
STATUTORY INSTRUMENTS

2003 No. 1724

The Transport of Animals (Cleansing and Disinfection) (England) (No. 3) Order 2003

Title, commencement, application and extension of definitions

1.—(1) This Order may be cited as the Transport of Animals (Cleansing and Disinfection) (England) (No. 3) Order 2003; it applies in England and comes into force on 1st August 2003.

(2) For the purposes of the Animal Health Act 1981 in its application to this Order—

- (a) the definitions of animals and poultry in subsections (1) and (4) of section 87 of that Act are extended so as to comprise all mammals except man and all birds; and
- (b) the definitions of disease in subsections (1) and (3) of section 88 of that Act are extended so as to comprise all diseases of animals and poultry.

Interpretation

2.—(1) In this Order—

“animal” includes bird;

“means of transport” includes its fittings, its detachable parts and any containers (whether detachable or not) used with it;

“equipment” means any equipment carried with a means of transport for use with animals;

“sale premises” means premises licensed under the Animal Gatherings (England) Order 2003⁽¹⁾ for the purpose of sale; and

“slaughterhouse” means any building, premises or place (other than a farmed game handling facility) for slaughtering animals the flesh of which is intended for sale for human consumption, and includes any place available in connection therewith for the confinement of animals while awaiting slaughter there.

(2) Any notice or approval served under this Order shall be in writing, may be made subject to conditions and may be amended, suspended or revoked in writing at any time.

Cleansing and disinfection in relation to the transport of hoofed animals and poultry

3.—(1) This article shall apply in relation to the transport of—

- (a) hoofed animals, other than horses;
- (b) racing pigeons; and
- (c) the following, if they are reared or kept in captivity for breeding, the production of meat or eggs for consumption or for restocking supplies of game: domestic fowls, turkeys, geese, ducks, guinea-fowls, quails, pigeons, pheasants, partridges and ratites,

and references in this article to “animal” shall be construed accordingly.

[^{F1}(1A) This article shall not apply in the circumstances set out in Schedule 1A.]

F²(2)

(3) The user of any means of transport which has been used to transport any animal, or anything which may give rise to a risk of transmission of disease, shall, as soon as reasonably practicable and not more than 24 hours after the journey is completed, ensure that it and any equipment are cleansed and disinfected in accordance with Schedule 2 or (in the case of a container) destroyed.

(4) No person shall use, or cause or permit the use of, any means of transport to transport any animal unless the means of transport and any equipment have been cleansed and disinfected in accordance with Schedule 2 since they were last used to transport any animal, or anything which may give rise to a risk of transmission of disease.

(5) If a means of transport or any equipment has become soiled so that it may give rise to a risk of transmission of disease since last being cleansed and disinfected, no person shall load, or cause or permit to be loaded, any animal into the means of transport unless the soiled parts of the means of transport or the equipment have been again cleansed and disinfected in accordance with paragraphs 1, 3 and 4 of Schedule 2.

F³(6)

F1	Art. 3(1A) inserted (24.4.2007) by The Transport of Animals (Cleansing and Disinfection) (England) (No. 3) (Amendment) Order 2007 (S.I. 2007/1020) , arts. 1, 2(a)
F2	Art. 3(2) omitted (5.1.2007) by virtue of The Welfare of Animals (Transport) (England) Order 2006 (S.I. 2006/3260) , arts. 1(b), 30(2)
F3	Art. 3(6) omitted (24.4.2007) by virtue of The Transport of Animals (Cleansing and Disinfection) (England) (No. 3) (Amendment) Order 2007 (S.I. 2007/1020) , arts. 1, 2(b)

Cleansing and disinfection in relation to the transport of other mammals and birds, and hoofed animals and poultry in certain circumstances

F⁴4.

F4	Art. 4 omitted (5.1.2007) by virtue of The Welfare of Animals (Transport) (England) Order 2006 (S.I. 2006/3260) , arts. 1(b), 30(3)
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Cleansing and disinfection in relation to the transport of horses

5.—(1) Any person transporting, or causing or permitting the transport of, horses shall ensure that—

- (a) they are loaded on to a means of transport which has been cleansed and, where necessary, disinfected; and
- (b) any horses that die during transport, and any soiled litter and excreta are removed as soon as practicable.

F⁵(2)

(3) No person shall use, or cause or permit the use of, any means of transport to transport any animal to which article 3 applies unless the means of transport and any equipment have been cleansed and disinfected in accordance with Schedule 2 since they were last used to transport a horse.

(4) Cleansing and disinfection under this article shall be carried out in accordance with paragraphs 1, 3 and 4 of Schedule 2.

F5 Art. 5(2) omitted (5.1.2007) by virtue of [The Welfare of Animals \(Transport\) \(England\) Order 2006](#) (S.I. 2006/3260), arts. 1(b), **30(4)**

Drivers' cabs

6. Nothing in this Order shall require the use of disinfectant inside the driver's cab of any means of transport.

Disposal of material after cleansing

7.—(1) The person responsible for cleansing the means of transport and any equipment under this Order shall ensure that all feedingstuffs to which animals have had access, litter, excreta and other material of animal origin, and other contaminants removed from the means of transport are—

- (a) destroyed;
- (b) treated so as to remove the risk of transmission of disease; or
- (c) disposed of so that animals have no access to it.

(2) This article shall not apply to any material required to be disposed of under the Animal By-Products Regulations 2003(2).

Means of transport leaving a slaughterhouse or sale premises

8.—(1) If a means of transport—

- (a) has been used to transport any animal to which article 3 applies to a slaughterhouse or to a sale premises; and
- (b) is to leave the slaughterhouse or sale premises not carrying any animals and without having been cleansed and disinfected,

the driver shall, before leaving the premises, give a written declaration to the occupier of the slaughterhouse, or the licensee of the sale premises, specifying where the cleansing and disinfection in accordance with article 3(3) shall take place.

(2) The occupier or licensee shall—

- (a) supply the driver with the form of declaration which shall be in a form approved by the Secretary of State;
- (b) send the completed declarations to the local authority by fax or other means agreed with the local authority on the same day that he receives them; and
- (c) keep the original declarations for three months and during that period produce them to an inspector on request.

Powers of inspectors, etc.

9.—(1) Where an inspector is satisfied that a means of transport or any equipment either—

- (a) has not been cleansed and disinfected in accordance with this Order; or
- (b) needs to be cleansed and disinfected because it may give rise to a risk of transmission of disease,

he may serve a notice on any person appearing to him to be in charge of that means of transport or equipment.

- (2) A notice served under the preceding paragraph may—
- (a) prohibit the use of the means of transport or the equipment until it has been cleansed and disinfected;
 - (b) prohibit the keeping of animals on the means of transport until it has been cleansed and disinfected;
 - (c) require the person on whom the notice is served to cleanse and disinfect the means of transport or the equipment within any period specified in the notice; or
 - (d) require the person on whom the notice is served to dispose of all feedingstuffs to which animals have had access, litter, excreta and other material of animal origin in the way set out in the notice.

(3) If a notice is served under the preceding paragraph, the cleansing and disinfection shall be carried out in accordance with Schedule 2 unless the notice specifies a different method of cleansing and disinfection.

(4) An inspector may serve a notice on any person who is required to carry out cleansing and disinfection in accordance with articles 3,^{F6}...or 5 requiring him to carry out the cleansing and disinfection as specified in the notice instead of in accordance with Schedule 2 if he is satisfied that this is necessary for animal health purposes.

(5) Where a person fails to comply with a notice served under this article, an inspector may arrange for the provisions of the notice to be complied with at the expense of the person on whom the notice was served.

F6 Word in art. 9(4) omitted (5.1.2007) by virtue of [The Welfare of Animals \(Transport\) \(England\) Order 2006 \(S.I. 2006/3260\)](#), arts. 1(b), **30(5)**

Enforcement

10.—(1) This Order shall be enforced by the local authority.

(2) The Secretary of State may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority under this regulation shall be discharged by the Secretary of State and not by the local authority.

[^{F7}(3) Where the Secretary of State makes a direction under paragraph (2), the Secretary of State may delegate to the Director of Public Prosecutions functions in relation to the prosecution of an offence under section 73 of the Animal Health Act 1981 relating to this Order.]

F7 [Art. 10\(3\)](#) added (24.12.2012) by [The Agriculture, Animals, Environment and Food etc. \(Miscellaneous Amendments\) Order 2012 \(S.I. 2012/2897\)](#), arts. 1(1), **4**

Revocations and amendments

11. The Transport of Animals (Cleansing and Disinfection) (England) (No. 2) Order 2003 is revoked(**3**).

Changes to legislation: There are currently no known outstanding effects for the The Transport of Animals (Cleansing and Disinfection) (England) (No. 3) Order 2003. (See end of Document for details)

Ben Bradshaw
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

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There are currently no known outstanding effects for the The Transport of Animals (Cleansing and Disinfection) (England) (No. 3) Order 2003.