

**EXPLANATORY MEMORANDUM TO  
THE SWINE VESICULAR DISEASE REGULATIONS 2009**

**2009 No. 1299**

1. This Explanatory Memorandum has been prepared by The Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Purpose of the instrument**

- 2.1 The Regulations set out the requirements to bring UK law in line with the Council Regulation 92/119/EEC as amended by Commission Directive 2007/10/EC in relation to the control of swine vesicular disease which is a notifiable exotic animal disease of pigs.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

- 3.1 There are none.

4. **Legislative Context**

- 4.1 The Swine Vesicular Disease Regulations 2009 implement Council Regulation 92/119/EEC as amended by Commission Directive 2007/10/EC (“the Directive”).

- 4.2 The Directive requires all Member States to take official action on suspicion of disease, and implement control measures on confirmation of disease.

- 4.3 This instrument is related to the amendment of The Product of Animal Origin (Disease Control) (England) Regulations 2008 in relation to the control of meat and a separate Explanatory Memorandum is being submitted on those amendment Regulations.

- 4.4 The new Swine Vesicular Disease Regulations include a provision for the Secretary of State to spare from culling rare breeds and other categories of pigs on an infected premises provided that doing so would not jeopardise disease control. This is a standard provision of modern EU notifiable animal disease directives but was not included in the original 1992 Directive controlling swine vesicular disease. The text in the Regulations reflects the equivalent provisions of the foot-and-mouth disease directive (Council Directive 2003/85/EC) .

5. **Territorial Extent and Application**

- 5.1 This instrument applies to England

6. **European Convention on Human Rights**

The Department for Environment, Food and Rural Affairs has made the following statement regarding Human Rights:

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## 7. Policy background

- *What is being done and why*

7.1 Our existing disease control legislation for swine vesicular disease is the Swine Vesicular Disease Order 1972. The effect of this Order was to apply the control measures appropriate for the control of foot-and-mouth disease to an outbreak of swine vesicular disease. At the time the 1972 Order was made, this was considered to be appropriate for the control of the disease. The controls for foot-and-mouth disease are quite inappropriate for the control of swine vesicular disease. We have therefore prepared these new Regulations to implement the Community swine vesicular disease legislation.

## 8. Consultation outcome

8.1 The consultation exercise on the draft legislation transposing the Directive ran from 4 November 2008 to 6 February 2009. We received 11 responses to the consultation. No respondent raised fundamental objections to the legislation as a whole. The responses covered detailed wide-ranging issues. The following paragraphs set out the most significant issues on which we sought views.

### **Rare Breeds**

- a. The provision to spare from culling rare breeds and other specific categories on an infected premises was generally supported provided that disease control would not be jeopardised.

### **Temporary Control Zone**

- b. Responses relating to the provision for such a zone were varied. In case of a suspect vesicular disease, a foot-and-mouth temporary control zone will be imposed until results of tests are known on the basis that foot-and-mouth disease is the worst case scenario for signs of a vesicular disease. We have concluded that there is no point therefore in providing also for such a zone under these swine vesicular disease controls.

### **Movement Restriction Zone**

- c. A movement restriction zone could be put in place to stop pigs moving off premises in a wide (most likely national) zone while the extent of disease spread is established. If ever used, we would not expect it to be in place for more than a few days. Most of the responses agreed that the Secretary of State should take powers to impose such a zone in case its use was necessary to reduce the risk of spread of disease.

### **Movement of pigs across a road**

- d. Finally, industry requested that the Regulations should have the ability to licence pigs across a road, e.g. from weaner units to fattening units. Veterinary colleagues are content that this will not jeopardise disease control so long as any licensed move is from one "premises" across the road to another "premises" where the two premises would be contiguous if it were not for the road. We have therefore included a licensing provision in the protection and surveillance zones for such a move.

## 9. Guidance

9.1 Guidance will be updated and will be available on the Defra website.

## 10. Impact

10.1 In the event of an outbreak of swine vesicular disease, there will be impact on the farming businesses immediately concerned with the outbreak control and on the public sector in delivering that control. Nevertheless, the impact will be less than that resulting from the existing provisions

which apply foot-and-mouth disease controls, some of which are not proportionate for the control of swine vesicular disease. The impact will depend on the scale of any outbreak should one ever occur. Otherwise:

(i) The impact on business, charities or voluntary bodies is negligible.

(ii) The impact on the public sector is negligible.

10.2 An Impact Assessment is attached to this memorandum.

## **11. Regulating small business**

11.1 The legislation applies to small business.

11.2 There are no exemptions for small business as disease control measures must apply to all susceptible animals whatever the size of the farming enterprise.

11.3 The basis for the final decision on what action to take to assist small business was taken following the November 2008 consultation including various organisation representing small firms. None of the respondents to the consultation made any objections.

## **12. Monitoring & review**

12.1 The measures in these Regulations (other than the requirement to notify suspect disease) will only apply as a result of an outbreak of disease. It is normal practice to conduct a lessons learnt exercise after any such outbreak and this would identify any concerns with the effectiveness of these and other similar Regulations dealing with other notifiable exotic animal disease.

## **13. Contact**

Julian West at the Department for Environment, Food and Rural Affairs, Nobel House, Smith Square, London, SW1P 3JR Tel: 0207 238 6123, email [julian.west@defra.gsi.gov.uk](mailto:julian.west@defra.gsi.gov.uk) can answer any queries regarding the instrument.

## Summary: Intervention & Options

<b>Department /Agency:</b> <b>Department for the Environment, Food and Rural Affairs</b>	<b>Title:</b> <b>Consolidation of Swine Vesicular Disease legislation through the implementation of Directives 92/119 and 2007/10</b>	
<b>Stage:</b> Development stage	<b>Version:</b> 8	<b>Date:</b> 12 May 2008
<b>Related Publications:</b> Commission Directives 92/119/EEC and 2007/10/EC		

Available to view or download at:

<http://www.>

Contact for enquiries: Julian West

Telephone: 020 7238 6123

### What is the problem under consideration? Why is government intervention necessary?

Directive 92/119/EEC needs to be transposed into domestic legislation for Swine Vesicular Disease. Existing disease control legislation is inappropriate as it states that Foot-and-Mouth Disease legislation should be used, which has controls which are not all appropriate for Swine Vesicular Disease.

Government intervention is required to ensure that Directive 92/119/EEC is fully implemented in relation to Swine Vesicular Disease. We also need to implement the appropriate section of Directive 2007/10/EC, which is an amendment to annex 2 of Directive 92/119/EEC.

### What are the policy objectives and the intended effects?

The policy objective is to produce legislation compliant with the requirements of Directive 92/119/EEC as amended in relation to Swine Vesicular Disease.

The intended effect is that our domestic legislation will be fully up to date, consistent and fit for purpose. This is within the wider objective to reduce the risk and potential impact of outbreaks of SVD both because of the damaging effects of the disease and because its symptoms are indistinguishable from foot and mouth disease.

### What policy options have been considered? Please justify any preferred option.

Maintaining current disease control legislation has been considered, however, this is not the best option as it relies on Foot-and-Mouth Disease legislation which is inappropriate, potentially confusing and not efficiently enforceable.

New legislation for the control of Swine Vesicular Disease is required as we require appropriate disease control measures to be in place and are legally obliged to fully implement Directive 92/119/EEC in relation to Swine Vesicular Disease, which will make our control procedures much clearer.

### When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

Reviews will take place when the Commission decide to re-examine control procedures or following a disease outbreak the lessons learned indicates that changes need to be made to the legislation.

### **Ministerial Sign-off** For consultation stage Impact Assessments:

***I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.***

Signed by the responsible Minister:

Jane Kennedy

.....Date: 18th May 2009

## Summary: Analysis & Evidence

<b>Policy Option:</b>	<b>Description: Consolidation of Specified Diseases and Swine Vesicular Disease legislation and full transposition of Directive 92/119/EEC</b>
-----------------------	--

<b>COSTS</b>	<b>ANNUAL COSTS</b>	Description and scale of <b>key monetised costs</b> by 'main affected groups' No on-going annual costs. There will be some costs in the form of Defra officials' time in giving effect to the Directives transposition, these are not normally quantified for inclusion in an Impact Assessment.			
	<b>One-off</b> (Transition) <span style="float: right;"><b>Yrs</b></span>				
	<b>£ 0.00</b>				
	<b>Average Annual Cost</b> (excluding one-off)				
	<b>£ 0.00</b>	<b>Total Cost (PV)</b>	<b>£ 0.00</b>		
Other <b>key non-monetised costs</b> by 'main affected groups'					

<b>BENEFITS</b>	<b>ANNUAL BENEFITS</b>	Description and scale of <b>key monetised benefits</b> by 'main affected groups' Not applicable as no on-going annual costs.			
	<b>One-off</b> <span style="float: right;"><b>Yrs</b></span>				
	<b>£ 0.00</b>				
	<b>Average Annual Benefit</b> (excluding one-off)				
	<b>£ 0.00</b>	<b>Total Benefit (PV)</b>	<b>£ 0.00</b>		
Other <b>key non-monetised benefits</b> by 'main affected groups'					
The number of different disease control legislation to control Swine Vesicular Disease will reduce, control measures will be up to date, policy will be clearer. There are no on-going costs associated with the measure itself.					

<b>Key Assumptions/Sensitivities/Risks</b>
Need up to date legislation to control disease outbreaks, the transposition of Directive 92/119/EEC will help achieve this. Without revised legislation there could be increased economic and social risks of disease spreading in the event of an outbreak.

Price Base Year	Time Period Years	<b>Net Benefit Range</b> (NPV) £	<b>NET BENEFIT</b> (NPV Best estimate) £
--------------------	----------------------	-------------------------------------	---

What is the geographic coverage of the policy/option?	England			
On what date will the policy be implemented?	December 2008			
Which organisation(s) will enforce the policy?	Local Authorities / AH			
What is the total annual cost of enforcement for these organisations?	£ 0.00			
Does enforcement comply with Hampton principles?	Yes			
Will implementation go beyond minimum EU requirements?	No			
What is the value of the proposed offsetting measure per year?	£ 0.00			
What is the value of changes in greenhouse gas emissions?	£ 0.00			
Will the proposal have a significant impact on competition?	No			
Annual cost (£-£) per organisation (excluding one-off)	Micro <b>0.00</b>	Small <b>0.00</b>	Medium <b>0.00</b>	Large <b>0.00</b>
Are any of these organisations exempt?	No	No	N/A	N/A

<b>Impact on Admin Burdens Baseline</b> (2005 Prices)			(Increase - Decrease)
Increase of	£ 0.00	Decrease of	£ 0.00
<b>Net Impact</b>			<b>£ 0.00</b>

Key: Annual costs and benefits: Constant Prices (Net) Present Value

## Evidence Base (for summary sheets)

### 1. Proposal

1.1 Full Transposition of Council Directive 92/119/EEC in relation to Swine Vesicular Disease and transposition of 2007/10/EC which amends annex 2 of Directive 92/119/EEC.

1.2 The full transposition will be carried out by the following statutory instrument:

- The Swine Vesicular Disease Regulations 2008, made under section 2(2) of the European Communities Act 1972, will implement the control measures for this particular disease.

### 2. Purpose and intended effect of measures

#### (i) The objective:

2.1 The objective is to ensure that we have in place the best and most streamlined legislative measures to control outbreaks of Swine Vesicular Disease.

2.2 The problem is that the present legislation applies Foot-and-Mouth Disease legislation to Swine Vesicular Disease, which is not entirely appropriate for the control of Swine Vesicular Disease.

2.3 We learned from the Foot-and-Mouth Disease outbreak in 2001 how important it is to have legislation which is fit for purpose. Through this revised legislation we will be providing clarity as to our policy and producing fit for purpose legislation to be used in the event of an outbreak of disease, as well as meeting our obligation to fully implement Directive 92/119/EEC as amended in relation to Swine Vesicular Disease and the amendment Directive 2007/10/EC.

2.4 Our policy is not changing, just how the disease control requirements are presented. It meets Defra's commitment to better regulation and simplification principles by, for example, providing clear legislation offering as much scope as possible to implement control strategies in accordance with each individual outbreak within the restrictions of the community law. It provides clearer more effective disease control that could lead to the potential number and size of disease outbreaks to be reduced, which will minimise disruption to the livestock and related industries. Thus benefiting industry, the UK government and the wider economy in the event of a disease outbreak.

2.5 The introduction of the Swine Vesicular Disease Regulations, will meet our commitment to better regulation, as all the powers to control, and deal with Swine Vesicular Disease will be in one place. We will no longer need to rely on the Foot-and-Mouth Disease (England) Order 2006, and the following Orders will be revoked:-

- the Swine Vesicular Disease Order 1972 ;
- the Swine Vesicular Disease (Amendment) Order 1973; and the
- the Swine Vesicular Disease (Compensation) Order 1972.

#### (ii) The Background

2.6 Swine Vesicular Disease is an exotic animal disease, which is internationally recognised as potentially causing severe damage to the livestock industry through direct losses of susceptible animals, damage to related industries and trade. Outbreaks have to be notified to

the Office International des Epizooties (OIE) and other countries refuse to accept any exports that might pose a risk of disease spreading. International standards require the elimination of the disease and country freedom is not recognised until this has been achieved.

2.7 Swine Vesicular Disease is generally not considered to be high profile. The first outbreak of Swine Vesicular Disease in Great Britain was in 1972. Over the next ten years 532 cases involving a total of 322,081 pigs were confirmed before the disease was eradicated from this country in 1982.

2.8 Swine Vesicular Disease has persisted in Italy, where in 2002 there were 171 outbreaks of this disease, with a further 31 cases in 2003, and further outbreaks through 2004, with the last reported cases in 2005. There were two cases in Portugal in 2004 and there has been a further case in June 2007. The rest of Europe is free of Swine Vesicular Disease.

2.9 Directive 92/119/EEC also covers African Swine Fever and Bluetongue, but these diseases have since had their own Directives, which have been transposed into domestic legislation (African Swine Fever (England) Order 2003 and Bluetongue Regulations 2008). The Directive also covers other Specified Diseases such as Lumpy Skin Disease and Pest des Petits Ruminants. Further legislation is currently being considered to consolidate and revise our legislation for these diseases.

2.10 As there are approximately 4,000,000 pigs in England, it is important that appropriate legislation is in place.

The June Agricultural Survey 2007 showed the following geographical spread of pig farms in England.

<b>Region</b>	<b>Holdings</b>	<b>Total Pigs</b>
North East	350	85,319
North West	1,103	160,269
Yorkshire and Humber	2,104	1,238,776
East Midlands	1,268	418,436
West Midlands	1,420	235,283
East of England	1,953	1,065,986
South East (inc London)	1,964	259,321
South West	3,765	480,055
England	13,927	3,943,444

### **3. Options**

3.1 There are two main options which have been identified:

#### **Option 1: Continue to rely on present controls**

3.2 This option is not feasible because it does not fully implement the provisions of Directive 92/119/EEC and is not a transparent or effective way of implementing disease control policy and would leave us in breach of our legal duties and open to challenge.

3.3 The Swine Vesicular Disease Order 1972, states that Foot-and-Mouth Disease legislation would be used to control Swine Vesicular Disease, however, the Foot-and-Mouth Disease (England) Order 2006, introduces new tougher controls for Foot-and-Mouth Disease, which would not be appropriate for Swine Vesicular Disease.

3.4 In addition we are required to implement Directive 2007/10/EC amending Annex 2 of 92/119/EEC and present to the Commission, thus the present situation to maintain the current status quo is not an option.

3.5 This option is not considered further, as we need to have appropriate controls for Swine Vesicular Disease.

## **Option 2: Transpose the Directive**

3.6 By transposing Directive 92/119/EEC in relation to Swine Vesicular Disease we will be fulfilling our Community obligations. The new legislation, allows us to meet this and produce clarity as to the action, which will be taken in the event of a disease outbreak. The basic principles of disease control - notification of suspect disease, veterinary investigation, stamping out of disease on infected premises and the imposition of movement controls to reduce the risk of the spread of disease, will be much clearer than in the existing legislation. We want to achieve consistency across all the exotic notifiable diseases by reducing and consolidating legislation and ensuring standard procedures are in place wherever possible.

### **4. The key changes compared to existing legislation**

4.1 Disease control principles remain the same, the controls are ones which have been used in the recent Foot-and-Mouth Disease, Avian influenza and Bluetongue outbreaks. They represent proportionate and fit for purpose controls building on existing successful best practice. In addition, most livestock farmers will now be familiar with them so there is nothing new or additional in the burdens they would place on the industry in the event of an outbreak.

4.2 As in the current legislation a Protection Zone will be imposed with a minimum radius of 3km around the Infected Premises and a Surveillance Zone with a minimum radius of 10km. In the Protection Zone no animal movements will be allowed except under licence, eg. movement to emergency slaughter. In both the Protection and Surveillance Zones, there will be requirements for increased levels of biosecurity on farms, cleansing and disinfection of vehicles, people and machinery moving on/off farms. Movement of animals and animal products will be prohibited, except under licence. Products from animals in these zones will be subject to treatment to ensure destruction of virus.

4.3 The controls would be more proportionate than using the existing Foot-and-Mouth Disease legislation. For example, at present there are controls over milk and sheep shearing which are not necessary in a Swine Vesicular Disease outbreak, as it is a disease of pigs. We do not want to restrict the day to day work of other non-related farming sectors; thus we want to remove unnecessary controls and only take action when it is clearly necessary.

### **5. Will implementation go beyond EU requirements**

5.1 The draft legislation does not introduce any additional requirements above the minimum requirements outlined in Directive 92/119/EEC, thus no additional costs above this baseline, so English livestock related organisations would not be put at a competitive disadvantage compared to their European counterparts.

5.2 In the consultation exercise we are consulting on whether the legislation should include the provision for temporary control zones and restriction zones. These are not provided for in the Directive 92/119/EEC, however, from the reaction of stakeholders at a recent meeting on Classical Swine Fever, we believe that the industry would be keen for the Secretary of State to have such powers, as an effective tool to help control the spread of disease. It should be noted that if we were to have a suspected vesicular disease case, we would likely in the first instance suspect Foot-and-Mouth Disease, due to the similarity of the diseases. So a temporary control zone would be implemented as per the Foot-and-Mouth Disease (England) Order 2006. Once disease is confirmed whether it be Foot-and-Mouth Disease or Swine Vesicular Disease, appropriate Protection and Surveillance Zones would be put in place. If results were negative the temporary control zone would be lifted. Thus this is not a new policy approach, but just a



confirmation of policy already in existence for Swine Vesicular Disease as at present Foot-and-Mouth Disease legislation which has this power applies to Swine Vesicular Disease.

5.3 However, in line with modern EU directives for exotic disease, introducing the possibility of not culling animals on an infected premises if they are:

- rare breeds
- used for scientific purposes.

Ensuring that disease control is not compromised.

## **6. Business sectors affected**

### Businesses affected when there are no outbreaks of disease

6.1 The legislation has requirements that only take effect when disease is suspected or confirmed.

### Businesses affected in a suspected or confirmed outbreak

6.2 Businesses will not be additionally affected by the full transposition of the Directive.

6.3 Under the new legislation the burden on business will be reduced if we have an outbreak compared to using the existing legislation, which could potentially introduce unnecessary restrictions.

6.4 As with any outbreak of exotic notifiable disease the number of businesses affected by the legislation depends on the nature of the outbreak and the animals involved. At one end of the scale an outbreak may be only on a single premises and one infected area declared with its associated movement restrictions lasting for around 30 days. Recent experience of disease control suggests that this would be the most likely scenario for an outbreak involving a small number of premises in the UK.

6.5 The types of businesses affected or potentially affected by the legislation include the commercial pig sector and related industries (meat and meat products etc), the export industry, zoos, laboratories, conservation areas, border inspection posts, quarantine stations and the agricultural supply industry (eg. feed manufactures and merchants) or other type of business that regularly visit premises where pigs are kept. Only a very few circuses in the UK have animals and there would be no significant impact on them. These are the same businesses as would be affected under existing legislation.

6.6 The livestock industry would have costs arising from movement restrictions, and in the case of free range and organic producers, there will be significant losses to the industry if they lose free range status through restrictions being imposed for more than 12 weeks. However, if disease is contained quickly this is thought unlikely. The new revised legislation does not add to this. There is also no additional administrative burden to farmers as there is no additional form filling.

6.7 Although we will still have an “open England” approach with the countryside still being open to the public, tourism may be adversely affected due to a perceived potential health risk, a cost, which is caused by the outbreak of disease itself and not the measures in the legislation. The only potential restriction is that there is the provision for the Secretary of State to close footpaths in a Protection Zone, but this will only be if a veterinary risk assessment indicates that this is necessary to reduce the risk of the spread of disease.

6.8 Animal show organisers may lose revenue if they can no longer exhibit pigs at shows and gatherings in the zones.

6.9 No direct compliance costs are anticipated for charities or voluntary organisations.

## **Economic benefits**

### ***Option 2 (Transpose) - Benefits***

6.10 There is no economic impact unless disease is present. The revised legislation will make the controls clearer, ensuring that it is fit for purpose, addressing the lessons learned from recent outbreaks of disease and uses the latest scientific knowledge.

6.11 The ability to impose movement controls on suspicion or confirmation of disease allows the extent of potential disease spread to be assessed whilst preventing it spreading any further. The cost of not moving anything for a short time pending official investigation is insignificant. The measures provide the potential for easier containment of the disease, fewer animals to be slaughtered and fewer premises to be placed under restriction. By applying appropriate restrictions this allows industry to continue operating where possible during an outbreak.

## **Social benefits**

6.12 A controlled disease outbreak limits the stress and psychological trauma on farmers and others in the livestock industry. This includes those whose farms are infected and those who are worried that infection may reach their farm or that their businesses will be affected.

## **7. Costs**

### **(i) Compliance costs to business**

#### Costs when there are no outbreaks of disease

7.1 When we are disease free there is no impact on businesses and thus no costs to industry.

#### Costs in a suspected or confirmed outbreak of Disease

##### Option 2 – Transpose the Directive

7.2 Current legislation already imposes costs on businesses in the event of a suspected or confirmed case of disease and these would continue under the new legislation. Costs are difficult to quantify and depend very much on the nature of the outbreak. As well as the cost of the loss of pigs if disease is confirmed and the restriction on movements, there may be costs in housing and isolating pigs, cleansing and disinfecting holdings and additional requirements for biosecurity of vehicles. Controls over a suspect case would be of limited duration, but may nevertheless have some cost impact, but would remain the same as they are at present. The range of different scenarios for a confirmed case of disease is wide. A confirmed case of disease contained on one holding would impose restrictions on pigs and livestock premises in a 10 km zone for a minimum of 30 days after the infected holding had undertaken preliminary cleansing and disinfection plus wider controls (see paragraph 7.5 below). At the other end of the scale would be rapid spread of disease across the country with multiple infected areas. Examples of anticipated costs for a Swine Vesicular Disease outbreak can be found in Annex 1. This illustrates the costs for infected premises and other costs due to setting up Protection and Surveillance Zones.

7.3 The transposition reduces the costs to some businesses, by removing unnecessary controls for Swine Vesicular Disease.

7.4 The new legislation maintains the current compensation arrangements as detailed in the Swine Vesicular Disease (Compensation) Order 1972, with compensation payable for healthy animals that are compulsorily slaughtered for disease control purposes. It is not payable for consequential losses or indirect losses to business during an outbreak.

7.5 Movement controls have the potential to impact on producer profits because of increased costs associated with keeping or losing excess stock and suboptimal marketing leading to lower prices.

7.6 Increased biosecurity requirements, during an outbreak, would generate costs; however, these are the same as at present and the benefits of this as a disease control measure significantly outweigh any costs.

7.7 There is also the benefit to stakeholders in that legislation for Swine Vesicular Disease will be up to date and much clearer.

## **(ii) Other costs**

### **a. Costs to consumers**

7.8 As with the existing legislation there are unlikely to be significant costs to consumers. The costs to businesses are not great, and therefore prices are unlikely to rise. Product choice would also remain largely unaffected because supermarkets are likely to counteract any supply shortages by increasing imports.

### **b. Costs to the public sector**

#### Costs to the public sector when there are no outbreaks of disease

7.9 There will be no costs to the public sector when there are no outbreaks of disease.

#### Costs to the public sector in a suspected or confirmed outbreak

7.10 The legislation incurs costs for the public sector in a suspected or confirmed case of disease. The legislation can be enforced using existing systems to minimise the administrative burden imposed and annual costs for the different organisations will remain the same. The amount would depend on the nature of the outbreak and the extent that it has spread. Consolidated legislation fully transposing the Directive will be easier for public sector staff such as Defra officials, Animal Health and Local Authorities to enforce, there is no significant increase in administrative burdens to the regulators as the legislation will be in one place, easily implemented and easily enforced, in fact this should reduce time spent and thus reduces administrative burdens, for example, the time spent on serving notices on infected premises will remain the same, but the time spent explaining the policy should reduce.

The UK Government is already committed to expenditure in an outbreak of disease including:

- Payment of compensation for healthy animals that are slaughtered for disease control purposes under the Animal Health Act 1981;
- Slaughtering of animals for disease control purposes and disposal costs for these animals;
- Surveillance and monitoring by Animal Health in the infected area and undertaking epidemiological tracings;

- Administrative costs such as implementing Declarations, running disease control centres and setting up a communications programme;
- Official supervision and monitoring of cleansing and disinfection of premises and vehicles.

### **c. Expected environmental and social costs**

7.11 There would be no additional costs in disposing of carcasses and other contaminated materials and treating waste waters, as the new legislation makes no changes in this area.

### **(iii) Issues of equity and fairness including distributional issues**

7.12 The new legislation is a significant improvement over the existing controls in terms that it can be seen as providing control measures which are a proportionate response to Swine Vesicular Disease.

## **8 Outcome of other Impact Tests**

### **a. Legal Aid**

8.1 The proposal does not create new criminal sanctions or civil penalties.

### **b. Carbon Impact Assessment**

8.2 The proposal will have no effect on carbon / greenhouse gas emissions, as the nature and scale of the livestock and related industries remain the same. There will be individual winners and losers in terms of increased or reduced trade opportunities when there is a disease outbreak, and therefore some change to the carbon footprint of individual businesses, but the overall impact for the industry as a whole is unlikely to alter substantially.

### **c. Other Environmental Issues**

8.3 The policy is not changing, just how the disease control requirements are presented. The proposal has no implications in relation to climate change, waste management, landscapes, water and floods, habitat and wildlife or noise pollution.

### **d. Health Impact Assessment**

8.4 The proposal will not directly impact on human health or well being and will not result in health inequalities. There will be indirect benefits, as the effective control of disease, will lead to restrictions being in place for a shorter period, reducing stress on farmers and leading to the continued availability of animal products.

### **e. Race /Disability/Gender**

8.5 There are no limitations on meeting the requirements of the proposal on the grounds of race, disability or gender. The proposal does not impose any restriction or involve any requirement which a person of a particular racial background, disability or gender would find difficult to comply with. Conditions apply equally to all individuals and businesses involved in the activities covered by the proposal.

### **f. Human Rights**

8.6 The proposal is consistent with the Human Rights Act 1998.

### **g. Rural Proofing**

8.7 The majority of producers and many suppliers are based in rural areas and the proposal is designed to facilitate their activities. The policy does impact the rural community as there will be controls to prevent the spread of disease, but these are basically the same as current legislation.

## **h. Small Firms Impact Test**

8.8 In the event of a suspected or confirmed outbreak of disease, the proposal will affect small businesses, but to no greater degree than at present. The degree of consultation with representative groups that was undertaken when the Directive was negotiated is unknown, but a full consultation exercise will be undertaken during the consolidation process.

## **9. Competition Assessment**

9.1 The proposals are unlikely to have negative impacts on competition unless disease is confirmed (and even then it will have minimal impact on consumers). The revised legislation applies equally to all new and existing businesses and is similar to existing requirements for other serious diseases of livestock.

9.2 The legislation would be likely to have only a minor impact on competition in the markets directly affected by it. The major markets affected include the European markets for pig meat as well as markets for the trade in live pigs. Other farm types, such as poultry or sheep holdings, may incur indirect impacts from the legislation. Furthermore, whole sectors of the rest of the rural economy, such as the tourism industry, may be indirectly affected.

9.3 Of the markets directly affected by the legislation, all are characterised by low levels of concentration; no firm has 20% market share and no three have 50%. The legislation would affect some firms substantially more than others. The shocks to supply would not be due to competitive distortions.

9.4 The legislation would have a temporary impact on the market structure if a disease outbreak occurred, reducing the number of meat and animal suppliers. There would be no extra set-up or ongoing costs for new entrants to meet compared to existing firms. Firms' ability to choose the price, quality, range and location of their products would be affected. However, English consumers are not expected to suffer as a result of this, since substitution to imports or other non-affected meat, such as poultry, will be possible eg. production of cattle, sheep and pigs fell in 2001 during the FMD outbreak, whereas the volume of poultry meat production rose by 3.4%.

## **10. Enforcement and Sanctions**

10.1 In the event of a disease outbreak, Animal Health and Local Authorities would enforce the legislation as they do at present; there are no significant new burdens on these enforcement agencies.

10.2 During an outbreak, any additional burdens on the farming industry would, generally, be no greater than under existing legislation.

10.3 The EU Commission has responsibility for monitoring enforcement by member states in order to ensure uniform application of EU legislation.

10.4 The effectiveness of UK enforcement procedures is kept under ongoing review. Any evidence of failure to enforce by other Member States is drawn to the attention of the Commission.

## **11. Monitoring and review**

11.1 Monitoring of the effectiveness of the legislation will arise from regular National Contingency Plan reviews and lessons learned following an outbreak of disease. The legislation will also be reviewed if any further Commission Directives or Decisions are made.

## **12. Consultation**

12.1 The Devolved Administrations would not have been consulted during the negotiation of Directive 119/92/EEC, as they were not in existence. However, we have worked closely with them during the consolidation / transposition phase and they will be implementing similar legislation.

12.2 A public consultation exercise will be undertaken on the legislative plans for implementation in all parts of Great Britain.

## **13. Summary**

13.1 We recommend Option 2, the full transposition of Directive 92/119/EEC as amended, as this includes all the essential measures for the control of Swine Vesicular Disease, which for relatively low cost provides net benefits to industry in terms of controlling the spread of disease. This approach is in line with our disease control strategies for other exotic notifiable diseases.

13.2 The new legislation is in line with better regulation and Hampton principles, producing user-friendly legislation, which delivers clearly defined policy by transposing Directive 92/119/EEC into domestic legislation.

## Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

**Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.**

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	Yes	No
Small Firms Impact Test	Yes	No
Legal Aid	Yes	No
Sustainable Development	Yes	No
Carbon Assessment	Yes	No
Other Environment	Yes	No
Health Impact Assessment	Yes	No
Race Equality	Yes	No
Disability Equality	Yes	No
Gender Equality	Yes	No
Human Rights	Yes	No
Rural Proofing	Yes	No

## Annexes

### Annex 1 – The Pig Industry in England

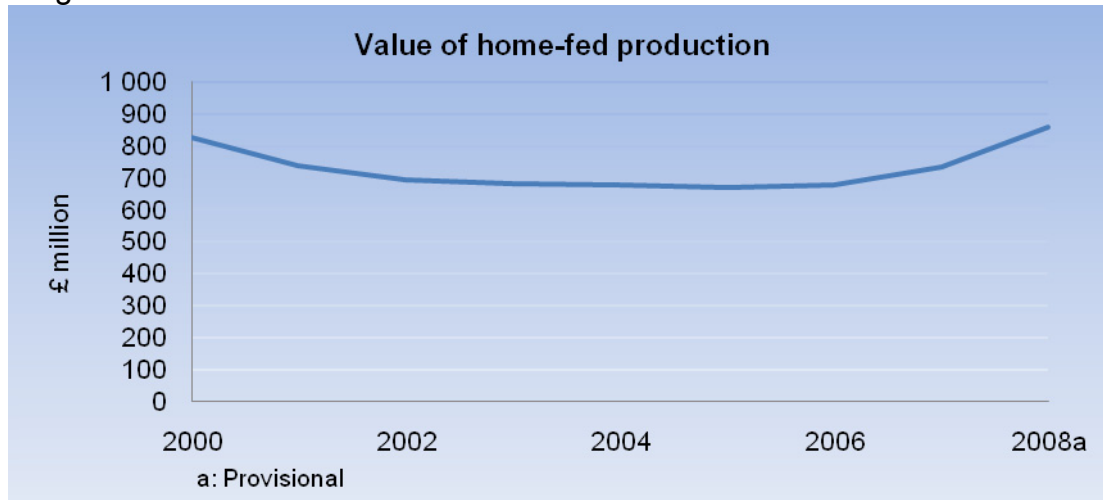
#### *Profile of the industry*

The pig industry is a sizeable and significant component of the agriculture and food sector in the UK. After cattle and beef it is the next largest animal (meat) livestock industry<sup>1</sup>. The value of UK output<sup>2</sup> in 2007 amounted to £733 million, whilst the provisional estimate for 2008 is £858m. Taking the five years up to the year of the last confirmed figures, 2007, this represents a 5.6% increase on the corresponding figure in 2002. As shown in diagram 1, the value of home-fed production started rising in 2006 after a decade of negative annual growth.

**Table 1. UK output**

	2000	2001	2002	2003	2004	2005	2006	2007	2008
Value of home-fed production (£ million)	828	737	695	682	678	671	678	733	858
Annual growth rate		11.0%	-5.7%	-1.9%	-0.6%	-1.0%	1.0%	8.1%	17.1%

Diagram 1



Source: Defra, Agriculture in the UK 2008

Equivalent figures for the value of output for England are not readily available. However statistics on the numbers of pigs in England give a good indication of the general scale of the industry there. As can be seen in diagram 2,

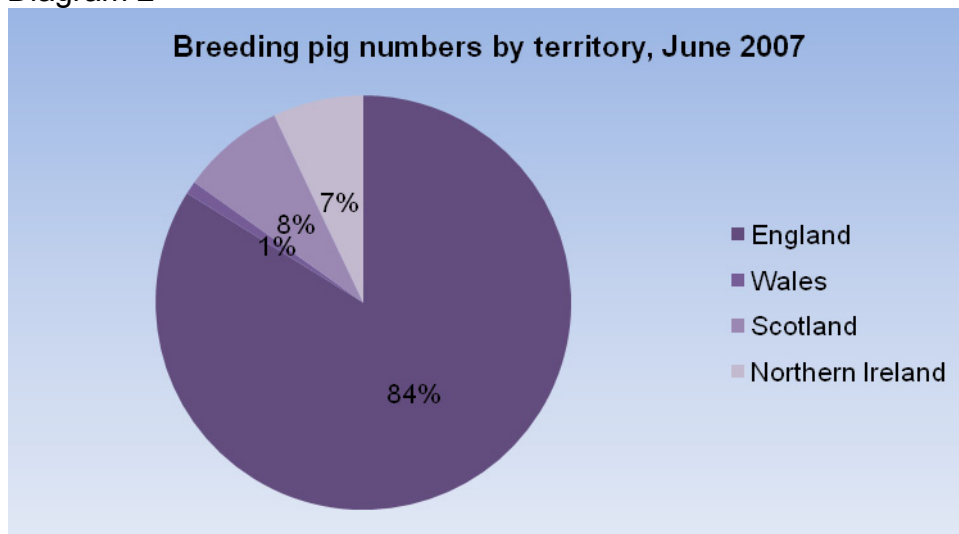
<sup>1</sup> Taking estimates for 2007/08. Excluding avian livestock

<sup>2</sup> Home-fed production



England accounts for about 84% of the UK breeding pigs, Scotland 8% and Wales 1%.

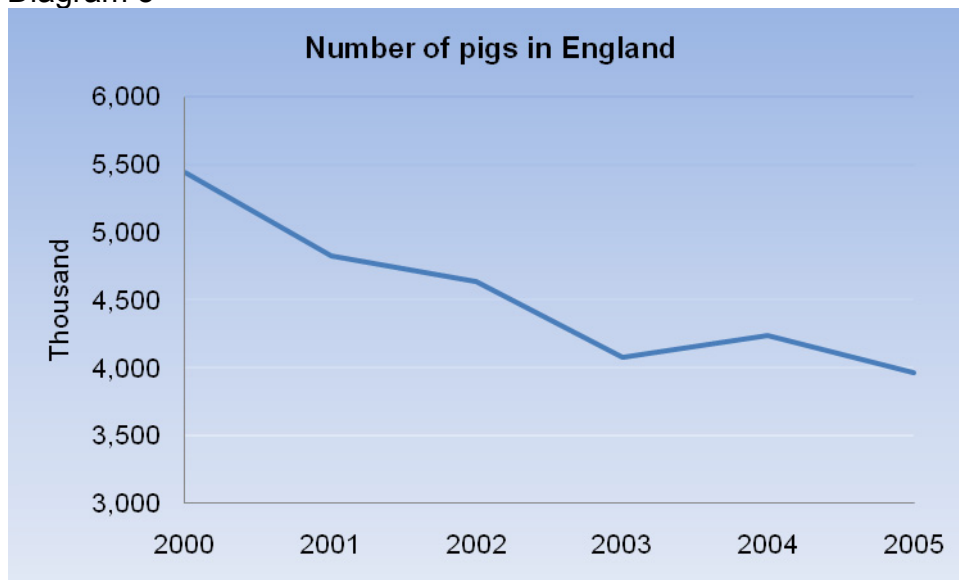
Diagram 2



Source: BPEX, Pig Yearbook 2008

Taking briefly a multi-year perspective on the English situation, an earlier decline in the pig numbers being produced appears to have been stabilised in more recent years, as can be seen in the following diagram.

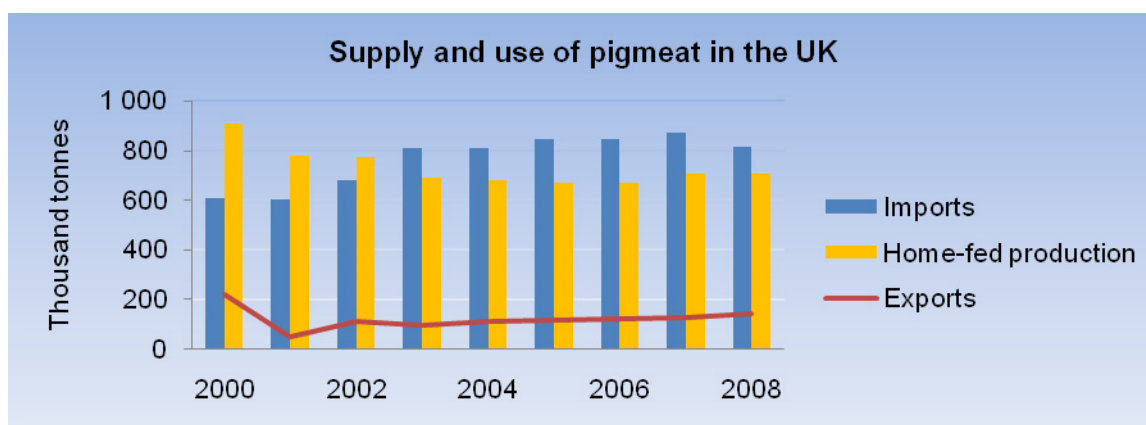
Diagram 3



Source: Agricultural and Horticultural Survey – England, historical data

Over this term there has been a corresponding increase in the pigmeat imported in the UK to satisfy consumer demand. Because trade statistics for England alone are not available, those for the UK are presented in the following diagram and table

Diagram 4



Source: Defra, Agriculture in the UK 2008

Looking more closely at pig exports, it is clear that the main market is within the EU, as can be seen in Table 2.

**Table 2. Production and Trade in UK**

Thousand tonnes	2000	2001	2002	2003	2004	2005	2006	2007	2008(c)
Home-fed production	907	777	774	688	679	669	667	707	703
Imports from:									
the EU (a)	599	600	677	800	804	836	837	864	808
the rest of the world	5	2	2	6	6	6	7	5	5
Total imports	604	602	679	806	810	842	844	869	813
Exports to:									
the EU (b)	188	44	103	81	98	101	110	113	122
the rest of the world	30	4	5	11	12	12	10	12	17
Total exports	218	48	108	92	110	113	120	125	139
Total new supply	1 293	1 331	1 346	1 403	1 379	1 398	1 391	1 451	1 377
Home-fed production as % of total new supply for use in UK	70%	58%	58%	49%	49%	48%	48%	49%	51%

Source: Defra, Agriculture in the UK 2008

(a) Includes meat from finished animals imported from the Irish Republic

(b) Adjusted, as necessary, for unrecorded trade in live animals

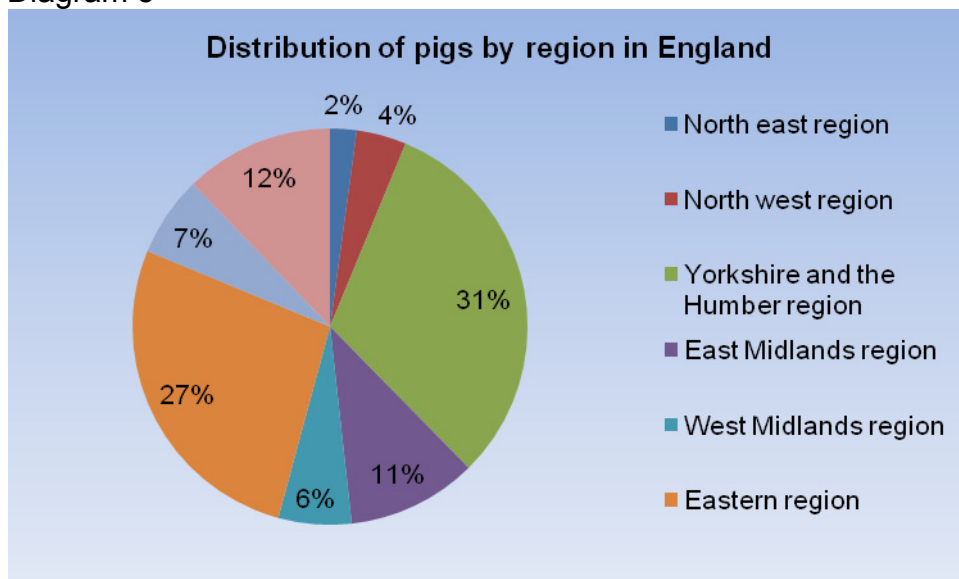
(c) Provisional

Outbreaks of Classical Swine Fever (CSF) in 2000 and Foot and Mouth Disease (FMD) in 2001 hit the industry hard, leading to movement restrictions and the closure of export markets, which resulted in a severe drop in exports. A further outbreak of Foot and Mouth in 2007 also led to movement restrictions and an export ban. The slow tendency for UK pigmeat exports to recover after the major setback of 2001 highlights the importance of maintaining high animal health standards in order to prevent and contain the economic damage associated with a disease outbreak.

### ***Disaggregation of English data***

It is interesting to disaggregate the figures for England. Taking initially the distribution by main region, the following diagram shows that in England pig herds are situated mainly in Yorkshire, Humber region and Eastern region.

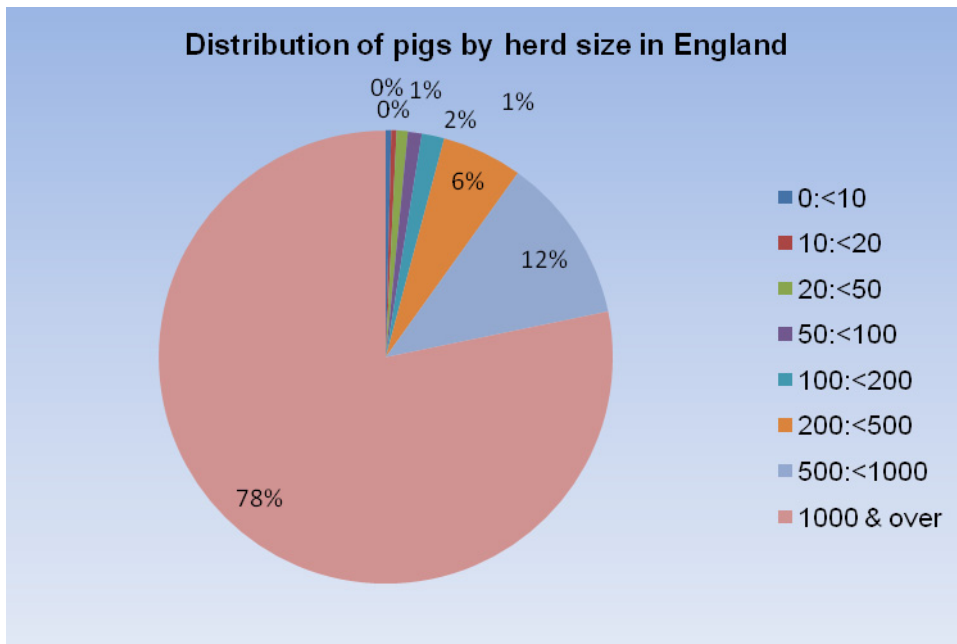
Diagram 5



Source: June 2007 Agricultural and Horticultural Survey - England

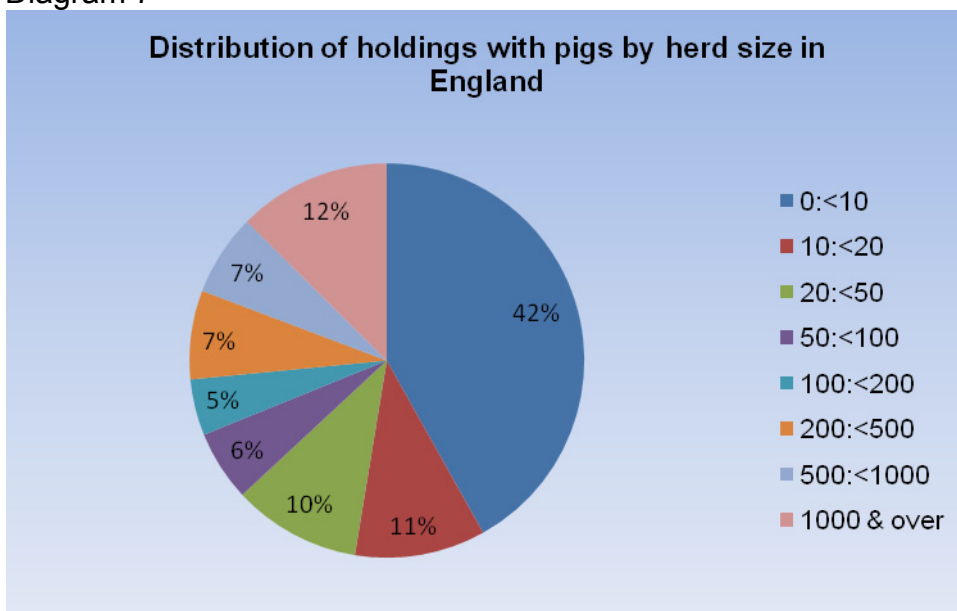
Numbers can also be disaggregated by herd size and by distribution of holdings, as seen in the following diagrams.

Diagram 6



Source: June 2007 Agricultural and Horticultural Survey - England

Diagram 7



Source: June 2007 Agricultural and Horticultural Survey - England

Approximately 78% of pigs are kept on about 1,200<sup>3</sup> large holdings and the rest on medium and small holdings and farms, which represent the vast majority of businesses. Such a structure of the pig industry has important implications in terms of animal health risks. Whilst large scale producers generally tend to have greater capacity to exploit cost efficiencies and on the

<sup>3</sup> The June 2007 Agricultural and Horticultural Survey – England reports 1218 holdings with 1000 pigs and over

basis of their more substantial financial and capital resources, more likely to be capable of adopting and implementing higher biosecurity standards, nonetheless in the event of a disease outbreak occurring on such units, they could be exposed to a higher risk of the disease spreading due to the concentrated nature of their production.

## SVD Transposition Table

Council Directive 92/119/EEC as amended by Commission Directive 2007/10/EC.

These can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0119:EN:HTML>  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:063:0024:0025:EN:PDF>

	Directive	SVD Regulation
Article 1	This Directive defines the general Community control measures to be applied in the event of an outbreak of one of the diseases listed in Annex I.	The Regulations only implement 92/119 in relation to SVD
Article 2	<p>For the purposes of this Directive, the following definitions shall apply:</p> <ol style="list-style-type: none"> <li>1. <i>holding</i>: any establishment (agricultural or other), situated in the territory of a Member State, in which animals are kept or bred;</li> <li>2. <i>animal</i>: any domestic animal of a species liable to be directly affected by the disease in question, or any wild vertebrate animal likely to participate in the epidemiology of the disease, by acting as a carrier or reservoir of infection;</li> <li>3. <i>vector</i>: any wild vertebrate or invertebrate animal which, by mechanical or biological means, is liable to transmit and spread the agent of the disease in question;</li> <li>4. <i>owner or keeper</i>: any person or persons, either natural or legal, having ownership of the animals, or charged with keeping the said animals, whether or not for financial reward;</li> <li>5. <i>incubation period</i>: the period of time likely to elapse between exposure to the agent of the disease and the onset of clinical symptoms. The duration of this period shall be that indicated in Annex I for the disease in question;</li> <li>6. <i>confirmation of infection</i>: the declaration by the competent authority of the presence of any of the diseases listed in Annex I based on laboratory results; however, in the event of an epidemic, the competent authority may also confirm the presence of the disease on the basis of clinical and/or epidemiological results;</li> <li>7. <i>competent authority</i>: the central authority of a Member State responsible for carrying out veterinary checks or any veterinary authority to which it has delegated that responsibility;</li> <li>8. <i>official veterinarian</i>: the veterinarian appointed by the competent authority.</li> </ol> <p>Member States shall ensure that it is compulsory for the suspected presence of any of the diseases referred to in Annex I to be notified immediately to the competent authority.</p>	The Regulations have appropriate interpretation regulation 2.
Article 3		Regulation 5
Article 4	1. When animals on a holding are suspected of being infected or contaminated with one of the diseases listed in Annex I, Member States shall ensure that the official veterinarian immediately	Regulations 8, 9, 10 and 23 and Schedule 1.

activates official investigation arrangements to confirm or rule out the presence of the disease in question and, in particular, must take or have taken the samples necessary for laboratory examination. To that end the animals in question may be transported to the laboratories under the supervision of the competent authority, which shall take appropriate steps to prevent the disease from spreading.

2. As soon as the suspected presence of the disease is notified, the competent authority shall have the holding placed under official surveillance and shall in particular require that:

- (a) a census be made of all categories of animals of susceptible species and that, in respect of each of these categories, the number of animals already dead, infected or liable to be infected or contaminated be recorded; the census must be kept up to date to take account of animals born or dying during the period of suspicion; the information in the census must be kept up to date and produced on request and may be checked at each visit;
- (b) all animals of susceptible species on the holding be kept in their living quarters or confined in some other place where they can be isolated taking into account the possible role of vectors, where appropriate;
- (c) no animals of susceptible species enter or leave the holding;
- (d) all movement:
  - of persons, animals of other species not susceptible to the disease and vehicles to or from the holding,
  - of meat or animal carcasses, or of animal feed, equipment, waste, droppings, litter, manure, or anything liable to transmit the disease in question (e) be subject to authorization by the competent authority, which shall lay down the conditions for preventing any risk of the disease spreading; appropriate means of disinfection be installed at the entrances and exits of buildings or places housing animals of susceptible species and of the holding itself;
  - (f) an epizootiological inquiry be carried out in accordance with Article 8.

3. Until such time as the official measures laid down in paragraph 2 are enforced, the owner or keeper of any animal in which disease is suspected shall take every appropriate measure to ensure compliance with paragraph 2, except for subparagraph (f) thereof.

4. The competent authority may apply any of the measures provided for in paragraph 2 to other holdings should their location, their configuration or contacts with the holding where the disease is suspected give reason to suspect possible contamination.

5. The measures referred to in paragraphs 1 and 2 shall not be withdrawn until the suspicion of the presence of the disease has been ruled out by the official veterinarian.

Regulation 8(3), 9(3) and (4), 10 and 23.

Schedule paragraph 1

Paragraph 2

Paragraph 4  
Paragraph 7

Started at regulation 8(3)

Regulations 8, 9, 10 and 23 and Schedule 1.

Regulations 9(7), 10(7) and 23(2), (5) and (7)

Article 5	<p>1. Once it has been officially confirmed that one of the diseases listed in Annex I is present on a holding, Member States shall ensure that, in addition to the measures laid down in Article 4 (2), the competent authority requires application of the following measures:</p> <p>(a) all animals of susceptible species on the holding shall be killed on the spot, without delay. The animals which have died or been killed shall either be burnt or buried on the spot, if possible, or destroyed in a carcass disposal plant. These operations shall be carried out in such a way as to minimize the risk of disseminating the agent of the disease;</p> <p>(b) any substance or waste, such as animal feed, litter, manure or slurry, which is liable to be contaminated, shall be destroyed or treated appropriately. This treatment, carried out in accordance with the instructions of the official veterinarian, must ensure that any agent or vector of the agent of the disease is destroyed;</p> <p>(c) after carrying out operations listed in subparagraphs (a) and (b), the buildings used for housing animals of susceptible species, their surroundings, the vehicles used for transport and all equipment liable to be contaminated shall be cleaned and disinfected in accordance with Article 16;</p> <p>(d) an epizootiological inquiry shall be carried out in accordance with Article 8.</p> <p>2. When recourse is had to burial, it must be deep enough to prevent carnivorous animals from digging up the carcasses or waste referred to in paragraph 1 (a) and (b) above and must be in suitable ground so as to prevent contamination of water tables or any environmental nuisance.</p> <p>3. The competent authority may extend the measures provided for in paragraph 1 to other neighbouring holdings should their location, their configuration or contacts with the holding where the presence of the disease has been confirmed give reason to suspect possible contamination.</p> <p>4. The restocking of the holding shall be authorized by the competent authority, following the satisfactory inspection by the official veterinarian of the cleaning and disinfection operations carried out in accordance with Article 16.</p> <p><b>NB, Annex II also applies – see later</b></p>	<p>Regulations 14 and 16 All animal disposal is covered by The Animal By-Products Regulations 2005</p> <p>Regulations 18 and 19</p> <p>Regulations 18 and 19</p> <p>Started at regulation 8(3)</p> <p>The Animal By-Products Regulations 2005</p> <p>Regulations 9 and 10</p> <p>Regulation 20</p> <p>Regulation 12</p>
Article 6	<p>Where animals living in the wild are infected or suspected of being infected, Member States shall ensure that appropriate action is taken.</p> <p>Member States shall inform the Commission and the other Member States, in the Standing Veterinary Committee set up by Decision 68/361/EEC (1), of the measures they have taken.</p>	
Article 7	<p>1. In the case of holdings which consist of two or more separate production units, the competent authority may derogate from the requirements of Article 5 (1) (a) as regards healthy production units of a holding which is infected, provided that the official veterinarian has confirmed that the structure and size of these units and the operations carried out therein are such that they are completely separate as regards housing.</p>	<p>We implement this by varying the scope of the no imposing restrictions.</p>



	<p>keeping, staff, equipment and feeding, so as to prevent the spread of the agent of the disease from one unit to another.</p> <p>2. Where recourse is had to paragraph 1, the rules laid down in Commission Decision 88/397/EEC (2) shall apply <i>mutatis mutandis</i>. These rules may be amended for the disease in question under the procedure laid down in Article 25 in order to take account of the specific nature of the disease.</p> <p>1. The epizootiological enquiry shall deal with:</p> <p>(a) the length of time during which the disease may have existed on the holding before being notified or suspected;</p> <p>(b) the possible origin of the disease on the holding and the identification of other holdings on which there are animals of susceptible species which may have become infected or contaminated;</p> <p>(c) the movement of persons, animals, carcasses, vehicles, equipment or any other substances likely to have carried the agent of the disease to or from the holdings in question;</p> <p>(d) the presence and distribution of disease vectors as appropriate.</p> <p>2. A crisis unit shall be established in order to provide full coordination of all measures necessary to ensure eradication of the disease as quickly as possible and for the purpose of carrying out the epizootiological enquiry.</p> <p>The general rules concerning national crisis units and the Community crisis unit shall be laid down by the Council, acting by a qualified majority on a proposal from the Commission.</p>	<p>Regulation 8(3)</p>
<p>Article 9</p>	<p>1. Where the official veterinarian finds, or considers on the basis of confirmed data, that disease could have been introduced from other holdings onto the holding referred to in Article 4 or from the latter onto other holdings as a result of the movement of persons, animals or vehicles or in any other way, those other holdings shall be placed under official surveillance in accordance with Article 4; this surveillance shall not be lifted until the suspected presence of disease on the holding has been officially ruled out.</p> <p>2. Where the official veterinarian finds, or considers on the basis of confirmed data, that disease could have been introduced from other holdings on to the holding referred to in Article 5 or from the latter onto other holdings as a result of the movement of persons, animals or vehicles or in any other way, those other holdings shall be placed under official surveillance in accordance with Article 4; this surveillance shall not be lifted until the suspected presence of disease on the holding has been officially ruled out.</p> <p>3. When a holding has been subject to the provisions of paragraph 2, the competent authority shall keep the provisions of Article 4 in force on the holding for at least the maximum incubation period pertaining to each disease following the likely time of introduction of infection as established by the epizootiological enquiry carried out in accordance with Article 8.</p> <p>4. Where it considers that conditions permit, the competent authority may limit the measures provided for in paragraphs 1 and 2 to a part of the holding and the animals contained therein</p>	<p>Regulations 8, 9, 10 and 23 and Schedule 1</p> <p>Regulations 8, 9, 10 and 23 and Schedule 1</p> <p>Regulation 10(3)(b)</p>



	<p>has carried out an examination of all the animals of susceptible species on the holding and confirmed that none of the animals is suspected of being infected. The competent authority responsible for the slaughterhouse shall be informed of the intention to send animals to it.</p> <p>2. The measures applied in the protection zone shall be kept in force for at least the maximum incubation period pertaining to the disease in question after animals from the infected holding have been disposed of in accordance with Article 5 and cleaning and disinfection operations have been carried out in accordance with Article 16. However, where the disease is transmitted by an insect vector, the competent authority may fix the duration of the measures and lay down provisions for the possible introduction of sentinel animals. Member States shall forthwith inform the Commission and the other Member States, within the Standing Veterinary Committee, of the measures they have taken.</p> <p>On expiry of the period referred to in the first subparagraph, the rules applied to the surveillance zone shall also apply to the protection zone.</p>	
<p>Article 12</p>	<p>1. Member States shall ensure that the following measures are applied in the surveillance zone:</p> <ul style="list-style-type: none"> <li>(a) all holdings having animals of susceptible species shall be identified;</li> <li>(b) the movement of animals of susceptible species on public roads shall be prohibited except for the purpose of leading them to pasture or animal buildings; the competent authority may, however, grant a derogation from that prohibition for the transit of animals by road or rail without unloading or stopping;</li> <li>(c) the transport of animals of susceptible species within the surveillance zone shall be subject to authorization by the competent authority;</li> <li>(d) animals of susceptible species must remain inside the surveillance zone for a maximum incubation period after the most recent recorded case of disease. Thereafter, animals may be removed from that zone to be transported under official supervision directly to a slaughterhouse designated by the competent authority for emergency slaughter. Such transport may be authorized by the competent authority only after the official veterinarian has carried out an examination of all the animals of the susceptible species on the holding and confirmed that none of the animals is suspected of being infected. The competent authority responsible for the slaughterhouse shall be informed of the intention to send animals to it.</li> </ul> <p>2. The measures applied in the surveillance zone shall be kept in force for a period at least equal to the maximum incubation period after animals from the holding have been disposed of in accordance with Article 5 and cleaning and disinfection operations have been carried out in accordance with Article 16. However, where the disease is transmitted by an insect vector, the</p>	<p>See Directive Annex II for SVD provisions</p>

	<p>competent authority may fix the duration of the measures and lay down provisions for the possible introduction of sentinel animals. Member States shall forthwith inform the Commission and the other Member States, within the Standing Veterinary Committee, of the measures they have taken.</p>	
Article 13	<p>Where the prohibitions provided for in Articles 11 (1) (d) and 12 (1) (d) are maintained beyond 30 days because of the occurrence of further cases of the disease and as a result problems arise in keeping the animals, the competent authority may, following an application by the owner explaining the grounds for such application, by the owner explaining the grounds for such applications authorize the removal of the animals from a holding within the protection zone or the surveillance zone, provided that:</p> <ul style="list-style-type: none"> <li>(a) the official veterinarian has verified the facts;</li> <li>(b) an inspection of all animals on the holding has been carried out;</li> <li>(c) the animals to be transported have undergone a clinical examination, with negative result;</li> <li>(d) each animal has been marked by ear marking or has been identified by any other approved method;</li> <li>(e) the holding of destination is located either in the protection zone or within the surveillance zone.</li> </ul> <p>All the necessary precautions must be taken, in particular by cleaning and disinfecting lorries after transport, to avoid the risk of spreading the agent of the disease in the course of such transport.</p>	
Article 14	<p>1. Member States shall ensure that the competent authority takes all the necessary measures to keep at least persons established in the protection and surveillance zones informed of the restrictions in force and makes all necessary arrangements for the appropriate implementation of those measures.</p> <p>2. Where, in a given region, the epizootic in question is exceptionally serious, all the additional measures to be taken by the Member States concerned shall be adopted under the procedure laid down in Article 26.</p>	<p>Regulation 28</p> <p>Regulation 24(7)</p>
Article 15	<p>By way of derogation from the general provisions laid down in this Directive, specific provisions relating to the control and eradication measures for each respective disease:</p> <ul style="list-style-type: none"> <li>— are, for swine vesicular disease, set out in Annex II for swine vesicular disease,</li> <li>— are, for each of the other diseases listed in Annex I, adopted by the Council, acting by a qualified majority on a proposal from the Commission.</li> </ul>	<p>Reference to Directive Annex II</p>
Article 16	<p>1. Member States shall ensure that:</p> <ul style="list-style-type: none"> <li>(a) the disinfectants and insecticides to be used and, where appropriate, their concentrations, are officially approved by the competent authority;</li> <li>(b) the cleaning, disinfection and disinfestation operations are carried out under official supervision;</li> </ul>	<p>Regulation 18(1)</p> <p>Regulation 19</p>

	<p>— in accordance with the instructions given by the official veterinarian, and</p> <p>— in such a way as to eliminate any risk of spread or survival of the agent of the disease;</p> <p>(c) on completion of the operations in (b), the official veterinarian makes sure that the measures have been carried out properly and that an appropriate period, of not less than 21 days, has elapsed to ensure that the disease in question has been completely eliminated before animals of susceptible species are re-introduced.</p> <p><b>But see also Annex II later</b></p> <p>2. The procedures for cleaning and disinfecting an infected holding:</p> <p>— are, for swine vesicular disease, those set out in Annex II,</p> <p>— are determined, in the context of preparation of the specific measures for each disease listed in Annex I, in accordance with the procedure laid down in the second indent of Article 15.</p>	<p>Regulation 19(1) and 18(2)</p> <p>Regulation 19(2)(a)</p>
<p>Article 17</p>	<p>1. Member States shall ensure that in each Member State there is designated:</p> <p>(a) a national laboratory with facilities and expert personnel enabling it to show at all times, and especially when the disease in question first appears, the type, sub-type and variant of the relevant virus and to confirm results obtained in regional diagnostic laboratories;</p> <p>(b) a national laboratory at which reagents used in regional diagnostic laboratories are tested.</p> <p>2. The national laboratories designated for each of the diseases referred to shall be responsible for coordinating diagnostic standards and methods, and for the use of reagents.</p> <p>3. The national laboratories designated for each of the diseases referred to shall be responsible for coordinating the diagnostic standards and methods laid down by each laboratory for diagnosis of the disease in question within the Member State. To this end, they:</p> <p>(a) may provide diagnostic reagents to national laboratories;</p> <p>(b) shall control the quality of all diagnostic reagents used in the Member State;</p> <p>(c) shall periodically arrange comparative tests;</p> <p>(d) shall hold isolates of the virus of the disease in question from cases confirmed in the Member State;</p> <p>(e) shall ensure the confirmation of positive results obtained in regional diagnostic laboratories.</p> <p>4. However, by way of derogation from paragraph 1, Member States which do not have a national laboratory competent as regards the disease in question, may use the services of a national laboratory with competence in the matter of another Member State.</p> <p>5. The list of national laboratories for swine vesicular disease is set out in Annex II.</p> <p>6. The national laboratories designated for each of the diseases referred to shall cooperate with the respective Community reference laboratories referred to in Article 18.</p> <p>7. The detailed rules for implementing this Article shall be adopted by the Commission under the procedure laid down in Article 25.</p>	<p>Administrative</p>
<p>Article 18</p>	<p>1. The Community reference laboratory for swine vesicular disease is indicated in Annex II.</p> <p>2. The Community reference laboratories for each of the other diseases listed in Annex I shall be designated in accordance with the procedure laid down in the second indent of Article 15 in the</p>	<p>Not relevant</p>

Article 19	<p>context of preparation of the specific measures for each disease.</p> <p>3. Without prejudice to Decision 90/424/EEC, and in particular Article 28 thereof, the functions and duties of the laboratories referred to in paragraphs 1 and 2 of this Article shall be those laid down in Annex III.</p>	
Article 19	<p>1. Vaccination against the diseases listed in Annex I may not be carried out except as a supplement to control measures taken when the disease in question broke out, in accordance with the following provisions:</p> <p>(a) the decision to introduce vaccination as a supplement to control measures shall be taken by the Commission, in cooperation with the Member State concerned, under the procedure laid down in Article 26;</p> <p>(b) this decision shall be based on the following criteria in particular:</p> <ul style="list-style-type: none"> <li>— the concentration of animals of the species concerned in the affected zone,</li> <li>— the characteristics and composition of each vaccine used,</li> <li>— the procedures for supervision of the distribution, storage and use of vaccines,</li> <li>— the species and age of the animals which may or must be vaccinated,</li> <li>— the areas in which vaccination may or must be carried out,</li> <li>— the duration of the vaccination campaign.</li> </ul> <p>2. In the case referred to in paragraph 1:</p> <p>(a) the vaccination or re-vaccination of animals of susceptible species on the holdings referred to in Article 4 shall be prohibited;</p> <p>(b) hyper-immune serum injection shall be prohibited.</p> <p>3. In the event of recourse to vaccination, the following rules shall apply:</p> <p>(a) all vaccinated animals must be identified by a clear and legible mark in accordance with a method approved by the procedure laid down in Article 25;</p> <p>(b) all vaccinated animals must remain within the vaccination zone unless sent to a slaughterhouse designated by the competent authority for immediate slaughter, in which case the movement of animals may be authorized only after the official veterinarian has carried out an examination of all the susceptible animals on the holding and confirmed that none of the animals is suspected of being infected.</p> <p>4. When the vaccination operations have been completed, movements of animals of susceptible species from the vaccination zone may be permitted under the procedure laid down in Article 26, after a period determined by the same procedure.</p> <p>5. Member States shall inform the Commission on a regular basis, within the Standing Veterinary Committee, of progress as regards the vaccination measures.</p> <p>6. However, by way of derogation from paragraph 1, the decision to introduce emergency vaccination may be taken by the Member State concerned, following notification of the Commission, provided that the fundamental interests of the Community are not affected. That decision, which must in particular take into account the degree of concentration of the animals in certain regions, of the need to protect individual breeds and of the geographical area in which</p>	<p>Regulation 29</p> <p>Regulations 29 and 30</p> <p>Regulation 31</p> <p>Specific provisions relating to vaccination will be prescribed according to the need at the time in the licence, declaration or notice</p>

Article 20	<p>vaccination is carried out, shall forthwith be re-examined, under the procedure laid down in Article 26, by the Standing Veterinary Committee, which may decide to retain, modify or extend the measures or to bring them to an end.</p> <p>1. Each Member State shall draw up a contingency plan applicable to all the diseases listed in Annex I, specifying the national measures to be implemented in the event of an outbreak of any of these diseases.</p> <p>This plan must allow access to facilities, equipment, personnel and all other appropriate materials necessary for the rapid and efficient eradication of the outbreak.</p> <p>2. The general criteria to be applied for drawing up the contingency plans are laid down in points 1 to 5 and 10 of Annex IV, with points 6 to 9 representing criteria to be adapted according to the disease concerned. Member States may however confine themselves to applying the criteria laid down in points 6 to 9 where the criteria in points 1 to 5 and 10 were already adopted when plans were submitted</p> <p>for the application of control measures for another disease.</p> <p>3. Contingency plans drawn up in accordance with the criteria listed in Annex IV shall be submitted to the Commission:</p> <p>(i) no later than six months after this Directive is brought into effect as regards swine vesicular disease;</p> <p>(ii) no later than six months after implementation of the specific measures for each of the other diseases listed in Annex I.</p> <p>4. The Commission shall examine the contingency plans in order to determine whether they permit the desired objective to be attained and shall suggest to the Member State concerned any amendments required in particular to ensure that they are compatible with those of the other Member States.</p> <p>The Commission shall approve the plans, if necessary amended, in accordance with the procedure laid down in Article 25. The plans may subsequently be amended or supplemented, in accordance with the same procedure, to take into account developments in the situation and the specific nature of the disease in question.</p>	The generic contingency plan published by Anim Health and updated each year implements this.
Article 21	<p>By way of derogation from the conditions provided for in Articles 19 and 20 as regards the contingency measures to be adopted by the Member States and so as to take account of the natural, geographical constraints particular to the French Overseas Departments, the Azores and Madeira and their remoteness from the central part of the Community's territory, the Member State concerned shall be authorized to apply particular control measures specific to each of the diseases listed in Annex I to this Directive.</p> <p>The Member State concerned shall, within the Standing Veterinary Committee, inform the Commission and the other Member States of the measures it has taken in this respect and in particular of the control measures implemented to ensure that animals from the territories in question or products from such animals are not dispatched to the other territories of the Community.</p>	Not relevant

	Following the information procedure referred to in the second paragraph, Article 20 shall apply <i>mutatis mutandis</i> .	
Article 22	<p>Commission experts may, in collaboration with the competent authorities, and in so far as is necessary to ensure uniform application of this Directive, make on-the-spot checks. In order to do this, they may check a representative percentage of holdings to see whether the competent authorities are checking that these holdings are fulfilling the requirements of this Directive. The Commission shall inform the Member States of the result of the checks carried out.</p> <p>A Member State in whose territory a check is being carried out shall give all the necessary assistance to the experts in carrying out their duties.</p> <p>The detailed rules for implementing this Article shall be determined in accordance with the procedure laid down in Article 25.</p>	Not relevant
Article 23	<p>1. The conditions governing the Community's financial contribution to the measures connected with the application of this Directive are laid down in Decision 90/424/EEC.</p> <p>2. Article 3 of Decision 90/424/EEC shall be amended as follows:</p> <p>(a) the following disease shall be added to the list of diseases specified in paragraph 1: 'haemorrhagic disease of deer';</p> <p>(b) the following paragraph shall be added:</p> <p>'2a. The Member State concerned shall also qualify for a Community financial contribution where, on the outbreak of one of the diseases listed in paragraph 1, two or more Member States collaborate closely to control the epidemic, particularly in carrying out an epidemiological survey and disease surveillance measures. Without prejudice to the measures provided for under the common organization of markets concerned, the specific Community financial contribution shall be decided on in accordance with the procedure laid down in Article 41.'</p> <p><i>Article 24</i></p> <p>1. Annexes I, III and IV shall be amended, as and when required, by the Council acting by a qualified majority on a proposal from the Commission, in particular in order to take into account developments in research and in diagnostic procedures.</p> <p>2. The Commission may, in accordance with the procedure laid down in Article 25, amend Annex II, in particular in order to take into account technological and scientific developments and diagnostic methods.</p>	Not relevant
<b>ANNEX II SPECIFIC MEASURES TO CONTROL CERTAIN DISEASES</b>		



In addition to the general provisions laid down in this Directive, the following specific provisions shall be applicable to swine vesicular disease.	
<b>Description of the disease</b>	A disease of swine that is clinically indistinguishable from foot-and-mouth disease, causing vesicles on the snout, lips, tongue and the coronary bands of the digits. The disease varies considerably in severity and may infect a pig herd without manifesting itself by clinical lesions. The virus is able to survive for long periods outside the body even in fresh meat; it is extremely resistant to normal disinfectants and noted for its persistence and stability over a pH range from 2,5 to 12. Particularly thorough cleaning and disinfection are, therefore, necessary.
<b>Incubation period</b>	For the purpose of this Directive, the maximum incubation period shall be considered to be 28 days.
<b>Diagnostic procedures for the confirmation and differential diagnosis of swine vesicular disease</b>	The detailed methods for the collection of materials for diagnosis, the laboratory diagnostic tests, detection of antibodies and evaluation of the results of laboratory testing shall be decided in accordance with the procedure laid down in Article 25 before the Directive enters into force.
<b>Confirmation of the presence of swine vesicular disease</b>	By way of derogation from Article 2 (6) of this Directive, the presence of the disease shall be confirmed: <ul style="list-style-type: none"> <li>(a) on holdings on which swine vesicular disease virus is isolated either from the pigs or from the environment;</li> <li>(b) on holdings containing pigs which are seropositive for swine vesicular disease provided those pigs or others on the holdings show lesions characteristic of swine vesicular disease;</li> <li>(c) on holdings containing pigs which show clinical signs of disease or are seropositive, provided there is a direct epidemiological connection with a confirmed outbreak;</li> <li>(d) on other herds in which seropositive pigs are detected. In the latter case the competent authority shall, before confirming the presence of the disease, undertake further investigations, in particular resampling and retesting with an interval of 28 days at least between collections of samples. The provisions of Article 4 shall continue to apply until such further investigations are completed. If subsequent investigations show no evidence of the disease, although the pigs are still seropositive, the competent authority shall ensure that the pigs tested are killed and destroyed under its supervision or slaughtered under its supervision in a slaughterhouse it has</li> </ul>
	Not relevant
	Used in Regulation 20(4)
	Not relevant
	Regulations 9(5) and 10(2)
	Regulation 9(6)

	<p>designated in its national territory. The competent authority shall ensure that on arrival at the slaughterhouse the pigs are kept and slaughtered separately from other pigs and that their meat is exclusively used on the national market.</p>	<p>See the Products of Animal Origin (Disease Control) Regulations 2009 (Amendment) Regulations 2009 Regulations 24(4) and 26</p>
<p><b>Protection zone</b></p>	<p>1. The size of the protection zone shall be as defined in Article 10 of this Directive. 2. In the case of swine vesicular disease, by way of derogation, the measures in Article 11 of this Directive shall be replaced by the following: (a) all holdings within the zone having animals of susceptible species shall be identified; (b) there shall be periodic visits to holdings having animals of susceptible species, a clinical examination of those animals including, if necessary, the collection of samples for laboratory examination; a record of visits and findings must be kept; with the frequency of the visits being proportional to the seriousness of the epizootic on those holdings at greatest risk; (c) the movement and transport of animals of susceptible species on public or private roads, excluding the service roads of holdings, shall be prohibited. The competent authority may, however, derogate from this prohibition for the transit of animals by road and rail without unloading or stopping; (d) however, in accordance with the procedure laid down in Article 25, an exemption may be granted for slaughter pigs coming from outside the protection zone and on their way to a slaughterhouse situated in that zone; (e) trucks and other vehicles and equipment which are used within the protection zone to transport pigs or other livestock or material which may be contaminated (e.g. feedingstuff, manure, slurry, etc.) may not leave: (i) a holding situated within the protection zone; (ii) the protection zone; (iii) a slaughterhouse, without having been cleaned and disinfected in accordance with the procedures laid down by the competent authority. Those procedures shall provide in particular that no truck or vehicle which has been used in the transport of pigs may leave the zone without being inspected by the</p>	<p>Regulation 24(5)(a) Regulation 24(5)(b) <b>Schedule 2 Part 1</b> Para 1 and para 3(1) Para 2 Para 4</p>

	<p>competent authority,</p> <p>(f) pigs may not be removed from a holding in which they are kept for 21 days after completion of the preliminary cleaning and disinfection of infected holdings as laid down in Article 16; after 21 days, authorization may be given to remove pigs from the said holding:</p> <ul style="list-style-type: none"> <li>(i) directly to a slaughterhouse designated by the competent authority, preferably within the protection or surveillance zone, provided that: <ul style="list-style-type: none"> <li>— an inspection of all the pigs on the holding has been carried out,</li> <li>— a clinical examination of the pigs to be moved to slaughter has been carried out,</li> <li>— each pig has been marked by ear marking or has been identified by any other approved method,</li> <li>— the pigs are transported in vehicles sealed by the competent authority.</li> </ul> </li> </ul> <p>The competent authority responsible for the slaughterhouse shall be informed of the intention to send pigs to it. On arrival at the slaughterhouse, the pigs shall be kept and slaughtered separately from other pigs. The vehicle and equipment which have been involved in the transport of the pigs shall be cleaned and disinfected before leaving the slaughterhouse.</p> <p>During the pre-slaughter and <i>post mortem</i> inspection carried out at the designated slaughterhouse, the competent authority shall take into account any signs relating to the presence of the swine vesicular disease virus.</p> <p>In the case of pigs slaughtered under these provisions, a statistically representative sample of bloods shall be collected. In the case of a positive result which leads to the confirmation of swine vesicular disease, the measures in 9 (3) will apply; (ii) under exceptional circumstances, directly to other premises located within the protection zone, provided that:</p> <ul style="list-style-type: none"> <li>— an inspection of all the pigs on the holdings has been carried out,</li> <li>— a clinical examination of the pigs to be moved has been carried out, with negative results,</li> <li>— each pig has been marked by ear marking or has been identified by any other approved method;</li> </ul> <p>(g) meat from the pigs referred to in point (f)(i):</p> <ul style="list-style-type: none"> <li>(i) shall not enter into intra-Community or international trade and shall bear the health mark for fresh meat provided for in Annex II to Council Directive 2002/99/EC (1);</li> <li>(ii) shall be obtained, cut, transported and stored separately from meat intended for intra-Community and international trade and shall be used in such a way as to avoid it</li> </ul>	<p>Para 3(4)</p> <p>Covered by the designation provisions</p> <p>Administrative</p>
--	--	---

being introduced into meat products intended for intra-Community or international trade, unless it has undergone a treatment set out in Annex III to Directive 2002/99/EC;

(h) (i) by way of derogation from point (g), for meat from the pigs referred to in point (f)(i) Member States may decide to use an other identification mark than the special identification mark set out in Annex II to Directive 2002/99/EC, provided that it is clearly distinguishable from other identification marks to be applied to pig meat in accordance with Regulation (EC) No 853/2004 of the European Parliament and of the Council (1) or Commission Regulation (EC) No 2076/2005 (2);

Member States that decide to use the alternative identification mark shall inform the Commission thereof in the framework of the Standing Committee on the Food Chain and Animal Health.

(ii) for the purpose of (i) the identification mark must be legible and indelible, the characters easily readable and clearly displayed. The identification mark must have following shape and contain following indications:

XY means the relevant country code provided for in point 6 of Part B of Section I of Annex II to Regulation (EC) No 853/2004.

1234 means the approval number of the establishment referred to in point 7 of Part B of Section I of Annex II to Regulation (EC) No 853/2004.

3. The measures in the protection zone shall continue to be applied at least until:

(a) all measures laid down in Article 16 of this Directive have been carried out;

(b) all the holdings in the zone have undergone:

(i) a clinical examination of the pigs which has revealed that they have no signs of disease suggesting the presence of swine vesicular disease; and

(ii) a serological examination of a statistical sample of the pigs without the detection of antibodies to swine vesicular disease.

The programme for serological screening shall take into account the transmission of swine vesicular disease and the way in which pigs are kept. The programme shall be fixed under the procedure laid down in Article 25 of this Directive before the date of entry on which it is brought into effect.

The examination and sampling referred to in (i) and (ii) shall not take place before 28 days have elapsed after the completion of preliminary cleaning and disinfection measures at the infected holding.

4. On expiry of the period referred to in point 3, the rules applied to the surveillance zone shall also apply to the protection zone.

5. Where the prohibitions provided for in point 2(f) are maintained beyond 30 days because of

See the Products of Animal Origin (Disease Control) Regulations 2009 (England) (Amendment) Regulations 2009

Regulation 27(2)

the occurrence of further cases of the disease and as a result problems arise in keeping the animals, the competent authority may, following an application by the owner explaining the grounds for such application and provided that the official veterinarian has verified the facts, authorise the removal of the animals from a holding within the protection zone. Points 2(f) and (h) shall apply *mutatis mutandis*.

**NB, this is inserted at Article 1(2) of Commission Directive 2007/10/EC (and what all the fuss is about) –**

**<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:063:0024:0025:EN:PDF>**

Administrative

Schedule 2 Part 1 paragraph 3(2)

<p><b>Surveillance zone</b></p>	<p>1. The size of the surveillance zone shall be as laid down in Article 10.  2. In the case of swine vesicular disease, the measures laid down in Article 12 shall be replaced by the following:</p> <ul style="list-style-type: none"> <li>(a) all holdings having animals of susceptible species shall be identified;</li> <li>(b) any movement of pigs other than direct to a slaughterhouse from a holding in the surveillance zone shall be permitted, provided that no pigs have moved into that holding in the previous 21 days; the owner or the person responsible for the animals must keep a record of all pig movements;</li> <li>(c) the movement of pigs from the surveillance zone may be authorized by the competent authority, provided that: <ul style="list-style-type: none"> <li>— an inspection of all pigs on the holding has been carried out with the 48 hours preceding the movement,</li> <li>— a clinical examination of the pigs to be moved has been carried out with negative results in the 48 hours preceding the movement,</li> <li>— a serological examination of a statistical sample of the pigs to be moved has been carried out without the detection of antibodies to swine vesicular disease within the 14 days preceding the movement. However, in the case of pigs for slaughter, the serological examination may be carried out on the basis of blood samples taken at the slaughterhouse of destination designated by the competent authority in its territory. In the event of positive results confirming the presence of swine vesicular disease, the measures provided for in point 9 (3) shall be applied,</li> </ul> </li> </ul>	<p>Regulations 24(4) and 26  Regulation 24(5)(a)  <b>Schedule 2 Part 2</b>  Para 5  Paragraph 5</p>

- each pig has been marked with an individual eartag or by any other approved method of identification,
- trucks and other vehicles and equipment used for the transport of the pigs must be cleaned and disinfected after each transport operation;
- (d) trucks and other vehicles and equipment used for the transport of the pigs or other livestock or material that may be contaminated and which are used within the surveillance zone shall not leave that zone without having been cleaned and disinfected in accordance with the procedures laid down by the competent authority.

3. (a) The size of the surveillance zone may be amended in accordance with the provisions laid down in Article 10 (3).
- (b) The measures in the surveillance zone shall be applied at least until:
  - (i) all the measures laid down in Article 16 have been carried out;
  - (ii) all the measures required in the protection zone have been carried out.

**9. General common measures**

Additional measures in the case of swine vesicular disease shall be applied as follows:

1. in cases where the presence of swine vesicular disease is officially confirmed, Member States shall ensure that, in addition to the measures laid down in Articles 4 (2) and 5 of this Directive, meat of pigs slaughtered during the period between the probable introduction of disease to the holding and the implementation of official measures is, wherever possible, traced and destroyed under official supervision in such a way as to avoid the risk of swine vesicular disease virus spreading;
2. when the official veterinarian has reason to suspect that pigs on any holding may have been contaminated as a result of the movement of any person, animal or vehicle or in any other way, pigson the holding shall remain under the movement restrictions referred to in Article 9 of this Directive at least until the holding has undergone:
  - (a) a clinical examination of the pigs, with negative results;
  - (b) a serological examination of a statistical sample of the pigs without the detection of antibodies to swine vesicular disease in accordance with 7 (3) (b) (ii).
 The examination referred to in (a) and (b) shall not take place until 28 days have elapsed since the possible contamination of the premises as the result of the movement of persons, animals, or vehicles, or in any other way.
3. Should the presence of swine vesicular disease be confirmed in a slaughterhouse, the competent authority shall ensure that:
  - (a) all pigs in the slaughterhouse are slaughtered without delay;

Paragraph 6

Regulation 27(2)

See the Products of Animal Origin (Disease Control) (England) (Amendment) Regulations 2009

Regulations 8, 9, 10 and 23 and Schedule 1

	<p>(b) the carcasses and offal of infected and contaminated pigs are destroyed under official supervision in such a way as to avoid the risk of swine vesicular disease virus spreading;</p> <p>(c) cleaning and disinfection of buildings and equipment, including vehicles, take place under the supervision of the official veterinarian, in accordance with instructions laid down by the competent authority;</p> <p>(d) an epidemiological enquiry is carried out in accordance with Article 8 of the Directive;</p> <p>(e) no pigs are re-introduced for slaughter until at least 24 hours after completion of the cleaning and disinfection operations carried out in accordance with (c).</p> <p><b>10. Cleansing and disinfection of infected holdings</b></p> <p>In addition to the measures laid down in Article 16 of this Directive, the following measures shall also apply:</p> <p><b>1. Procedure for preliminary cleaning and disinfection</b></p> <p>(a) As soon as the carcasses of the pigs have been removed for disposal, those parts of the premises in which the pigs have been housed and any other parts of the premises which have been contaminated during slaughter should be sprayed with disinfectant, approved in compliance with Article 16, at the concentration appropriate for swine vesicular disease. The disinfectant used should remain on the surface for at least 24 hours.</p> <p>(b) Any tissue or blood which may have been spilled during slaughter should be carefully collected and disposed of with the carcasses (slaughter should always be carried out on an impervious surface).</p> <p><b>2. Procedure for further cleaning and disinfection</b></p> <p>(a) All manure, bedding, contaminated food, etc., should be removed from the buildings, stacked and sprayed with an approved disinfectant. Slurry should be treated by a method suitable for killing the virus.</p> <p>(b) All portable fittings should be removed from the premises and cleansed and disinfected separately.</p> <p>(c) Grease and other dirt should be removed from all surfaces by soaking with a degreasing agent and then washing with water under pressure.</p>	<p>Regulation 23(3) but note regulation 22(3)(b) which there to allow samples to be taken from live pigs arrival of the VI for the epi enquiry.</p> <p>Regulation 23(7)</p> <p>Regulation 23(6) and (7)</p> <p>Regulation 23(4) (the farm of origin would be the centre of infection and the “suspect” premises an full epi enquiry is triggered at regulation 8(4).</p> <p>Administrative – in practice impossible to meet a C and D is done in more than one stage and the and D where the suspect carcasses may be kept could be some time after the C and D of the lairra etc.</p> <p>Regulation 15(2)</p>
--	--	--



	<p>(d) A further application of disinfectant should then be made by spraying all surfaces.</p> <p>(e) Sealable rooms should be fumigated.</p> <p>(f) Repairs to damaged floors, walls etc. should be agreed following inspection by an official veterinarian, and carried out immediately.</p> <p>(g) Completed repairs should be inspected to ensure that they have been done satisfactorily.</p> <p>(h) All parts of the premises which are completely free of combustible material may be heat-treated using a flame gun.</p> <p>(i) All surfaces should be sprayed with an alkaline disinfectant having a pH greater than 12,5 or any other approved disinfectant. The disinfectant should be washed off after 48 hours.</p> <p>3. <i>Procedure for final cleaning and disinfection</i> Treatment with flame gun or alkaline disinfectant (point 2 (h) or (i)) should be repeated after 14 days.</p> <p><b>11. Restocking of infected holdings</b> In addition to the measures laid down in Article 5 (4) of this Directive, the following measures shall apply:</p> <p>1. Restocking should not commence until four weeks after completion of the first full disinfection of the premises, i.e. step 3 of the cleaning and disinfection procedures.</p> <p>2. The re-introduction of pigs shall take account of the type of farming practised on the holding and must conform to one of the following procedures:</p> <p>(a) in the case of outdoor pig holdings, restocking shall start with the introduction of a limited number of sentinel piglets which have been checked and found negative for the presence of antibodies against swine vesicular disease virus. The sentinel piglets shall be placed, in accordance with the requirements of the competent authority, throughout the infected holding and will be examined clinically 28 days after having been placed on the holding, and sampled for serological testing. If none of the piglets shows clinical evidence of swine vesicular disease nor has developed antibodies against the virus of the disease, full restocking may take place;</p>	<p>Regulation 19</p> <p>Regulation 19(2)(d)</p> <p>Regulation 19(2)(c)</p> <p>Regulation 19(2)(c)</p>
--	---	---

	<p>(b) for all other forms of rearing, the re-introduction of pigs shall take place either in accordance with the measures provided for in paragraph (a) or by full restocking, provided that:</p> <ul style="list-style-type: none"> <li>— all the pigs arrive within a period of eight days and come from holdings situated outside areas restricted as a result of swine vesicular disease, and are seronegative,</li> <li>— no pig may leave the holding for a period of 60 days after the arrival of the last pigs,</li> <li>— the repopulated herd is subjected to a clinical and serological examination in accordance with the requirements of the competent authority. That examination may be carried out at the earliest 28 days after the arrival of the last pigs.</li> </ul> <p>12. By 1 October 1997 at the latest, the Commission shall submit to the Council a report drawn up on the basis of an opinion from the Scientific Veterinary Committee on developments in research and diagnosis procedures as well as technical and scientific developments regarding swine vesicular disease, together with any appropriate proposals in the light of that report's findings. The Council shall act on such proposals by a qualified majority not later than six months after their submission.</p>	<p>Regulation 20</p> <p>Regulation 20(4)</p> <p>Note in regulation 20 that we use sentinel “pigs” not “piglets”. This is because many husbandry systems designed for growing or adult pigs are not suitable for keeping piglets.</p> <p>Regulation 20(3), (5), (6), (7) and (8)</p> <p>Regulation 20(9)</p>
ANNEX III	<p><b>COMMUNITY REFERENCE LABORATORIES FOR THE DISEASES CONCERNED</b> The functions and duties of the Community reference laboratories for the diseases concerned shall be:</p>	Not relevant

	<p>1. to coordinate, in consultation with the Commission, the methods employed in the Member States for diagnosing the disease concerned, specifically by:</p> <ul style="list-style-type: none"> <li>(a) typing, storing and supplying strains of the virus of the relevant disease for serological tests and the preparation of antisera;</li> <li>(b) supplying standard sera and other reference reagents to the national reference laboratories in order to standardize the tests and reagents used in the Member States;</li> <li>(c) building up and retaining a collection of virus strains and isolates of the relevant disease;</li> <li>(d) organizing periodic comparative tests of diagnostic procedures at Community level;</li> <li>(e) collecting and collating data and information on the methods of diagnosis used and the results of tests carried out in the Community;</li> <li>(f) characterizing isolates of the virus of the relevant disease by the most upto-date methods to allow greater understanding of the epizootiology of the disease;</li> <li>(g) keeping abreast of developments in the surveillance, epizootiology and prevention of the relevant disease throughout the world;</li> <li>(h) retaining expertise on the relevant disease virus and other pertinent viruses to enable rapid differential diagnosis;</li> <li>(i) acquiring a thorough knowledge of the preparation and use of the products of veterinary immunology used to eradicate and control the relevant disease;</li> </ul> <p>2. to assist actively in the diagnosis of outbreaks of the relevant disease in Member States by receiving virus isolates for confirmatory diagnosis, characterization and epizootiological studies;</p> <p>3. to facilitate the training or retraining of experts in laboratory diagnosis with a view to the harmonization of diagnostic techniques throughout the Community.</p>	
ANNEX IV	<p><b>MINIMUM CRITERIA FOR THE CONTINGENCY PLANS</b></p> <p>Contingency plans shall meet at least the following criteria:</p> <ol style="list-style-type: none"> <li>1. the establishment of a crisis centre on a national level, which shall coordinate all control measures in the Member State concerned;</li> <li>2. a list shall be provided of local disease control centres with adequate facilities to coordinate the disease control measures at a local level;</li> <li>3. detailed information shall be given on the staff involved in control measures, their skills and their responsibilities;</li> <li>4. each local disease control centre must be able to contact rapidly persons/ organizations which are directly or indirectly involved in an outbreak;</li> <li>5. equipment and materials shall be available to carry out the disease control measures</li> </ol>	See Defra's Contingency Plan for Exotic Animal Diseases prepared by Animal Health – <a href="http://www.defra.gov.uk/animalh/diseases/control/contingency/ex">http://www.defra.gov.uk/animalh/diseases/control/contingency/ex</a>

	<p>properly;</p> <ol style="list-style-type: none"><li>6. detailed instructions shall be provided on action to be taken on suspicion and confirmation of infection or contamination, including means of disposal of carcasses;</li><li>7. training programmes shall be established to maintain and develop skills in field and administrative procedures;</li><li>8. diagnostic laboratories must have facilities for <i>post mortem</i> examination, the necessary capacity for serology, histology, etc., and must maintain the skills for rapid diagnosis. Arrangements must be made for rapid transportation of samples;</li><li>9. details shall be provided of the quantity of vaccine against the disease in question estimated to be required in the event of recourse to emergency vaccination;</li><li>10. provisions shall be made to ensure the legal powers necessary for the implementation of the contingency plans.</li></ol>	
--	---	--