
STATUTORY INSTRUMENTS

2006 No. 3247

The Avian Influenza (H5N1 in Poultry) (England) Order 2006

Restrictions on the movement of wild game bird products

11.—(1) No person shall move any wild game bird product intended for human consumption from a protection, surveillance or restricted zone to an unrestricted area, other member State or third country.

(2) But a veterinary inspector or an inspector acting under the direction of a veterinary inspector may license the following movements—

- (a) meat products, from wild game birds originating in a protection, surveillance or restricted zone, which have been heated to a minimum temperature of 70°C throughout;
- (b) fresh meat, from wild game birds originating outside the protection, surveillance and restricted zones, which has been—
 - (i) produced in accordance with Section IV of Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin⁽¹⁾ (“Regulation (EC) No 853/2004”); and
 - (ii) subjected to the official controls set out in Chapter VIII of Section IV of Annex I to Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽²⁾;
- (c) processed fresh meat and products containing such meat, from wild game birds originating outside the protection, surveillance and restricted zones, produced in accordance with Sections V and VI of Annex III to Regulation (EC) No 853/2004;
- (d) fresh meat and meat products, from wild game birds originating in a protection, surveillance or restricted zone, to an unrestricted area in England which have been—
 - (i) marked in accordance with article 12; and
 - (ii) obtained, cut and stored separately from other such products.

(3) A person moving a wild game bird product referred to in paragraph (2)(d) must ensure that it does not come into contact with any other such product.

(4) Any wild game bird product which comes into contact with a wild game bird product moved under paragraph (2)(d) is subject to the measures applicable to such products under paragraphs (2) (d) and (3).

(5) In this article—

- (a) “processed fresh meat” means any of the following—
 - (i) minced meat, being boned meat which has been minced into fragments and contains less than 1% salt;
 - (ii) meat preparation, being fresh meat, including meat that has been reduced to fragments, which has had foodstuffs, seasonings or additives added to it or which

(1) OJ No L 139, 30.4.2004, p. 55, as corrected by OJ No L 226, 25.6.2004, p. 22.

(2) OJ No L 139, 30.4.2004, p. 206, as corrected by OJ No L 226, 25.6.2004, p. 83.

has undergone processes insufficient to modify the internal muscle fibre structure of the meat and thus to eliminate the characteristics of fresh meat;

- (iii) mechanically separated meat, being the product obtained by removing meat from flesh-bearing bones after boning, using means resulting in the loss or modification of the muscle fibre structure;
- (b) “wild game bird product” means any wild game bird carcass, egg or any other thing originating or made (whether in whole or in part) from a wild game bird or from a wild game bird carcass and includes bird by-products from wild birds.