

2021 No. 443

ANIMALS, ENGLAND

ANIMAL HEALTH

**The Specified Diseases (Notification and Control) (Amendment,
etc.) (England) Order 2021**

Made - - - - at 10.22 a.m. on 1st April 2021

Coming into force - - 21st April 2021

The Secretary of State makes this Order in exercise of the powers conferred by sections 1, 8(1), 15(4) and (5), 17(1), 23, 28, 32(2), 35(1) and (3), 72, 83(2), 87(2) and 88(2) of the Animal Health Act 1981(a).

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Specified Diseases (Notification and Control) (Amendment, etc.) (England) Order 2021 and comes into force on 21st April 2021.

(2) This Order extends to England and Wales but applies in relation to England only.

Amendment to the Aujeszky's Disease Order 1983

2.—(1) The Aujeszky's Disease Order 1983(b) is amended as follows.

(2) In article 15—

- (a) in paragraph (1), omit “, by special order,”;
- (b) in paragraph (2), for “special order”, in both places where it occurs, substitute “declaration”;
- (c) after paragraph (4), insert—
 - “(5) A declaration made under paragraph (1)—
 - (a) must be in writing;
 - (b) may be amended or revoked at any time;
 - (c) must designate the extent of the zone being declared;
 - (d) must list or refer to the measures which apply in such a zone and, if they apply in only part of the zone, state in which part they apply.

(6) The Secretary of State must ensure that the extent of any zone declared under this Order, the nature of the restrictions and requirements applicable within it and the dates of its declaration and termination are published.”.

(a) 1981 c. 22. Section 65A was inserted by section 10 of the Animal Health Act 2002 (c. 42).

(b) S.I. 1983/344, amended by S.I. 1994/3141, 1995/11 and 2009/2713.

Amendment to the Specified Diseases (Notification and Slaughter) Order 1992

3.—(1) The Specified Diseases (Notification and Slaughter) Order 1992(a) is amended as follows.

(2) In article 2(1)—

- (a) after “Contagious agalactia”, insert “Contagious caprine pleuropneumonia”;
- (b) after “Contagious epididymitis”, insert “Ebola virus”;
- (c) after “Epizootic haemorrhagic virus disease”, insert “Glanders (*Burkholderia mallei*)”;
- (d) after “Sheep pox”, insert “Surra (*Trypanosoma evansi*)”.

Amendment to the Specified Diseases (Notification) Order 1996

4.—(1) The Specified Diseases (Notification) Order 1996(b) is amended as follows.

(2) In article 3(4), after “Schedule 1” insert “or Schedule 1A”.

(3) After article 4, insert—

“Notification of infection with *Batrachochytrium salamandrivorans*: England

4A.—(1) For the purposes of the Animal Health Act 1981 in its application to this article—

- (a) the definition of “animals” in section 87(1) of the Act is extended to include relevant amphibians;
- (b) the definition of “disease” in section 88(1) of the Act is extended to include infection with *Batrachochytrium salamandrivorans*.

(2) A person who—

- (a) has in his possession or under his charge a relevant amphibian, and
- (b) knows, or reasonably suspects, that the relevant amphibian is infected with *Batrachochytrium salamandrivorans*,

must give notice of that knowledge or suspicion as soon as practicable.

(3) A veterinary surgeon or other person who, in the course of his duties—

- (a) examines or inspects a relevant amphibian, and
- (b) knows or reasonably suspects that the relevant amphibian is infected with *Batrachochytrium salamandrivorans*,

must give notice of that knowledge or suspicion as soon as practicable.

(4) A person who—

- (a) analyses a sample taken from a relevant amphibian, and
- (b) knows or reasonably suspects that the sample taken from the relevant amphibian is infected with *Batrachochytrium salamandrivorans*,

must give notice of that knowledge or suspicion as soon as practicable.

(5) In paragraphs (2) to (4), “relevant amphibian”—

- (a) means an amphibian of the group “Caudata”; and
- (b) includes the carcass of any such amphibian.

(6) This article applies in relation to England only.

(a) S.I. 1992/3159, amended by S.I. 2003/130, S.I. 2006/2166 and 2012/2629.

(b) S.I. 1996/2628, amended by S.I. 2003/130, S.I. 2006/2166, 2009/2713, S.I. 2012/2629 and S.I. 2015/2023.

Notification of Ebola virus: England

4B.—(1) For the purposes of the Animal Health Act 1981 in its application to this article—

- (a) the definition of “animals” in section 87(1) of the Act is extended to include relevant primates;
- (b) the definition of “disease” in section 88(1) of the Act is extended to include infection with Ebola virus.

(2) A person who—

- (a) has a relevant primate in his possession or under his charge, and
- (b) knows or reasonably suspects that the relevant primate is infected with Ebola virus,

must give notice of this knowledge or suspicion as soon as practicable.

(3) A veterinary surgeon or other person who, in the course of his duties—

- (a) examines or inspects a relevant primate, and
- (b) knows or reasonably suspects that the relevant primate is infected with Ebola virus,

must give notice of this knowledge or suspicion as soon as practicable.

(4) A person who, in the course of his duties—

- (a) analyses a sample taken from a relevant primate, and
- (b) knows or reasonably suspects that the sample taken from the relevant primate is infected with Ebola virus,

must give notice of this knowledge or suspicion as soon as practicable.

(5) In paragraphs (2) to (4)—

- (a) “relevant primate” means any kind of primate except man, and;
- (b) includes the carcass or any part of the carcass of a primate.

(6) This article applies in relation to England only.”.

(4) After article 5(2), insert—

“(3) Sub-paragraphs (b) and (c) of paragraph (1) do not apply in the case of notice given under article 4A or 4B.”.

(5) In article 6, for “article 3 or 4” substitute “article 3, 4, 4A or 4B”.

(6) In Schedule 1, in Part 1—

- (a) after “Contagious agalactia”, insert “Contagious caprine pleuropneumonia”;
- (b) after “Epizootic haemorrhagic virus disease”, insert “Glanders (*Burkholderia mallei*)”;
- (c) after “Scrapie”, insert “Surra (*Trypanosoma evansi*)”.

(7) After Schedule 1, insert—

“SCHEDULE 1A

Article 3(4)

FURTHER SPECIFIED DISEASES

Bovine genital campylobacteriosis

Bovine Viral Diarrhoea

Infection with porcine reproductive and respiratory syndrome virus

Infection with bovine rhinotracheitis or infectious pustular vulvovaginitis

Paratuberculosis

Trichomonosis”.

Amendment to the Diseases of Poultry (England) Order 2003

- 5.**—(1) The Diseases of Poultry (England) Order 2003(a) is amended as follows.
(2) In article 3(2), for “declaratory Order” substitute “declaration”.
(3) After article 3, insert—

“Notification procedure where an infection with Avian Mycoplasmosis is suspected

3A.—(1) A person who—

- (a) analyses a sample from a bird or bird carcase, and
- (b) knows or reasonably suspects that the bird or carcase is infected with Avian Mycoplasmosis (infection with *Mycoplasma gallisepticum* or *M. meleagridis*),

must give notice of that knowledge or suspicion to the Secretary of State as soon as practicable.

- (2) This article applies only in relation to domestic fowl and turkeys.

Notification procedure where an infection with Avian Chlamydiosis is suspected

3B.—(1) A person who—

- (a) analyses a sample from a bird or bird carcase, and
- (b) knows or reasonably suspects that the bird or carcase is infected with Avian Chlamydiosis,

must give notice of this knowledge or suspicion to the Secretary of State as soon as practicable.

- (2) This article applies only in relation to birds of the *psittacines* order.”.

(4) In article 10—

- (a) in paragraphs (1) and (2), omit “, by declaratory Order.”;
- (b) in paragraph (3), for “declaratory Order”, in both places where it occurs, substitute “declaration”;
- (c) in paragraphs (5) and (6), for “declaratory Order” substitute “declaration”;
- (d) in paragraph (7), for “declaratory Order” substitute “declaration”.

Amendment to the Foot-and-Mouth Disease (England) Order 2006

6. In article 16(1) of the Foot-and-Mouth Disease (England) Order 2006(b), for “shall” substitute “may”.

Amendment to the Trade in Animals and Related Products Regulations 2011

7. In regulation 35 of the Trade in Animals and Related Products Regulations 2011(c)—

- (a) in paragraph (1)—
 - (i) after “the appropriate enforcement authority”, insert “or the Secretary of State”;
 - (ii) after “that enforcement authority”, insert “or the Secretary of State”;

(a) S.I. 2003/1078, amended by S.I. 2006/1197, S.I. 2009/2713 and 2018/575.

(b) S.I. 2006/182, amended by S.I. 2009/2713, S.I. 2011/881, S.I. 2013/2952, S.I. 2018/575, S.I. 2019/526, S.I. 2019/1488 and S.I. 2020/1388.

(c) S.I. 2011/1197, amended by S.I. 2014/3158, S.I. 2019/1488, 2019/526, S.I. 2019/782, S.I. 2020/109 and S.I. 2020/1462.

- (b) in paragraph (3) —
 - (i) after “the appropriate enforcement authority”, insert “or the Secretary of State”;
 - (ii) after “that enforcement authority”, insert “or the Secretary of State, as appropriate”;
- (c) in paragraphs (4) to (6), after “enforcement authority”, in each place where it occurs, insert “or the Secretary of State”.

Revocation

8. The Avian Influenza (H5N1 in Poultry) (England) Order 2006(a) is revoked.

Gardiner of Kimble
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

At 10.22 a.m. on 1st April 2021

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made in exercise of the powers conferred by the Animal Health Act 1981 (c. 22). It applies in relation to England only.

The Order makes provision in relation to the following instruments—

- (a) the Aujeszky’s Disease Order 1983 (S.I. 1983/344) is amended in article 15, to remove the requirement for any declaration of an infected area to be made by order;
- (b) article 2(1) of the Specified Diseases (Notification and Slaughter) Order 1992 (S.I. 1992/3159) is amended to enable the power to order the slaughter of animals on account of disease to apply in relation to four additional diseases: Contagious caprine pleuropneumonia, Ebola virus, Glanders (*Burkholderia mallei*) and Surra (*Trypanosoma evansi*);
- (c) the Specified Diseases (Notification) Order 1996 (S.I. 1996/2628) is amended—
 - (i) to require notification of an occurrence or suspected occurrence of *Batrachochytrium salamandrivorans* and Ebola virus;
 - (ii) to add three diseases (Contagious caprine pleuropneumonia, Glanders (*Burkholderia mallei*), and Surra (*Trypanosoma evansi*)) to the list of diseases in Part 1 of Schedule 1, so as to require notification of an occurrence or suspected occurrence of these diseases;
 - (iii) to add a new Schedule 1A, which lists Bovine genital campylobacteriosis, Bovine Viral Diarrhoea, infection with porcine reproductive or respiratory syndrome virus, infection with bovine rhinotracheitis or infectious pustular vulvovaginitis, Paratuberculosis and Trichomonosis as diseases which require notification of an occurrence or suspected occurrence after laboratory analysis of samples;
- (d) the Diseases of Poultry (England) Order 2003 (S.I. 2003/1078) is amended—
 - (i) to remove the requirement for any declaration of an infected area to be made by declaratory Order;
 - (ii) to require the notification of an occurrence or suspected occurrence of two diseases, Avian Mycoplasmosis (infection with *Mycoplasma gallisepticum* and *M. meleagridis*) and Avian Chlamydiosis, after laboratory analysis of samples;
- (e) the Foot-and-Mouth Disease (England) Order 2006 (S.I. 2006/182) is amended to give the Secretary of State a discretion as to whether to declare a temporary control zone on suspicion of disease where samples are taken;

(a) S.I. 2006/3249.

- (f) the Trade in Animals and Related Products Regulations 2011 (S.I. 2011/1197) are amended to confer on the Secretary of State power to act in respect of non-compliant goods;
- (g) the Avian Influenza (H5N1 in Poultry) (England) Order 2006 (S.I. 2006/3249) is revoked.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

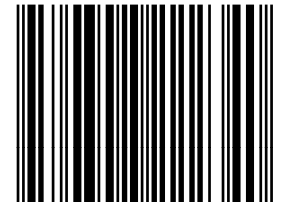
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