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STATUTORY INSTRUMENTS

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**2007 No. 3154**

**The Bluetongue Order 2007**

**PART 2**

**Suspected and confirmed bluetongue**

**Initial requirements where bluetongue is known or suspected**

**5.—(1)** The owner or keeper of any animal or carcass, or any person who examines or inspects any animal or carcass, who knows or suspects that the animal or carcass is infected with bluetongue, must—

- (a) immediately notify the Divisional Veterinary Manager; and
- (b) not move any animal or carcass on or off the premises where the animal or carcass known to be or suspected of being diseased is located, except as authorised by an inspector.

(2) A person who analyses a sample taken from any animal or carcass and who finds evidence of antibodies to, or antigens or nucleic acids of, the bluetongue virus or any evidence of vaccination for bluetongue must immediately notify the Divisional Veterinary Manager.

(3) In this article “Divisional Veterinary Manager” means the veterinary inspector authorised by the Secretary of State to receive information about animals or carcasses diseased or suspected of being diseased for the area in which such animals or carcasses are situated.

**Suspected or infected premises**

**6.—(1)** An inspector who knows or suspects that the bluetongue virus exists on any premises must immediately serve a notice on the occupier or on the keeper of any animals on those premises requiring that—

- (a) no animal, ovum, semen or embryo enters or leaves the premises;
- (b) an inventory of all animals on the premises is made, recording, for each species—
  - (i) the number dead;
  - (ii) the number alive that appear to have bluetongue; and
  - (iii) the number alive which do not appear to have bluetongue;
- (c) the inventory is kept up to date;
- (d) all animals on the premises are kept indoors or as directed by an inspector;
- (e) the premises and animals on them are subject to the midge control measures specified in the notice.

(2) A veterinary inspector or an inspector acting under the direction of a veterinary inspector may also serve such a notice on the occupier of premises if the veterinary inspector suspects that animals on the premises have been exposed to the bluetongue virus.

(3) The person making the inventory must keep it for at least two years.

### **Powers of veterinary inspectors and officers**

7. If a notice has been served under the previous article, a veterinary inspector (and, other than in the case of examination of an animal, an inspector or an officer of the Secretary of State acting under the direction of a veterinary inspector) upon entering the premises may—

- (a) examine any animal, carcase or thing;
- (b) require the detention, isolation, restraint or treatment of any animal;
- (c) carry out an epidemiological investigation relevant to the control of bluetongue;
- (d) carry out tests and take samples (including blood samples) from any animal, carcase or thing for the purpose of diagnosis or epidemiological investigation;
- (e) mark for identification purposes any animal, carcase or thing;
- (f) trap midges;
- (g) implement midge control measures;
- (h) require the destruction, burial, disposal or treatment of any thing;
- (i) require the cleansing and disinfection of any part of the premises or of any person, animal or thing on the premises; or
- (j) require the occupier, any veterinary surgeon who has attended any animal on the premises or any other person who has been in charge of or in contact with any such animal to give details of any other animal or other premises with which any such animal may have come into contact.

### **Temporary control zones**

8.—(1) Following the service of a notice under article 6, the Secretary of State may declare a temporary control zone.

(2) When a temporary control zone has been established in Wales or Scotland which touches the border with England the Secretary of State may establish an associated temporary control zone in England.

(3) The location and size of the temporary control zone shall be such as the Secretary of State considers appropriate to prevent the spread of disease.

(4) Where a temporary control zone has been established, no person may move any animal on to or off premises in the zone except in accordance with a licence issued by a veterinary inspector.

(5) Premises partly inside and partly outside a temporary control zone are treated as being wholly inside that zone.

### **Measures on confirmation of the bluetongue virus**

9.—(1) If the Chief Veterinary Officer confirms that the bluetongue virus is circulating in England, the Secretary of State, on being satisfied on epidemiological, geographical, ecological or meteorological grounds that this is appropriate for disease control purposes, must declare an area to be a control zone.

(2) The control zone must include the infected premises, and be of such size as the Secretary of State considers appropriate for disease control purposes.

(3) No person may move an animal to or from premises in a control zone.

(4) Premises which are only partly inside a control zone are treated as being wholly within that control zone.

### **Restrictions in protection and surveillance zones**

**10.**—(1) If the Chief Veterinary Officer confirms that the bluetongue virus is circulating in England the Secretary of State—

- (a) must declare an appropriate area to be a restricted zone, and
- (b) may divide the restricted zone into two separate zones, a protection zone and a surveillance zone.

(2) No person may move an animal, semen, ovum or embryo out of a restricted zone except under the authority of a licence granted by an inspector.

(3) No person may move an animal from a protection zone to a surveillance zone except under the authority of a licence granted by an inspector.

(4) An inspector must grant a licence if the movement is permitted under Commission Regulation (EC) No. 1266/2007 as amended from time to time, and the conditions of any licence must be such as to ensure that the movement is made in accordance with that Regulation.

(5) Premises partly inside a restricted zone and partly in an area that does not have controls for bluetongue are treated as being in the restricted zone.

(6) If the restricted zone has been divided into a protection zone and a surveillance zone—

- (a) premises (except premises which are partly inside a control zone) which are partly inside a protection zone are treated as being wholly within the protection zone, and
- (b) premises (except premises which are partly inside a surveillance zone) which are partly inside a surveillance zone are treated as being wholly within the surveillance zone.

### **Powers of inspectors and officers in control or restricted zones**

**11.**—(1) In a control or restricted zone, veterinary inspectors, officers authorised by the Secretary of State and inspectors have the powers they have in article 7.

(2) A veterinary inspector may also—

- (a) require the occupier of premises in a protection zone or the keeper of any animal on such premises to allow the vaccination of any animal kept there; and
- (b) require the occupier or keeper—
  - (i) to retain animals for use as sentinel animals, or
  - (ii) to allow the introduction of sentinel animals onto those premises.

(3) In this article “sentinel animal” means an animal that does not have antibodies to the bluetongue virus when first introduced or retained at the premises, and is used for surveillance for the bluetongue virus.

### **Slaughter of animals**

**12.**—(1) The Secretary of State may designate slaughterhouses for the purposes of slaughtering animals transported out of a restricted zone.

(2) If an animal is transported from a restricted zone to a slaughterhouse outside the restricted zone in accordance with a licence, the occupier of the slaughterhouse must slaughter the animal within 24 hours of arrival.

### **Subsequent movement of animals**

**13.** If an animal, semen, ovum or embryo that has been in a restricted zone is moved on to premises outside the restricted zone, an inspector may serve a notice on the occupier of those

premises, and on the occupier of any premises to which the animal is subsequently moved, prohibiting the movement of that animal from those premises except under the authority of a licence issued by an inspector.

### **Bluetongue outside England**

**14.** If bluetongue is confirmed outside England, the Secretary of State may declare a control zone or restricted zone in England if this is appropriate for disease control purposes.

### **Slaughter of animals**

**15.** Section 32 of the Animal Health Act 1981 (which relates to slaughter and compensation) applies to bluetongue.

### **Declarations of zones**

**16.** Declarations of zones—

- (a) must be in writing;
- (b) may be amended by further declaration at any time;
- (c) must designate the extent of the zone being declared; and
- (d) may only be revoked by further declaration.