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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 223**

The Swine Vesicular Disease  
Regulations (Northern Ireland) 2009

PART III

SUSPICION AND CONFIRMATION OF SWINE VESICULAR DISEASE

CHAPTER 1

Scope of Part III and initial controls

**Scope of Part III**

9. This Part applies to all premises other than slaughterhouses.

**Commencement Information**

**II** Reg. 9 in operation at 30.6.2009, see [reg. 1](#)

**Initial controls following notification**

10.—(1) This regulation shall apply where the Department is notified under regulation [8\(1\)](#) of a suspect pig or carcase and a veterinary inspector considers that further investigation relating to the possible presence of swine vesicular disease is necessary.

(2) The veterinary inspector shall orally or otherwise inform the person reporting the suspect pig or carcase that further investigation is necessary, and the controls in paragraph [\(3\)](#) then apply.

(3) Except as permitted in writing by a veterinary inspector, the person in possession or charge of a notified pig or carcase shall ensure that—

- (a) the notified pig or carcase is not moved from the premises where it is,
- (b) no other pig or carcase or any thing likely to spread swine vesicular disease virus is moved from or to those premises, and

failure to do so is an offence.

(4) Except as permitted in writing by a veterinary inspector, the person in possession or charge of a notified pig or carcase shall ensure that any person —

- (a) who has been in contact with any pig or carcase on the premises; or
- (b) has been on any part of the premises that may be contaminated with swine vesicular disease virus,

takes all necessary biosecurity precautions to reduce the risk of spreading swine vesicular disease virus before leaving the premises.

(5) This regulation shall apply until—

- (a) a veterinary inspector serves a notice on the occupier under these Regulations declaring the premises to be suspect premises, or
- (b) a veterinary inspector confirms (orally or otherwise) that the presence of swine vesicular disease virus on the premises is not suspected.

**Commencement Information**

**I2** Reg. 10 in operation at 30.6.2009, see [reg. 1](#)

CHAPTER 2

Action on suspicion of disease and declaration of infected premises

**Imposing measures on suspicion of disease**

**11.** Where an inspector suspects that a pig that is or has been infected with swine vesicular disease virus is on any premises (whether or not following a notification under these Regulations), or premises are contaminated with swine vesicular disease virus the inspector shall—

- (a) serve a notice on the occupier declaring those premises to be suspect premises;
- (b) impose the measures in Schedule 1, and
- (c) ensure that warning signs prohibiting entry are erected at suitable points around the premises.

**Commencement Information**

**I3** Reg. 11 in operation at 30.6.2009, see [reg. 1](#)

**Epidemiological inquiry**

**12.** A veterinary inspector shall begin an epidemiological inquiry to establish—

- (a) the length of time that swine vesicular disease virus may have existed on the premises described in Regulation [11\(a\)](#),
- (b) the origin of that virus,
- (c) the identification of other premises contaminated with that virus from the same source,
- (d) the movement of any person or thing that could have carried that virus to or from the premises, and
- (e) the possibility that pigs living in the wild may be involved in the spread of the virus,

and shall continue the inquiry until these have been established so far as is practicable or the possibility of disease has been discounted.

**Commencement Information**

**I4** Reg. 12 in operation at 30.6.2009, see [reg. 1](#)

### Measures following suspicion

13.—(1) This regulation shall apply where a veterinary inspector suspects that swine vesicular disease virus exists on any premises but this suspicion does not arise out of the fact that the premises have an epidemiological link with infected premises.

(2) Following service of a notice on the occupier on suspicion of swine vesicular disease, a veterinary inspector shall take all reasonable steps to establish whether or not the suspicion is correct.

(3) These shall include taking samples from any pigs on the premises (if there are any) and having them tested.

(4) When premises do not have pigs on them when the notice is served, the veterinary inspector may take samples from the pigs or carcasses that have been on the premises, and may take environmental samples from the premises.

(5) If the tests carried out under paragraphs (3) and (4) demonstrate that—

- (a) swine vesicular disease virus is in a pig or on the premises, or
- (b) the premises contain pigs that are seropositive for swine vesicular disease and in addition those pigs or other pigs on the premises show clinical signs of swine vesicular disease,

the Department shall serve a notice on the occupier declaring the premises to be infected premises.

(6) If the tests carried out under paragraph (3) demonstrate that there are seropositive pigs on the premises, but none of the pigs on the premises shows clinical signs of swine vesicular disease, the Department shall—

- (a) continue to monitor the premises and take further samples and test those samples, with an interval of 28 days at least between the samples taken when disease was first suspected and the samples taken under this sub-paragraph,
- (b) declare the premises to be infected premises if the test on the further samples shows that swine vesicular disease virus exists in a pig on the premises,
- (c) ensure that all pigs that have tested seropositive are—
  - (i) killed and destroyed under the supervision of an inspector, or
  - (ii) slaughtered in a slaughterhouse designated for the purpose by the Department where they are kept and slaughtered separately from other pigs,

and the Department shall remove the measures in Schedule 1 once all seropositive pigs have been killed or removed from the premises.

(7) If the tests at paragraphs (3) and (4) demonstrate that there is no swine vesicular disease virus in a pig or on the premises and that there are no seropositive pigs on the premises the veterinary inspector shall remove the measures in Schedule 1.

#### Commencement Information

15 Reg. 13 in operation at 30.6.2009, see [reg. 1](#)

### Measures following suspicion – contact premises

14.—(1) This regulation applies where a veterinary inspector suspects that swine vesicular disease virus exists on any premises and this suspicion arises out of the fact that the premises have an epidemiological link with infected premises.

(2) If any pig on the suspect premises shows clinical signs of swine vesicular disease the Department shall, by notice served on the occupier, declare the suspect premises to be infected premises.

(3) If no pig on the suspect premises shows clinical signs of swine vesicular disease the Department shall assess the risk of swine vesicular disease virus being present on the suspect premises, taking account of the degree of contact between the suspect premises and the infected premises, and on the basis of the assessment shall—

- (a) kill all the pigs on the suspect premises without further confirmation of the existence of the disease on those premises and without declaring the premises to be infected premises, or
- (b) monitor the premises for at least 28 days.

(4) The Department shall, by notice served on the occupier, declare the suspect premises to be infected premises if tests demonstrate that the premises—

- (a) contain or contained a pig that is infected with swine vesicular disease virus, or
- (b) contain a pig that is seropositive for swine vesicular disease virus,

(5) If the Department does not declare the premises to be infected premises the Department shall assess when the measures in Schedule 1 may be removed.

(6) On the basis of the assessment the Department shall decide what actions (including if necessary cleansing and disinfection and re-stocking with sentinel pigs) shall be carried out before the measures in Schedule 1 can be removed, and notify the occupier of these (if all the pigs were not killed on the premises, the measures in Schedule 1 may not be removed during the 28 day monitoring period).

(7) The Department shall remove the measures when satisfied that the actions notified to the occupier have been carried out.

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**Commencement Information**

**16** Reg. 14 in operation at 30.6.2009, see [reg. 1](#)

**Declaration of infected premises where premises are close to a confirmed outbreak**

**15.** If pigs on any premises show clinical signs of swine vesicular disease and there are infected premises sufficiently close to the premises for the Department to be satisfied that the premises are also infected a veterinary inspector shall—

- (a) by notice served on the occupier, declare those premises as infected premises;
- (b) impose the measures in Schedule 1, and
- (c) ensure that warning signs prohibiting entry are erected at suitable points around the premises,

without declaring the premises to be suspect premises.

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**Commencement Information**

**17** Reg. 15 in operation at 30.6.2009, see [reg. 1](#)

**Suspicion relating to pigs living in the wild**

**16.—(1)** This regulation applies where a veterinary inspector suspects that a pig living in the wild is infected with swine vesicular disease virus.

(2) A veterinary inspector shall take all reasonable steps to establish whether or not the suspicion is correct.

(3) Where a veterinary inspector concludes that swine vesicular disease virus is likely to be present in a pig living in the wild, the Department shall take appropriate action to minimise the risk of that virus spreading to domestic pigs.

**Commencement Information**

**I8** Reg. 16 in operation at 30.6.2009, see [reg. 1](#)

**Conditions and warning signs**

**17.**—(1) It is an offence not to comply with any of the measures in Schedule 1.

(2) The measures in Schedule 1 shall remain in place until the Department serves a notice on the occupier of the premises revoking them.

(3) When a warning sign has been erected under this Part, the occupier of the premises shall ensure that it is properly maintained, and failure to do so is an offence.

(4) It is an offence to remove a warning sign erected under this Part except under the authority of a veterinary inspector.

(5) A veterinary inspector may only authorise the removal of the warning signs when the measures in Schedule 1 are revoked.

**Commencement Information**

**I9** Reg. 17 in operation at 30.6.2009, see [reg. 1](#)

**Separate production units**

**18.**—(1) The Department may by notice served on the occupier of any premises (other than infected premises) declare that they are to be regarded as two or more separate production units if the Chief Veterinary Officer advises that in his opinion the premises comply with the requirements of Article 7 of Council Directive [92/119/EEC](#)(1).

(2) A declaration under paragraph (1) shall identify and designate the boundaries of each separate unit and shall declare every separate unit which is free of disease to be a free unit.

(3) A unit shall cease to be a free unit on—

- (a) variation of the notice declaring it such that it is no longer declared to be a free unit; or
- (b) revocation of the notice.

**Commencement Information**

**I10** Reg. 18 in operation at 30.6.2009, see [reg. 1](#)

(1) O.J. No. L 62, 15.3.1993, p. 69 as last amended by Council Directive [2008/73/EC](#) (O.J. No. L219, 14.8.2008, p. 40)

## CHAPTER 3

### Killing pigs and initial cleansing and disinfection

#### Killing pigs on the infected premises

**19.** The Department shall immediately on declaring infected premises, kill all the pigs on the premises.

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#### Commencement Information

**111** Reg. 19 in operation at 30.6.2009, see [reg. 1](#)

#### Removal of carcasses and initial cleansing

**20.—(1)** The Department shall—

- (a) remove all carcasses, tissue and blood from the infected premises; and
- (b) dispose of them in such a way as to avoid the risk of swine vesicular disease virus spreading.

**(2)** The Department shall treat with disinfectant—

- (a) all parts of the premises (other than fields, slurry lagoons and other parts of the premises where the disinfectant would have no effect) and all equipment to which the pigs have had access, and
- (b) anything contaminated during killing,

and ensure that disinfectant remains on the treated surfaces for at least 24 hours.

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#### Commencement Information

**112** Reg. 20 in operation at 30.6.2009, see [reg. 1](#)

#### Conservation and related measures

**21.—(1)** The Department may decide not to kill pigs—

- (a) kept in—
  - (i) a zoo or wildlife park; or
  - (ii) premises approved for the purposes of [F1trade to the EU] in porcine semen, ova or embryos;
- (b) kept for—
  - (i) display;
  - (ii) educational purposes;
  - (iii) scientific research or breeding for such research; or
  - (iv) purposes related to conservation of species or genetic resource.

**(2)** Where the Department decides not to kill such pigs, a veterinary inspector may serve a notice on the occupier of the premises on which they are kept detailing the biosecurity arrangements that the occupier must follow to reduce the risk of spread of swine vesicular disease virus, and failure to comply with such a notice is an offence.

**F1** Words in [reg. 21\(1\)\(a\)\(ii\)](#) substituted (31.12.2020) by [The Exotic Disease \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1111\)](#), regs. 1(1), **13(2)**; 2020 c. 1, Sch. 5 para. 1(1)

**Commencement Information**

**I13** Reg. 21 in operation at 30.6.2009, see [reg. 1](#)

## CHAPTER 4

### Removal of measures in Schedule 1 from infected premises

#### Removal of restrictions from infected premises

**22.**—(1) Unless otherwise provided for in these Regulations, a veterinary inspector may not serve a notice on the occupier revoking the measures in Schedule 1 on infected premises until the Department is satisfied that sufficient time has elapsed for the virus to have decayed naturally to the extent that it will no longer infect pigs.

(2) A veterinary inspector may serve a notice on the occupier revoking the measures in Schedule 1 before that time in parts of the premises capable of being cleansed and disinfected if—

- (a) the premises have been cleansed and disinfected to the satisfaction of the veterinary inspector, and
- (b) the premises have been tested for the existence of swine vesicular disease virus using sentinel pigs with negative results.

**Commencement Information**

**I14** Reg. 22 in operation at 30.6.2009, see [reg. 1](#)

#### Cleansing and disinfection

**23.** Cleansing and disinfection shall be carried out in such a way as to minimise the risk of spread or survival of swine vesicular disease virus.

**Commencement Information**

**I15** Reg. 23 in operation at 30.6.2009, see [reg. 1](#)

#### Method of cleansing and disinfection

**24.**—(1) The cleansing and disinfection shall be carried out in accordance with a notice served on the occupier by a veterinary inspector.

(2) The notice shall if necessary include requirements for—

- (a) the treatment of manure, bedding and feed so as to inactivate the virus;
- (b) the removal of grease and other dirt from all surfaces by soaking with a degreasing agent followed by washing the surfaces with water ;
- (c) spraying all surfaces with disinfectant (or treating them with a flame gun) and repeating after 14 days; and
- (d) repairing damaged floors and walls.

**Commencement Information**

**I16** Reg. 24 in operation at 30.6.2009, see [reg. 1](#)

**Testing with sentinel pigs**

**25.**—(1) After cleansing and disinfection have been carried out in accordance with the notice, a veterinary inspector shall certify in writing that the cleansing and disinfection has been carried out in a satisfactory manner.

(2) The premises shall then be tested for the swine vesicular disease virus using sentinel pigs.

(3) The number of sentinel pigs shall be limited to the minimum necessary for the test.

(4) Sentinel pigs may not be introduced until at least 28 days after the certificate has been issued, and shall be introduced in accordance with a licence granted by the Department.

(5) The sentinel pigs shall have been tested at the expense of the occupier before being brought on to the premises and found to be negative for the presence of antibodies against swine vesicular disease virus.

(6) The veterinary inspector shall ensure that the sentinel pigs are placed throughout the premises in sufficient numbers such that it is reasonable to expect any residual virus to affect one or more of the sentinel pigs.

(7) The pigs shall be examined 28 days after having been placed on the premises, and sampled for serological testing by a veterinary inspector.

(8) If none of the sentinel pigs shows clinical signs of swine vesicular disease or has developed antibodies against swine vesicular disease virus, the veterinary inspector shall remove restrictions from those parts of the premises.

(9) As an alternative to introducing the minimum number of sentinel pigs, the Department may grant a licence to introduce an unlimited number of sentinel pigs, but in this case—

- (a) paragraphs (4), (5) and (6) apply in relation to the introduction of the sentinel pigs;
- (b) all the sentinel pigs shall arrive within a period of 8 days;
- (c) they shall come from premises situated outside a protection zone or surveillance zone;
- (d) a veterinary inspector shall clinically examine all the sentinel pigs, and sample and carry out a serological test on a statistically valid number of sentinel pigs, at the earliest 28 days after the arrival of the last sentinel pig; and
- (e) even if none of the sentinel pigs shows clinical signs of swine vesicular disease a veterinary inspector may not revoke the restrictions until 60 days after the arrival of the last sentinel pig.

**Commencement Information**

**I17** Reg. 25 in operation at 30.6.2009, see [reg. 1](#)

**Secondary cleansing and disinfection**

**26.**—(1) Irrespective of whether or not pigs are to be brought on to the premises again, the Department may serve a notice on an occupier requiring that secondary cleansing and disinfection of the premises is carried out as specified in the notice, and failure to comply with the notice is an offence.



(2) The notice shall specify a reasonable period within which the secondary cleansing and disinfection shall be carried out.

(3) If the notice is not complied with the Department may arrange for the notice to be complied with.

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**Commencement Information**

**I18** Reg. 26 in operation at 30.6.2009, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Swine Vesicular Disease Regulations (Northern Ireland) 2009, PART III.