that Act on “the Ministers” (as defined in section 86) are now exercisable in relation to England by the Secretary of State. Functions of “the Ministers” were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141). Functions of the Minister of Agriculture, Fisheries and Food were then transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(8) 1994 c. 39 amended by the Environment Act 1995 (c.25), section 120(1) and Schedule 22, paragraph 232(1).

“pig” means any animal of the *Suidae* family;

“premises” includes any land, building or other place;

“sentinel pig” means a pig introduced to infected premises after cleansing and disinfection in accordance with regulation 18 for surveillance purposes;

“seropositive pig” means a pig identified as having antibodies against swine vesicular disease, African swine fever or classical swine fever;

“suspect premises” means premises that are designated as suspect premises under regulation 7(2);

“vectors” means ticks of the species *Ornithodoros erraticus* or any other tick or insect species specified by the appropriate authority;

“veterinary inspector” means a veterinary inspector appointed by an appropriate authority for the purposes of the Animal Health Act 1981.

(2) In these Regulations—

- (a) “appropriate authority” means—
- (i) the Secretary of State where the functions are exercised in England;
 - (ii) the Scottish Ministers where the functions are exercised in Scotland; and
 - (iii) the Welsh Ministers where the functions are exercised in Wales;
- (b) terms used in the European Union instruments have the same meaning as in those instruments.

(3) In paragraph (2)(b) “the European Union instruments” means—

- (a) Council [Directive 92/119/EEC](#);
- (b) Council [Directive 2001/89/EC](#);
- (c) Council [Directive 2002/60/EC](#);
- (d) Commission [Decision 2000/428/EC](#) establishing diagnostic procedures, sampling methods and criteria for the evaluation of the results of laboratory tests for the confirmation and differential diagnosis of swine vesicular disease;
- (e) Commission [Decision 2002/106/EC](#) approving a Diagnostic Manual establishing diagnostic procedures, sampling methods and criteria for evaluation of the laboratory tests for the confirmation of classical swine fever; and
- (f) Commission [Decision 2003/422/EC](#) approving an African swine fever Diagnostic Manual.

Occupier and changes of occupier

3.—(1) Any notice that is required or authorised under these Regulations to be served on the occupier may be served on a person appearing to the person serving the notice to be the occupier.

(2) Where a notice has been served on a person referred to in paragraph (1), and it later becomes clear to the person who served the notice that another person is the keeper of the pigs then a replacement notice must be served on the other person.

(3) Where there is a change in occupation of premises subject to any controls or restrictions under these Regulations—

- (a) the existing occupier must immediately notify the appropriate authority of the details of the new occupier before the change in occupation takes place; and
- (b) if the new occupier does not have day-to-day responsibility for restricted pigs under these Regulations the new occupier must allow the keeper of the restricted pigs, or any person acting on behalf of the keeper, to enter the premises to feed or otherwise attend to the

welfare of the pigs during the period of control or restriction and for seven days following the ending of such restrictions.

Exemptions

- 4.—(1) These Regulations do not apply—
- (a) to anything done under the terms of a licence granted under the Specified Animal Pathogens Order 2008⁽⁹⁾, the Specified Animal Pathogens (Scotland) Order 2009⁽¹⁰⁾ or the Specified Animal Pathogens (Wales) Order 2008⁽¹¹⁾; or
 - (b) at any border inspection post within the meaning of, and for so long as it remains approved for the purposes of, regulation 11 of the Trade in Animals and Related Products Regulations 2011⁽¹²⁾, regulation 9 of the Trade in Animals and Related Products (Scotland) Regulations 2012⁽¹³⁾ or regulation 11 of the Trade in Animals and Related Products (Wales) Regulations 2011⁽¹⁴⁾.
- (2) Parts 2 and 3 do not apply in relation to swine vesicular disease in any period during which action is being taken by the appropriate authority under the Foot-and-Mouth Disease (England) Order 2006⁽¹⁵⁾, the Foot-and-Mouth Disease (Scotland) Order 2006⁽¹⁶⁾ or the Foot-and-Mouth Disease (Wales) Order 2006⁽¹⁷⁾.

⁽⁹⁾ S.I. 2008/944; relevant amending instrument is S.I. 2009/3083.

⁽¹⁰⁾ S.S.I. 2009/45; relevant amending instrument is S.S.I. 2009/394.

⁽¹¹⁾ S.I. 2008/1270 (W.129); relevant amending instrument is S.I. 2009/3234 (W.281).

⁽¹²⁾ S.I. 2011/1197, to which there are amendments not relevant to these Regulations.

⁽¹³⁾ S.S.I. 2012/177, to which there are amendments not relevant to these Regulations.

⁽¹⁴⁾ S.I. 2011/2379 (W.252).

⁽¹⁵⁾ S.I. 2006/182, to which there are amendments not relevant to these Regulations.

⁽¹⁶⁾ S.S.I. 2006/44, to which there are amendments not relevant to these Regulations.

⁽¹⁷⁾ S.I. 2006/179 (W.30), to which there are amendments not relevant to these Regulations.