

SCHEDULE 4

Measures applicable in respect of protection and surveillance zones

PART 2

Measures applicable only in respect of a protection zone

Movement of susceptible animals from or to premises in a protection zone

10.—(1) Subject to the provisions of this paragraph, no person is permitted to move any susceptible animal from or to premises in a protection zone.

(2) The prohibition in sub-paragraph (1) does not apply to transport of susceptible animals for emergency slaughter under the authority of a licence granted by an inspector from premises in a protection zone direct to a slaughterhouse—

- (a) in the same protection zone, or
- (b) if there is no slaughterhouse in that protection zone, outside the protection zone.

(3) No inspector is permitted to grant a licence under sub-paragraph (2) unless he or she is satisfied that—

- (a) a veterinary inspector has within the previous 24 hours carried out a clinical examination of every susceptible animal on the premises, and
- (b) there is no suspicion of infection or contamination on the premises.

(4) The person in charge of any vehicle used to move susceptible animals under the authority of a licence granted under sub-paragraph (2) must ensure that it is cleansed and disinfected in accordance with article 45.

(5) The prohibition in sub-paragraph (1) does not apply to the movement of animals leaving infected premises for slaughter under the authority of a licence granted under sub-paragraph 4(6) of Schedule 2.

(6) The prohibition in sub-paragraph (1) does not apply to movement from one part of premises to another part of the same premises using an intervening public highway under the authority of a licence granted by a veterinary inspector or by an inspector at the direction of a veterinary inspector.

Movement of non-susceptible animals from or to premises in a protection zone where susceptible animals are kept

11.—(1) Subject to the provisions of this paragraph, no person is permitted to move any non-susceptible animal from or to premises in a protection zone where susceptible animals are kept.

(2) The prohibition in sub-paragraph (1) does not apply to—

- (a) movement of pet animals which are not susceptible animals,
- (b) movement of horses under the terms of a licence granted by an inspector, and
- (c) movement from one part of premises to another part of the same premises using an intervening public highway and under the authority of a licence granted by a veterinary inspector or by an inspector at the direction of a veterinary inspector.

(3) Any inspector granting a licence under sub-paragraph (2)(b) must take account of the recommended measures in paragraph 2.2 of Annex VI to the Directive.

Movement of animals into or out of a protection zone

12.—(1) Subject to the provisions of this paragraph, no person is permitted to move any animal into or out of a protection zone.

(2) The prohibition in sub-paragraph (1) does not apply to—

- (a) movement permitted under paragraph 10 or 11,
- (b) movement of pet animals which are not susceptible animals,
- (c) movement of horses under the terms of a licence granted by an inspector,
- (d) transport through the zone without stopping, or
- (e) transport from outside the zone directly to a slaughterhouse in the zone for immediate slaughter there under the terms of a licence granted by an inspector.

(3) Any inspector granting a licence under sub-paragraph (2)(c) must take account of the recommended measures in paragraph 2.2 of Annex VI to the Directive.

(4) A licence granted under sub-paragraph 2(e) must—

- (a) certify that the premises on which the movement originates is outside the protection zone, and
- (b) specify the route to be taken.

(5) The person in charge of any vehicle used to transport animals under the authority of a licence granted under sub-paragraph (2)(e) must ensure that—

- (a) it is cleansed and disinfected in accordance with article 45; and
- (b) details of the cleansing and disinfection are recorded in a document which is kept with the vehicle at all times and retained for at least 6 months after the last such cleansing and disinfection.

Movement of vehicles from premises in a protection zone where susceptible animals are kept

13. No person is permitted to move any vehicle designed or adapted for the transport of animals from premises in a protection zone where susceptible animals are kept except under the authority of a licence granted by an inspector.

Control of animal gatherings in a protection zone

14. No person is permitted to hold any animal gathering in a protection zone.

Control of gatherings of people in a protection zone

15.—(1) No person is permitted to hold or take part in the following activities in a protection zone—

- (a) hunting any drag or other trail;
- (b) falconry, except under the authority of a licence granted by the National Assembly;
- (c) point-to-point meetings;
- (d) stalking;
- (e) shooting game or other wildlife or deer, except that—
 - (i) the occupier of any land, members of his or her household, persons employed by him or her as beaters and any member of a shooting party of not more than three persons authorised by him or her may shoot game, other wildlife or deer found on that land;

- (ii) a person may shoot birds under the authority of a licence granted by the National Assembly; and
- (iii) a person may cull deer under the authority of a licence granted by the National Assembly.

(2) Where holding any recreational or sporting activity may, in the opinion of the National Assembly, spread disease, it may prohibit it by serving a notice on the person responsible for the activity.

(3) In this paragraph “falconry” means the use of birds of the order Falconiformae to hunt for game or other wildlife.

Breeding in a protection zone

16.—(1) No person is permitted to carry out breeding of susceptible animals by means of itinerant service in a protection zone.

(2) No person is permitted to carry out artificial insemination of animals or collect any embryo or ovum in a protection zone except in compliance with sub-paragraph (3) or (4).

(3) Artificial insemination of a susceptible animal complies with this sub-paragraph if it satisfies the following requirements—

- (a) it is carried out by the occupier of the premises where the animal is kept (or any employee of that occupier);
- (b) the semen used has not left the premises since the protection zone was declared, or was delivered to the occupier or his or her employee at a place outside the premises from a semen collection centre;
- (c) it is carried out using equipment which has been on the premises since the protection zone was declared.

(4) Artificial insemination of a non-susceptible animal or the collection of embryos, or ova from such an animal complies with this sub-paragraph if—

- (a) it is carried out by the occupier of the premises where the animal is kept (or any employee of that occupier), and
- (b) either no susceptible animals are kept on the premises or (in the case of artificial insemination only) it is carried out under the authority of a licence granted by the National Assembly.

Slaughter for private consumption in a protection zone

17. No person is permitted to slaughter a susceptible animal on premises in a protection zone for private consumption on those premises.

Transport of fodder in a protection zone

18. No person is permitted to transport fodder to premises in a protection zone where susceptible animals are kept except under the authority of a licence granted by an inspector.

Sale of fodder originating in a protection zone

19. No person is permitted to sell or consign for sale fodder produced in a protection zone unless it satisfies one of the following requirements—

- (a) it was—

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- (i) produced before the date 21 days before the earliest infection date in the protection zone, and
- (ii) at all times stored and transported separately from other fodder and in such a way as to avoid contamination;
- (b) it is authorised for sale in that protection zone by a licence granted by an inspector;
- (c) it was produced on premises where no susceptible animals are kept using raw materials also produced on such premises or raw materials produced outside the protection zone;
- (d) it is straw or forage falling within paragraph 10 of Schedule 5.

Transport, treatment and spreading of dung and manure produced in a protection zone

20.—(1) This paragraph applies to dung or manure—

- (a) from premises in a protection zone where susceptible animals are kept, or
- (b) collected from vehicles carrying susceptible animals from or within a protection zone.

(2) No person is permitted to transport dung or manure to which this paragraph applies unless such transport complies with sub-paragraph (3) or (5), and with sub-paragraph (6).

(3) Transport of dung or manure complies with this sub-paragraph where it is to an establishment for treatment to destroy the disease virus and under the authority of a licence granted by an inspector.

(4) The occupier of premises to which dung or manure is transported by authority of a licence granted under sub-paragraph (3) must ensure that it is treated in accordance with point 5 of Section II in Part A Chapter III of Annex VIII to Regulation (EC) No 1774/2002⁽¹⁾.

(5) Transport of dung or manure for spreading complies with this sub-paragraph if it satisfies the following requirements—

- (a) the dung or manure is for spreading at premises where no susceptible animals are kept;
- (b) the dung or manure was produced at least 21 days before the earliest infection date in the protection zone;
- (c) where the dung or manure is from bovine animals or pigs—
 - (i) all animals on the premises where it was produced have been clinically examined by a veterinary inspector who is satisfied by such examination that they are free of infection, and
 - (ii) the dung or manure was produced at least 4 days before such examination.

(6) Transport of dung or manure complies with this sub-paragraph if it is carried out in vehicles which are—

- (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.

(7) After transporting dung or manure under this paragraph, the person in charge of the vehicle must ensure it is cleansed and disinfected after unloading or spreading and before leaving the premises of destination.

(8) The person in charge of a vehicle to be cleansed and disinfected so as to comply with sub-paragraph (6) or with sub-paragraph (7) must 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 either premises,

⁽¹⁾ O.J. No. L273, 10.10.02, p.1. as last amended by Commission Regulation (EC) No. 416/2005 (O.J. No. L006, 12.3.05, p.10).

- (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.
- (9) No person is permitted to spread dung or manure to which this paragraph applies unless such spreading is authorised by a licence granted by an inspector and—
- (a) the dung or manure is spread from not more than 1 metre above the ground;
 - (b) liquid spread is not by equipment producing a jet or spray unless the discharge point is directed downwards at an angle of not less than 45° from horizontal; and
 - (c) once spread the dung or manure is immediately incorporated into the ground.
- (10) Any licence granted under sub-paragraph (9) must contain at least the following terms—
- (a) designation of the fields on which dung or manure from bovine animals or pigs may be spread, and
 - (b) designation of a distance from premises where susceptible animals are kept within which dung or manure must not be spread.

Fresh meat etc. derived from susceptible animals originating in a protection zone

21.—(1) This paragraph applies to fresh meat, minced meat and mechanically separated meat derived from susceptible animals originating in a protection zone.

(2) No person is permitted to sell or consign for sale meat to which this paragraph applies or move such meat out of a protection zone unless—

- (a) it was produced before the date 21 days before the earliest infection date in the protection zone,
- (b) after production, it was at all times stored and transported separately from meat to which this paragraph applies produced on or after that date, and
- (c) it was health or identification marked and that mark was over stamped.

Fresh meat etc. produced on premises in a protection zone

22.—(1) This paragraph applies to fresh meat, minced meat and mechanically separated meat derived from susceptible animals and produced on premises in a protection zone.

(2) No person is permitted to sell or consign for sale meat to which this paragraph applies or move such meat out of a protection zone unless it has been produced in an establishment which—

- (a) is authorised by a licence granted by the National Assembly imposing such conditions as it considers necessary to ensure strict veterinary control of the establishment;
- (b) processes only meat falling within sub-paragraph (3); and
- (c) at all times during the production process stores, identifies and transports products intended to be eligible for despatch outside the protection zone separately from those which are not, and in accordance with the directions of the National Assembly.

(3) Meat falls within this sub-paragraph if—

- (a) it was either—
 - (i) produced in the protection zone before the date 21 days before the earliest infection date there, or
 - (ii) produced from animals reared and slaughtered outside a protection zone, or
 - (iii) produced from animals transported to the establishment under the authority of a licence granted under paragraph 12(2)(e), and slaughtered there; and

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- (b) it is health or identification marked.

Meat products produced from meat derived from susceptible animals originating in a protection zone

23.—(1) This paragraph applies to meat products produced from meat derived from susceptible animals originating in a protection zone.

(2) No person is permitted to sell or consign for sale any meat product to which this paragraph applies unless—

- (a) it was produced from fresh meat, minced meat or mechanically separated meat which may be sold or consigned for sale because it satisfies the conditions in paragraph 21(2), or
- (b) it was produced from fresh meat, minced meat or mechanically separated meat which was—
 - (i) health or identification marked and that mark was overstamped.
 - (ii) transported in sealed containers to an establishment designated by the National Assembly as authorised to treat meat from a protection zone, and
 - (iii) treated at that establishment so that it falls within paragraph 1 of Schedule 5.

Milk and milk products produced from susceptible animals originating in a protection zone or on premises in a protection zone

24.—(1) No person is permitted to sell or consign for sale the milk of a susceptible animal originating in a protection zone or any milk product produced from such milk unless it complies with sub-paragraph (2) or (3).

(2) Milk and milk products comply with this sub-paragraph if—

- (a) they were produced before the date 21 days before the earliest infection date in the protection zone, and
- (b) they have at all times been stored and transported separately from milk and milk products produced on or after that date.

(3) 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 5, and
- (b) that treatment was carried out either—
 - (i) in the protection zone on premises which comply with sub-paragraph (6), or
 - (ii) outside the protection zone on such premises as the National Assembly may direct.

(4) No person is permitted to sell or consign for sale the milk of a susceptible animal produced on premises in the protection zone or any milk product produced from such milk unless—

- (a) transport of raw milk from outside a protection zone to those premises complies with sub-paragraph (5), and
- (b) those premises comply with sub-paragraph (6).

(5) Transport of raw milk complies with this sub-paragraph if—

- (a) the vehicle was cleansed and disinfected at the premises of origin and before loading in accordance with the directions of an inspector, and
- (b) the vehicle did not enter any other premises in a protection zone where susceptible animals are kept after that cleansing and disinfection.

(6) Premises comply with this sub-paragraph if they satisfy the following requirements—

- (a) they are authorised by a licence granted by the National Assembly imposing such conditions as it considers necessary to ensure strict veterinary control;
- (b) all milk entering the premises—
 - (i) complies with sub-paragraph (2) or (3), or
 - (ii) enters for treatment so that it complies with sub-paragraph (3), or
 - (iii) is raw milk produced outside the protection zone;
- (c) milk on the premises and leaving the premises is clearly identified as eligible for sale outside the protection zone 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 and milk products produced in a protection zone

25.—(1) No person is permitted to collect and transport milk produced on premises in a protection zone where susceptible animals are kept out of that protection zone or process any such milk 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⁽²⁾, or
 - (ii) to another laboratory under the authority of a licence granted by an inspector;
- (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 Wales in which the journey is to take place by a licence granted by the National Assembly, and
- (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 National Assembly.

(4) A licence granted under sub-paragraph 2(b) must specify the route to be taken and must include a condition prohibiting the vehicle 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) must 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 is permitted to process milk transported to a laboratory under this paragraph except under the authority of a licence granted by an inspector.

(2) [S.I. 1998/463](#).

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