
STATUTORY INSTRUMENTS

2006 No. 2702

The Avian Influenza and Influenza of Avian
Origin in Mammals (England) (No.2) Order 2006

PART 5

Measures on suspicion or confirmation of highly
pathogenic avian influenza in regulated places and vehicles

Veterinary measures at slaughterhouses

37.—(1) If he suspects that highly pathogenic avian influenza exists at any slaughterhouse or if the Chief Veterinary Officer has confirmed that it exists there, the Secretary of State must—

- (a) serve a notice on the occupier of the slaughterhouse informing him of this and applying the measures set out in paragraphs 3, 4 and 5 of Schedule 1; and
- (b) ensure that a veterinary inquiry is carried out at the slaughterhouse.

Veterinary inquiry where avian influenza is suspected or confirmed in vehicles

38. An inspector must ensure that a veterinary inquiry is carried out in relation to any vehicle on which he knows or suspects that highly pathogenic avian influenza or highly pathogenic avian influenza virus exists.

Slaughter of birds in slaughterhouses where disease is suspected or confirmed

39. The occupier of a slaughterhouse where highly pathogenic avian influenza is suspected or confirmed must ensure that all poultry present on the premises at the date a notice is served on him under article 37(1)(a) are slaughtered there without delay and in accordance with a veterinary inspector's instructions.

Poultry meat and by-products in slaughterhouses where disease is suspected or confirmed

40.—(1) The occupier of a slaughterhouse where highly pathogenic avian influenza is suspected or confirmed must, in accordance with a veterinary inspector's instructions—

- (a) keep poultry referred to in article 39 separate from any other poultry subsequently arriving at the slaughterhouse; and
- (b) keep the following separate from other bird carcasses, poultry meat and by-products—
 - (i) bird carcasses and poultry meat from poultry referred to in article 39;
 - (ii) the by-products of such poultry;
 - (iii) poultry meat from any other poultry which may have been contaminated at the slaughterhouse during the killing of such poultry or the production process;
 - (iv) the by-products of the poultry referred to in paragraph (iii).

- (2) Paragraph (1) applies to poultry moved to a slaughterhouse—
 - (a) from a border inspection post in accordance with article 41(2), as if references to article 39 were to that article; and
 - (b) on a vehicle in accordance with article 42, as if references to article 39 were to that article.
- (3) The occupier of a slaughterhouse where highly pathogenic avian influenza is confirmed must dispose of the things set out in paragraph (1)(b) in accordance with a veterinary inspector's instructions or assist him in removing those things from the premises.

Measures at border inspection posts

- 41.**—(1) The Secretary of State must, if he considers it necessary to reduce the risk of the spread of avian influenza—
- (a) require a veterinary inquiry to be carried out at a border inspection post where avian influenza is suspected or has been confirmed; and
 - (b) impose (by notice to the occupier of the border inspection post) such of the measures in Schedule 1 as he considers appropriate.
- (2) The Secretary of State must, by notice to the occupier of the border inspection post, direct where birds specified in the notice are to be killed, slaughtered or isolated.
- (3) The Secretary of State must ensure that poultry and other captive birds at border inspection posts which are to be killed under paragraph 5 of Schedule 3 to the Act are killed or slaughtered without delay.
- (4) The Secretary of State must ensure that poultry and other captive birds which are not to be so killed or slaughtered are kept isolated in accordance with a veterinary inspector's instructions.

Control of vehicles

- 42.**—(1) An inspector who knows or suspects that any poultry, other captive bird or any thing on any vehicle is infected or contaminated with highly pathogenic avian influenza may, by notice to the owner or driver of the vehicle or to the occupier of any premises—
- (a) require the detention at such place as the inspector directs of any vehicle, equipment or other thing suspected of being contaminated; and
 - (b) direct that the vehicle be moved to such premises as the inspector directs.
- (2) Any expenses arising from the movement or detention of any bird or any thing (including the cost of feeding and watering any bird) must be paid by its owner.

Cleansing and disinfection of regulated places and vehicles

- 43.**—(1) The occupier of any regulated place where highly pathogenic avian influenza is suspected or confirmed must cleanse and disinfect those premises and any equipment and vehicles on those premises which may be contaminated in accordance with a veterinary inspector's instructions.
- (2) The owner or driver of any vehicle on which highly pathogenic avian influenza is suspected or confirmed must cleanse and disinfect the vehicle.

Reintroduction of poultry and other captive birds

- 44.**—(1) No person shall reintroduce poultry to a slaughterhouse where highly pathogenic avian influenza was suspected or confirmed until an inspector has confirmed that the cleansing and disinfection referred to in article 43 has been carried out.

(2) No person shall reintroduce poultry or other captive birds to a border inspection post where highly pathogenic avian influenza was suspected or confirmed until an inspector has confirmed that the cleansing and disinfection referred to in article 43 has been carried out.

(3) If he considers it necessary to reduce the risk of the spread of avian influenza, the Secretary of State may, by notice to the occupier of such a border inspection post, prohibit the introduction of animals other than birds onto the premises until the cleansing and disinfection referred to in article 43 has been carried out.

Measures at other premises and for vehicles

45.—(1) If the Secretary of State suspects that highly pathogenic avian influenza or highly pathogenic avian influenza virus exists at any slaughterhouse or in any vehicle or if the Chief Veterinary Officer has confirmed that it exists there, the Secretary of State must—

- (a) apply the measures in Schedule 1 to the premises of origin;
- (b) apply the measures in Schedule 1 to premises which he considers to be suspect premises (because of their epidemiological link with the premises of origin); and
- (c) apply the measures in Schedule 2 to the premises of origin, unless he is satisfied (having considered the results of veterinary inquiries) that this is not necessary.

(2) If the Secretary of State suspects that highly pathogenic avian influenza exists at any border inspection post or if the Chief Veterinary Officer has confirmed that it exists there, the Secretary of State must apply the measures in Schedule 1 to premises which he considers to be suspect premises because of their epidemiological link with the border inspection post.

(3) The Secretary of State must apply measures under this article by notice to the occupier of the relevant premises.

(4) In this article, “premises of origin” means any premises from which poultry or other captive birds which may be infected were moved to the slaughterhouse or on the vehicle.