



Jersey

**ANIMAL HEALTH (BIRD DISEASES)  
(JERSEY) ORDER 2017**

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## ANIMAL HEALTH (BIRD DISEASES) (JERSEY) ORDER 2017

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Jersey

## ANIMAL HEALTH (BIRD DISEASES) (JERSEY) ORDER 2017

**THE MINISTER FOR THE ENVIRONMENT**, in pursuance of Articles 2(2), 4(2), 7, 17(8) and 32 of the Animal Health (Jersey) Law 2016<sup>1</sup>, orders as follows –

Commencement [[see endnotes](#)]

### PART 1

#### INTRODUCTORY PROVISIONS

#### 1 Interpretation

In this Order –

“avian influenza” means an infection of birds or wild birds caused by any influenza A virus of the subtypes H5 or H7 or with an intravenous pathogenicity index in 6-week old birds greater than 1.2;

“contact premises” means premises that are designated as such under Article 10;

“disease” means a disease to which this Order applies by virtue of Article 2(1) and (2);

“eggs” means birds eggs;

“H5N1” means the avian influenza virus of the H5 subtype and the neuraminidase N1;

“game bird” means any bird commonly hunted for human consumption;

“highly pathogenic avian influenza” means an infection of birds caused by –

- (a) avian influenza viruses of the subtypes H5 or H7 with genome sequences codifying for multiple basic amino acids at the cleavage site of the haemagglutinin molecule similar to that observed for other highly pathogenic avian influenza viruses, indicating that the haemagglutinin molecule can be cleaved by a host ubiquitous protease; or

- (b) avian influenza viruses with an intravenous pathogenicity index in 6-week old chickens greater than 1.2;

“infected premises” means premises declared as such under Article 12(2) or (4);

“low pathogenic avian influenza” means an infection of birds caused by avian influenza viruses of subtypes H5 or H7 other than avian influenza viruses of subtypes H5 or H7 which cause highly pathogenic avian influenza;

“Law” means the Animal Health (Jersey) Law 2016<sup>2</sup>;

“poultry” means birds reared or kept in captivity for the production of meat or eggs for consumption, the production of other products, for restocking supplies of game or for the purposes of any breeding programme for the reasons of such production;

“protection zone” means a zone declared as such under Article 13(2);

“racing pigeon” means any pigeon transported or intended for transport from its pigeon house so that it may be released and freely fly back there or to another destination;

“restricted zone” means a controlled zone declared to be a restricted zone under Article 13(5);

“surveillance zone” means a controlled zone declared to be a surveillance zone under Article 13(2);

“suspect premises” means premises that are designated as such under Article 9(1);

“table egg” means an egg destined to be sold to the end consumer in its shell and without having received any treatment significantly modifying its properties;

“zoo” means a permanent establishment other than a circus or a pet shop where animals of wild species are kept and which is open to the public for 7 or more days a year.

## 2 Application

- (1) Subject to paragraph (2)(b) this Order applies only to the following diseases –
- (a) Newcastle disease;
  - (b) avian influenza (including infection in mammals caused by influenza A virus subtypes H5 or H7 of avian origin);
  - (c) pigeon paramyxovirus 1.
- (2) For the purposes of this Order –
- (a) the definition of “animal” in Article 4 of the Law is extended to include all mammals except human beings; and
  - (b) the definition of “disease” in Article 2(1) of the Law is extended to include any infection in mammals caused by influenza A virus subtypes H5 or H7 of avian origin.



- (3) This Order does not apply to any specified animal pathogen that is the subject of a licence under Article 15(1) of the Law or to which that Article does not apply.

## PART 2

### PREVENTIVE MEASURES

#### 3 Regulation of imports

A person not in possession of a licence granted by the Minister for the purposes of this Article must not import into Jersey –

- (a) any bird; or
- (b) any eggs intended for hatching.

#### 4 Records relating to poultry

- (1) This Article applies to the keeper of 30 or more poultry on any premises.
- (2) A person to whom this Article applies must notify the Minister in writing, within one month of becoming the keeper, of the following in relation to each such premises –
  - (a) the person's name, postal address, a phone number and email address;
  - (b) the address of premises where the poultry are kept including field number if relevant;
  - (c) whether the majority of the poultry are normally kept indoors or are free range.
- (3) A person who has made a notification under paragraph (2) must notify the Minister in writing within one month of a change to the information referred to in that paragraph.
- (4) The Minister may, by notice, require any person who has given notification under paragraph (2) to notify him or her of any other information the Minister reasonably requires to carry out functions under this Order and within a time specified in the notice.
- (5) A person to whom this Article applies must keep a record in respect of each species of poultry kept on the premises and their eggs –
  - (a) the number of poultry kept;
  - (b) the number of poultry entering or leaving the premises;
  - (c) the address of the premises;
  - (d) the name and address of the person from whom the poultry were obtained;
  - (e) the date of the birds' arrival at, and departure from, the premises;
  - (f) the poultry's destination on leaving the premises (if known);
  - (g) the purpose for which the poultry left the premises;

- (h) the name and address of the person to whom the poultry were transferred.
- (6) A person who is required to keep a record under paragraph (5) must retain it for at least 12 months from the date of the recorded transportation or marketing.
- (7) A person to whom this Article applies on the day on which this Order came into force must comply with paragraph (2) within one month of that day.
- (8) However, if the person has already notified the Minister in accordance with a notice published under Article 20B of the Diseases of Animals (Avian Influenza) (Jersey) Order 2005<sup>3</sup> of the matters specified in paragraph (2) that notification is treated as a notification under that paragraph.

## **5 Measures to reduce the risk of transmission of disease**

- (1) Where the Minister is satisfied under Article 10 of the Law that there is a risk of a disease spreading and as a result of carrying out a risk assessment the Minister considers it necessary to reduce that risk, the Minister must exercise his or her powers under that Article to –
  - (a) declare a prevention zone in all or part of Jersey; or
  - (b) serve or require an inspector to serve a notice on the occupier of any premises where birds or any categories of birds specified in the notice are kept.
- (2) A declaration or notice under paragraph (1) must impose such measures as the Minister considers necessary to reduce the risk of transmission of disease.
- (3) When deciding the measures to impose under paragraph (2), the Minister must consider whether measures are necessary –
  - (a) to prevent direct or indirect contact which wild birds might otherwise have with birds;
  - (b) to reduce the risk of feed and water provided to birds being contaminated with disease virus; and
  - (c) to reduce the risk of the spread of disease between premises.
- (4) If the Minister imposes measures by declaration or notice under paragraph (1), the Minister must consider in particular the need –
  - (a) to require birds to be housed or otherwise kept separate from wild birds;
  - (b) to require birds or categories of birds specified in the declaration or notice to be housed or otherwise kept separate from other birds;
  - (c) to require that birds are provided with feed and water to which wild birds do not have access;
  - (d) to require keepers of birds and others who come into contact with birds to cleanse and disinfect their footwear and take such other biosecurity measures as a veterinary inspector or an inspector under the direction of a veterinary inspector may require; and

- (e) to ban or limit the gathering of birds at any fair, market, show, exhibition, race or other event.

## **6 Vaccination for avian influenza**

- (1) A person must not vaccinate any bird for avian influenza unless required or licensed to do so by the Minister.
- (2) Paragraph (1) does not apply to –
  - (a) anything done under the authority of a licence granted under Article 15(1) of the Law; or
  - (b) administration of a vaccine for research purposes in accordance with a licence granted under a scheme established by Regulations made under Article 11(2) of the Animal Welfare (Jersey) Law 2004<sup>4</sup>.
- (3) If the condition in paragraph (4) is fulfilled, the Minister may –
  - (a) vaccinate any bird in a zoo as he or she considers necessary (after giving written notice to the occupier of the zoo);
  - (b) require (by written notice to the occupier of any zoo) the vaccination of any bird kept in that zoo; or
  - (c) license the occupier of a zoo to vaccinate any bird kept in that zoo.
- (4) The condition is that the Minister has carried out a risk assessment and considers there is a risk that disease will be transmitted to some or all of the birds kept in the zoo.
- (5) As part of the risk assessment, the Minister must consider whether the zoo is –
  - (a) on a migratory flyway;
  - (b) close to any body of water where migratory birds may gather;
  - (c) located in an area with a high density of migratory birds.
- (6) The Minister must specify, in a notice or licence under this Article –
  - (a) the number and species of birds to be vaccinated;
  - (b) biosecurity conditions to be met at the zoo or any part of it;
  - (c) conditions relating to the storage and administration of vaccine.
- (7) The Minister must ensure that vaccination is carried out in accordance with the preventive vaccination plan approved by the States Veterinary Officer.
- (8) The cost of any vaccination under this Article is to be borne by the occupier of the zoo unless the Minister declares otherwise.

## **7 Racing pigeons**

- (1) A keeper of racing pigeons must –
  - (a) ensure that all of those racing pigeons entered for a race or show that takes place wholly or partly in Jersey have been vaccinated against pigeon paramyxovirus 1; and
  - (b) keep a record of every such race or show.

- (2) An organiser of a show or race that takes place wholly or partly in Jersey must make it a condition of entry that all pigeons entered for the race or show have been vaccinated against pigeon paramyxovirus 1.

### **PART 3**

#### **SUSPICION OF DISEASE**

#### **8 Initial investigation**

- (1) A veterinary inspector who investigates following notification of a disease made under Articles 12(1) or 15(2) of the Law and cannot rule out the presence of any disease must, according to his or her findings –
  - (a) confirm that disease remains suspected and take the action required by Article 9; or
  - (b) confirm that disease is present and take the action required by paragraph (2) or paragraph (3).
- (2) If the disease that is present is either –
  - (a) highly pathogenic avian influenza present in any bird; or
  - (b) Newcastle disease present in any poultry,the veterinary inspector must serve a notice under Article 12(2)(a) or (4).
- (3) If the disease that is present is either –
  - (a) Newcastle disease in any bird other than poultry; or
  - (b) pigeon paramyxovirus 1,the veterinary inspector may serve a notice under Article 12(2)(b).

#### **9 Measures on suspicion of disease**

- (1) Where a veterinary inspector suspects that a bird or carcass infected with a disease has been or is present on any premises such that the premises continue to pose the risk of spread of disease –
  - (a) an inspector must serve a notice on the occupier designating the premises as suspect premises, following which Schedule 1 applies; and
  - (b) a veterinary inspector must take all reasonable steps to establish whether or not the disease is present on the suspect premises.
- (2) However, where the premises contain no birds other than racing pigeons the veterinary inspector may impose any of the provisions in Schedule 1.

#### **10 Measures on contact premises**

- (1) If premises have been shown to have an epidemiological link with –
  - (a) suspect premises;
  - (b) infected premises; or

- (c) other premises where a disease has been detected, including where a veterinary inspector is of the view that due to its proximity to an infected premises it is likely that disease may have been transmitted there,

a veterinary inspector may serve a notice on the occupier designating those premises as contact premises, following which Schedule 1 applies.

- (2) Where the premises contain no birds other than racing pigeons the veterinary inspector may impose any of the provisions in Schedule 1.

## **11 Temporary controlled zone**

- (1) The Minister may declare a temporary controlled zone around suspect premises.
- (2) The temporary controlled zone must be of such extent as the Minister considers necessary to reduce the risk of the spread of disease as far as practicable.
- (3) When declaring a temporary controlled zone the Minister must ban or restrict the movement of such of the following as the States Veterinary Officer considers necessary –
  - (a) birds;
  - (b) eggs;
  - (c) vehicles used to transport birds, eggs or anything else likely to transmit avian influenza;
  - (d) mammals.
- (4) If the Minister bans or restricts the movement of mammals within a temporary controlled zone, the ban or restriction must be lifted within 72 hours of its being imposed unless (despite any continuing restrictions on the movement of other things listed in paragraph (3)) the Minister is satisfied that its continuation is necessary to minimise the risk of the spread of avian influenza.
- (5) If the ban or restriction on the movement of mammals continues for more than 72 hours from when it was originally declared, the Minister must review each decision to continue it within 72 hours.
- (6) Any part of a temporary controlled zone that is subsequently incorporated into a protection zone or a surveillance zone will cease to exist as a temporary controlled zone.
- (7) The Minister must revoke the temporary controlled zone if presence of disease has been ruled out on suspect premises.

## PART 4

### INFECTED PREMISES AND ZONING

#### 12 Designation of premises as infected premises when presence of disease confirmed

- (1) Paragraph (2) applies if the States Veterinary Officer confirms that highly pathogenic avian influenza, highly pathogenic avian influenza virus Newcastle disease, Newcastle disease virus or pigeon paramyxovirus 1 is present on any premises.
- (2) A veterinary inspector –
  - (a) in the case of highly pathogenic avian influenza in any bird and Newcastle disease in any poultry must; and
  - (b) in the case of Newcastle disease in any bird other than poultry or pigeon paramyxovirus 1 may,by notice served on the occupier, declare the premises as infected premises and impose the measures in Schedule 2 (whether or not the measures in Schedule 1 already apply).
- (3) Paragraph (4) applies if the States Veterinary Officer confirms that low pathogenic avian influenza or low pathogenic avian influenza virus is present on any premises.
- (4) A veterinary inspector must impose, by notice served on the occupier, declare the premises as infected premises and impose such of the measures in Schedule 3 as he or she considers necessary to reduce the risk of the spread of avian influenza.

#### 13 Controlled zones

- (1) Paragraph (2) applies on confirmation by the States Veterinary Officer of highly pathogenic avian influenza or Newcastle disease.
- (2) The Minister –
  - (a) in the case of highly pathogenic avian influenza in any bird and Newcastle disease in any poultry must; and
  - (b) in the case of Newcastle disease in any bird other than poultry may,declare a protection zone and a surveillance zone.
- (3) A protection zone must be centred on the outbreak point and have a radius of at least 3 kilometres.
- (4) A surveillance zone must cover the whole of Jersey.
- (5) On confirmation by the States Veterinary Officer of low pathogenic avian influenza on premises the Minister must declare a restricted zone.
- (6) A restricted zone must be centred on the outbreak point and have a radius of at least one kilometre.
- (7) In this Article “outbreak point” means, in relation to any premises where disease has been confirmed, the part of the premises from which the

Minister considers controlled zones should be measured, given the nature of that case of disease.

#### **14 Measures in protection zones**

- (1) The measures in Schedule 4 apply in respect of a protection zone.
- (2) The Minister may disapply one or more of the measures in Schedule 4 to movements of racing pigeons into, from and within the protection zone if the States Veterinary Officer has carried out a risk assessment and does not believe that the disapplication of such measures would endanger disease control.
- (3) The Minister must ensure that –
  - (a) premises containing birds within the protection zone are identified as soon as possible; and
  - (b) a veterinary inspector examines birds on all those premises, carrying out examinations on premises where birds are kept for commercial purposes as soon as possible.
- (4) However, the Minister may authorize a reduced level of surveillance to that provided for in paragraph (3)(b) if the Minister is satisfied that this would not endanger disease control.
- (5) The Minister must ensure that such veterinary inquiries as the Minister considers necessary to monitor for disease are carried out on premises to which things are moved within and out of the protection zone.

#### **15 Measures in surveillance zones**

- (1) The measures in Schedule 5 apply in respect of a surveillance zone.
- (2) The Minister may disapply one or more of the measures in Schedule 5 to movements of racing pigeons into, from and within the surveillance zone if the States Veterinary Officer has carried out a risk assessment and does not believe that the disapplication of such measures would endanger disease control.
- (3) The Minister must ensure that all premises where poultry are kept for commercial purposes that are within a surveillance zone are identified as soon as possible.

#### **16 Measures in restricted zones**

- (1) The measures in Schedule 6 apply in respect of a restricted zone.
- (2) The Minister may disapply one or more of the measures in Schedule 6 to movements of racing pigeons into, from and within the restricted zone if the States Veterinary Officer has carried out a risk assessment and does not believe that the disapplication of such measures would endanger disease control.
- (3) The Minister must ensure that –
  - (a) premises where birds are kept for commercial purposes in the restricted zone are identified as soon as possible; and

- (b) tests for avian influenza are carried out on premises where poultry are kept for commercial purposes within a radius of at least one kilometre of the boundary of the infected premises or, if the Minister thinks it more appropriate, of the part of the infected premises where avian influenza was found.

## **17 Additional measures relating to controlled zones**

- (1) When a declaration is made under Article 13(2), the Minister may require the vaccination of any bird against Newcastle disease by declaring a vaccination zone of such area and for such period as necessary to control disease.
- (2) If the Minister considers it necessary to reduce the risk of the spread of disease, the Minister must by declaration impose, in respect of any controlled zone declared under this Order, measures additional to those applicable to that zone in Schedules 4, 5 or 6.

## **18 Ending of controlled zones**

- (1) The Minister may end a protection zone only when –
  - (a) at least 21 days have elapsed since the completion on all infected premises in the zone of the preliminary cleansing and disinfection measures referred to in paragraph 2 of Schedule 8; and
  - (b) a veterinary inquiry has been completed on all premises within the zone identified as containing birds.
- (2) When a protection zone ends the area that formed it becomes part of the surveillance zone centred on the same outbreak point as the protection zone.
- (3) The Minister may end a surveillance zone only when at least 30 days have elapsed since the completion on all infected premises in the zone of the preliminary cleansing and disinfection measures referred to in paragraph 2 of Schedule 8.
- (4) The Minister may end a restricted zone only when satisfied that it is no longer necessary to control the risk of spread of avian influenza.

# **PART 5**

## **MEASURES TO REDUCE RISK OF SPREAD OF AVIAN INFLUENZA VIRUSES TO OTHER SPECIES**

### **19 Tests on animals where avian influenza is confirmed**

- (1) The Minister must ensure that any pigs kept on premises where avian influenza is confirmed are tested for infection with influenza virus of avian origin.
- (2) The Minister may, if he or she thinks it necessary to reduce the risk of the spread of avian influenza or influenza of avian origin, require such tests to be carried out on other mammals kept on the premises.



**20 Killing of mammals**

The Minister must ensure that mammals to be killed because they are affected or suspected of being affected with influenza virus of avian origin or have been exposed to such disease are –

- (a) killed as soon as possible, in accordance with a veterinary inspector's instructions; and
- (b) if they are to be killed off the premises, transported in accordance with a veterinary inspector's instructions.

**21 Movements off the premises**

- (1) A person must not move any mammal tested under Article 19 off the premises until a veterinary inspector has confirmed that the mammal is not infectious and licenses the movement.
- (2) However, a veterinary inspector may license the movement of pigs and other mammals in which infection with influenza virus of avian origin is confirmed to other premises (including a slaughterhouse) if satisfied (as a result of further tests on the animals) that the movement will not significantly increase the risk of the spread of avian influenza.

**22 Other measures to control the spread of virus in mammals**

- (1) If the Minister considers it necessary to monitor or control the spread of avian influenza or influenza of avian origin in mammals, the Minister may do any of the following, after serving notice on the occupier of the premises –
  - (a) test pigs and other mammals on contact premises for influenza virus of avian origin;
  - (b) prohibit unless licensed by a veterinary inspector the movement of mammals or categories of mammals off contact premises;
  - (c) carry out surveillance or require surveillance to be carried out on any premises where mammals are kept.
- (2) Premises are contact premises for the purposes of this Article if, in the view of the Minister, they are premises –
  - (a) to which influenza virus of avian origin may have been carried from premises where the virus has been confirmed; or
  - (b) from which the virus may have been carried to premises where the virus has been confirmed.

**PART 6****AVIAN INFLUENZA H5N1 IN WILD BIRDS****23 Declaration of wild bird control areas and monitoring areas**

- (1) This Article applies if the States Veterinary Officer advises the Minister that –

- (a) the avian influenza virus of the H5 subtype is present in a wild bird or the carcass of a wild bird; and
  - (b) either the States Veterinary Officer suspects that the neuraminidase may be N1, or the neuraminidase has been confirmed as N1.
- (2) Where this Article applies the Minister must declare a wild bird control area and a wild bird monitoring area unless the Minister is satisfied, having carried out a risk assessment, that –
  - (a) H5N1 is not present in any birds or wild birds in the area that would otherwise be declared as the wild bird monitoring area; and
  - (b) the infected wild bird or carcass did not present a risk of spreading that virus to the birds mentioned in sub-paragraph (a).
- (3) The risk assessment under paragraph (2) must take into account any geographical and ecological considerations.
- (4) An area remains a wild bird control area until the Minister –
  - (a) amends the relevant declaration made under paragraph (2) so that the area within its boundaries becomes part of the wild bird monitoring area; or
  - (b) revokes the declaration.
- (5) An area remains a wild bird monitoring area until the Minister revokes the relevant declaration made under paragraph (2).

## **24 Extent of wild bird control areas and monitoring areas**

- (1) A wild bird control area declared under Article 23(2) must –
  - (a) be centred on the place where the wild bird or carcass referred to in Article 23(1) was found (the “outbreak point”);
  - (b) have a boundary that is at least 3 kilometres from the outbreak point; and
  - (c) be of such size and shape as the Minister considers necessary to reduce the risk of the spread of avian influenza.
- (2) A wild bird monitoring area declared under Article 23(2) covers every part of Jersey that is not part of a wild bird control area.
- (3) The Minister must take into account the following factors in reviewing the extent of any wild bird control area –
  - (a) the geographical features of the proposed area;
  - (b) any administrative boundaries;
  - (c) any limnological factors;
  - (d) any ecological factors;
  - (e) any epizootic factors;
  - (f) monitoring facilities; and
  - (g) any other factor the Minister considers relevant.
- (4) Paragraphs (5) and (6) apply if the Minister is satisfied, having carried out a risk assessment that takes account of the factors listed in paragraph (3), that due to natural barriers or the absence of suitable

habitats for wild birds, there is sufficient protection of birds in the area that would otherwise be declared to be the wild bird control area.

- (5) The wild bird control area may have a boundary that is at least one kilometre from the outbreak point.
- (6) Where the outbreak point is less than one kilometre away from the shore of the coast or the edge of a reservoir, the wild bird control area may be an area of land that –
  - (a) has a width of one kilometre from that bank or shore; and
  - (b) is at least 3 kilometres in length.

## **25 Wild bird or carcase found within protection or surveillance zone**

If the wild bird or carcase referred to in Article 23(1) is found within a protection zone or a surveillance zone declared under Article 13(2), the Minister must, when declaring a wild bird control area and a wild bird monitoring area, consider, on the basis of a risk assessment, whether the control and monitoring areas should include part or all of the protection zone or surveillance zone.

## **26 Measures applicable to wild bird control areas or monitoring areas**

- (1) The measures in Part 1 of Schedule 7 apply in respect of a wild bird control area including movements from that area.
- (2) The measures in Part 2 of Schedule 7 apply in respect of a wild bird monitoring area including movements from that area.
- (3) The biosecurity measures in Part 3 of Schedule 7 apply in respect of a wild bird control area and a wild bird monitoring area.
- (4) Where the conditions in paragraph (5) are fulfilled, the Minister may –
  - (a) amend the declaration of the wild bird control area so that some or all of the measures listed in Part 1 of Schedule 7 no longer apply in respect of that area; and
  - (b) amend the declaration of the wild bird monitoring area so that some or all of the measures listed in Part 2 of Schedule 7 no longer apply in respect of that area.
- (5) The conditions are –
  - (a) a risk assessment indicates that the disapplication of the measure in that wild bird control area or wild bird monitoring area would not endanger disease control;
  - (b) there has been no outbreak of H5N1 in birds in either of those areas;
  - (c) the wild bird control area or wild bird monitoring area has been established for at least 21 days; and
  - (d) the Minister does not suspect there is avian influenza in birds within either of those areas.
- (6) When carrying out a risk assessment under paragraph (5)(a) the Minister must take account of the factors listed in Article 24(3).
- (7) Paragraph (8) applies if –

- (a) at the time of its establishment, a wild bird control area or a wild bird monitoring area centred on the same outbreak point overlaps with a surveillance zone declared under Article 13(2);
  - (b) that surveillance zone is subsequently ended by a declaration; and
  - (c) a risk assessment indicates that the disapplication of one or more of the measures applicable to that wild bird control area or the ending of the surveillance zone would not endanger disease control.
- (8) The Minister may amend the declaration of the wild bird control area so that –
- (a) any of the measures listed in Part 1 of Schedule 7; or
  - (b) Article 28,
- do not apply in respect of that wild bird control area.

## **27 Additional measures**

- (1) In the declaration of a wild bird control area or a wild bird monitoring area, the Minister must impose such additional measures as the Minister considers necessary to reduce the risk of the spread of avian influenza.
- (2) When deciding what measures to impose under paragraph (1), the Minister must consider whether measures are necessary –
  - (a) to prevent direct or indirect contact which wild birds might otherwise have with birds;
  - (b) to reduce the risk of feed and water provided to birds being contaminated with the avian influenza virus or with any virus that causes avian influenza; and
  - (c) to reduce the risk of the spread of avian influenza between premises.
- (3) The additional measures referred to in paragraph (1) include requirements that –
  - (a) birds are housed or otherwise kept separate from wild birds;
  - (b) birds or categories of birds specified in the declaration are housed or otherwise kept separate from other birds;
  - (c) birds are provided with feed and water to which wild birds have no access;
  - (d) keepers of birds and others who come into contact with such birds cleanse and disinfect their footwear and take such other biosecurity measures as a veterinary inspector or an inspector acting under the direction of a veterinary inspector may require.

## **28 Duty to inspect poultry premises**

- (1) Subject to Article 26(8), the Minister must ensure that –
  - (a) premises where poultry are kept within the wild bird control area or the wild bird monitoring area are identified as soon as is reasonably practicable; and

- (b) a veterinary inspector visits all premises where poultry are kept within the wild bird control area as often as the Minister considers necessary to monitor the possible spread of avian influenza.
- (2) Every veterinary inspector making such a visit must –
  - (a) carry out a clinical inspection of birds that are on the premises and, if so directed by the Minister, collect samples for laboratory examination; and
  - (b) assess the extent to which the biosecurity measures referred to in Part 3 of Schedule 7 are being applied.

## **29 Maintenance of areas**

- (1) If the States Veterinary Officer advises the Minister that the avian influenza virus of subtype H5 present in the wild bird or carcass referred to in Article 23(1)(a) is of neuraminidase N1, the Minister must not –
  - (a) amend any declaration made under Article 23 so that the wild bird control area becomes part of the wild bird monitoring area until at least 21 days have elapsed from the date on which the sample showing the presence of the H5 virus was collected from the wild bird or carcass except where the conditions in paragraph (2) are fulfilled; or
  - (b) revoke any declaration made under Article 23 until at least 30 days have elapsed from the date on which that sample was collected.
- (2) The conditions referred to in paragraph (1)(a) are –
  - (a) the Minister has carried out an assessment of the risk of the possible spread of avian influenza, taking into account the factors listed in Article 24(3), that indicates that the amendment of the declaration would not endanger disease control;
  - (b) the Minister has identified premises where poultry are kept within the wild bird control area in accordance with Article 28(1)(a); and
  - (c) a veterinary inspector has carried out at least one visit to each of those premises in accordance with Article 28(1)(b) and the results of any laboratory tests carried out on samples taken from birds on those premises in accordance with Article 28(2)(a) have not given rise to the service of a notice under Article 9(1)(a).
- (3) If the States Veterinary Officer advises the Minister that the avian influenza virus of subtype H5 present in the wild bird or carcass referred to in Article 23(1)(a) is not of neuraminidase N1, the Minister must revoke any declaration made under 23(2) without delay.

## **PART 7**

### **GENERAL MEASURES**

## **30 Killing**

- (1) Article 17 of the Law applies to avian influenza, influenza virus of avian origin and Newcastle disease.

- (2) Where the Minister arranges for the killing of any bird under Article 17(1) of the Law, the killing and disposal of carcasses must take place without undue delay.

### **31 Cleansing, disinfection and treatment**

- (1) A person who is required by or under this Order to cleanse, disinfect or treat any premises or any thing (including any vehicle under the person's control) on those premises must do so in accordance with Schedule 8.
- (2) The occupier of any premises required to be cleansed or disinfected under this Order, or where cleansing and disinfection of any vehicle is so required, must provide adequate facilities, equipment and materials to carry out such cleansing and disinfection.
- (3) A veterinary inspector may, by notice to the occupier of premises referred to in paragraph (1), provide that part of the premises that are the subject of that notice and which would otherwise be subject to the measures in Schedule 8 are subject instead to the measures described in the notice.
- (4) A veterinary inspector may, by notice to the occupier of any premises where disease has been confirmed –
  - (a) prohibit the keeping of birds on the premises or on any part of the premises where he or she believes disease virus may still exist; and
  - (b) prohibit the entry of any person, vehicle, bird, mammal or thing onto any premises or part of premises that he or she believes cannot be cleansed and disinfected.
- (5) A veterinary inspector must not revoke a notice served under paragraph (4) unless –
  - (a) at least a year has passed since the date the notice was served; or
  - (b) in the case of fields or any other part of the premises not consisting of a building or part of a building, the States Veterinary Officer has confirmed that he or she may do so.
- (6) The owner or driver of any vehicle on which disease is suspected or confirmed must cleanse and disinfect the vehicle.

### **32 Use of approved disinfectants**

- (1) Where disinfection is carried out under this Order any disinfectant used must be –
  - (a) an approved disinfectant that complies with paragraph (2); and
  - (b) used at the approved dilution rate and in accordance with the manufacturer's instructions.
- (2) The disinfectant must be published as being approved in respect of the Diseases of Poultry and the Avian Influenza and Influenza of Avian Origin in Mammals Orders and, when used to disinfect a vehicle that can be used to carry animals as well as birds, must additionally be published as being approved in respect of General Orders.
- (3) In this Article –

“approved dilution rate” means the dilution rate indicated for an approved disinfectants product in the relevant column in the statutory table under the heading that states the disease for which it is to be used accompanied by a reference to Orders or, if no such disease is stated, that states General Orders;

“Orders” means Orders of the description stated in the relevant column heading of the statutory table;

“statutory table” means the table of Disinfectants Approved for use in England, Scotland and Wales published by the Department for Environment, Food and Rural Affairs under powers that include those in the English Disinfectants Order.

### **33 Control of vehicles**

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

### **34 Restocking**

- (1) Unless licensed by a veterinary inspector, a person must not restock with any bird suspect premises, infected premises or contact premises if any bird kept on those premises has been killed under Article 30.
- (2) A veterinary inspector must not license the restocking of premises where poultry are kept for commercial purposes until at least 21 days after the date final cleansing and disinfection was completed on the premises in accordance with paragraph 2 of Schedule 8.
- (3) Where premises subject to measures set out in Schedules 1, 2 or 3 have been restocked, a veterinary inspector may vary those measures, by notice to the occupier of the premises.

### **35 Measures at restocked commercial poultry premises**

- (1) The Minister must ensure that the following measures are taken not more than 21 days after the date on which any poultry are brought for restocking onto premises where poultry are kept for commercial purposes –
  - (a) the examination of the poultry by a veterinary inspector;
  - (b) the taking from the poultry of such samples as the Minister requires and the laboratory testing of such samples for disease;

- (c) such testing for disease of any poultry that die on the premises as a veterinary inspector considers necessary.
- (2) A veterinary inspector who examines poultry under paragraph (1)(a) may carry out more than one examination and must ensure that he or she carries out at least one examination as close as possible to the end of the 21 day period referred to in paragraph (1).
- (3) The occupier of premises where poultry are kept for commercial purposes that have been restocked must, for at least 21 days from the date of restocking, make the following daily records –
  - (a) the number or approximate number of poultry on the premises;
  - (b) the number (if any) of poultry falling ill on the premises;
  - (c) the number (if any) of poultry dying on the premises;
  - (d) the amount of feed and, where possible, water being consumed by poultry on the premises;
  - (e) any egg production on the premises.
- (4) The occupier of the premises must ensure that records made under paragraph (3) are kept for at least 6 weeks from the date the last record was made.

### **36 Measures at other restocked premises**

The Minister may, in relation to premises where birds are kept, other than those mentioned in Article 35, and birds are brought for restocking –

- (a) apply the measures in Article 35(1) and (2); and
- (b) by notice to the occupier of the premises, require the occupier to carry out the measures in Article 35(3) and (4).

### **37 Records**

A person who is required by this Order to make or keep a record must –

- (a) retain it for at least 12 months from the date the record is made (unless otherwise required under this Order); and
- (b) produce it on demand to an inspector and provide the inspector with copies, if required.

## **PART 8**

### **CLOSING PROVISIONS**

### **38 Citation**

This Order may be cited as the Animal Health (Bird Diseases) (Jersey) Order 2017.



**SCHEDULE 1**

(Articles 9 and 10)

**MEASURES ON SUSPECT OR CONTACT PREMISES****1 Record of birds and mammals**

The occupier must make and update daily a record of birds and mammals kept on the premises showing, for each species, the number or approximate number –

- (a) that are alive;
- (b) that have died;
- (c) that show clinical signs of avian influenza;
- (d) that the occupier thinks are likely to be infected;
- (e) that have been born or hatched.

**2 Housing or isolation of birds**

(1) The occupier must ensure that birds are –

- (a) housed; or
- (b) kept isolated, if so directed by a veterinary inspector on the basis that housing is impractical or would adversely affect the birds' welfare to a significant degree.

(2) If sub-paragraph (1)(b) applies the occupier must –

- (a) ensure that the birds have no contact with birds on other premises; and
- (b) take all reasonable steps to minimise the birds' contact with wild birds, in accordance with a veterinary inspector's instructions.

**3 Prohibition on movement of birds to and from the premises**

A person must not move any birds to or from the premises unless licensed to do so by a veterinary inspector.

**4 Prohibition on removal of other things liable to transmit avian influenza**

A person must not remove from the premises any carcass, poultry meat, feed, utensils, material, waste, droppings, bird manure, slurry, used litter or anything else liable to transmit disease unless licensed to do so by a veterinary inspector.

**5 Prohibition on movement of people, animals, vehicles and equipment to and from premises**

- (1) A person must not move to or from the premises or move any mammal, vehicle or equipment to or from the premises unless the movement is licensed by a veterinary inspector.
- (2) Sub-paragraph (1) does not apply to pet animals that –
  - (a) have access only to that part of the premises where people live;
  - (b) have no contact with birds on the premises; and
  - (c) have no access to any cages or areas on the premises where birds are kept.

**6 Restrictions on movement of eggs**

- (1) A person must not move any eggs from the premises except under the authority of a licence granted by a veterinary inspector.
- (2) Any vehicle used to transport the eggs must be cleansed and disinfected before the eggs are loaded.

**7 Disinfection at entrances and exits**

The occupier must, in accordance with an inspector's instructions, provide and maintain means of disinfection at the entrances and exits of the premises and buildings housing birds.

**SCHEDULE 2**

(Article 12(2))

**MEASURES ON PREMISES DESIGNATED AS INFECTED PREMISES****1 Killing and seizure**

The occupier must give all reasonable assistance to any person exercising a duty relating to the killing of birds under Article 30 of this Order or to the seizure of any thing under Article 16 of the Law.

**2 Measures to minimise risk of spread of avian influenza to wild birds**

The occupier must take such action as a veterinary inspector reasonably requires to reduce the risk of the spread of avian influenza to wild birds.

**3 Disposal of carcasses and eggs**

The occupier must ensure that all carcasses and eggs not seized or disposed of by a veterinary inspector are disposed of in accordance with a veterinary inspector's instructions (unless the veterinary inspector licenses their use for diagnosis of disease).

**4 Tracing**

The occupier must give all reasonable assistance to a veterinary inspector or inspector in the tracing of any thing liable to transmit avian influenza to or from the premises.

**5 Cleansing and disinfection**

The occupier must cleanse and disinfect the infected premises in accordance with Article 31.

**6 Restocking**

The occupier must not restock the premises except in accordance with Article 34.

## SCHEDULE 3

(Article 12(4))

### MEASURES ON PREMISES WHERE LOW PATHOGENIC AVIAN INFLUENZA OR ITS VIRUS IS CONFIRMED

#### 1 Record of birds and mammals

The occupier must make and update daily a record of birds and mammals kept on the premises showing, for each species the number or approximate number –

- (a) that are alive;
- (b) that have died;
- (c) that show clinical signs of avian influenza;
- (d) that the occupier thinks are likely to be infected;
- (e) that have been born or hatched.

#### 2 Housing or isolation of birds

(1) The occupier must ensure that the birds are –

- (a) housed; or
- (b) kept isolated, if so directed by a veterinary inspector because housing is impractical or would adversely affect the birds' welfare to a significant degree.

(2) If sub-paragraph (1)(b) applies the occupier must –

- (a) ensure that the birds have no contact with birds on other premises; and
- (b) take all reasonable steps to minimise the birds' contact with wild birds, in accordance with a veterinary inspector's instructions.

#### 3 Prohibition on the movement of birds to and from premises

A person must not move any birds to or from the premises unless licensed by a veterinary inspector.

#### 4 Prohibition on movement of people, animals, vehicles and equipment to and from premises

(1) A person must not move to or from the premises or move any mammal, vehicle or equipment to or from the premises unless the movement is licensed by a veterinary inspector.

(2) However, sub-paragraph (1) does not apply to pet animals that –

- (a) have access only to the part of the premises where people live;
- (b) have no contact with birds on the premises; and

- (c) have no access to any cages or areas on the premises where birds are kept.

## **5 Disposal of carcases**

The occupier must ensure that all carcases are disposed of in accordance with a veterinary inspector's instructions, unless the veterinary inspector licenses their use for diagnosis of disease.

## **6 Restrictions in relation to eggs**

- (1) The occupier must ensure that eggs on the premises that are to be disposed of and which are not seized by a veterinary inspector are disposed of in accordance with a veterinary inspector's instructions.
- (2) A person must not move any eggs from the premises unless licensed by a veterinary inspector.

## **7 Tracing**

The occupier must give all reasonable assistance to a veterinary inspector or inspector in the tracing of any thing liable to transmit avian influenza from and to the premises.

## **8 Manure, slurry and bedding**

The occupier of the premises must ensure that manure, slurry and bedding that may be contaminated are treated in accordance with Article 31.

## **9 Cleansing and disinfection**

- (1) The occupier must cleanse and disinfect the premises in accordance with Article 31.
- (2) A person who transports any bird or any thing that may be contaminated must, in accordance with Article 31, cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded.
- (3) The occupier must, in accordance with an inspector's instructions, provide and maintain means of disinfection at the entrances and exits of the premises and of buildings housing birds.

## **10 Other material that may be contaminated**

The occupier of the premises must ensure that any other material or substance that may be contaminated is treated in accordance with a veterinary inspector's instructions or disposed of.

**11 Killing and seizure**

The occupier must give all reasonable assistance to any person exercising a function relating to the killing of birds under Article 30 of this Order or to the seizure of any thing under Article 16 of the Law.

**SCHEDULE 4**

(Article 14)

**MEASURES IN A PROTECTION ZONE****1 Record of visitors**

Subject to paragraph 3, the occupier of any premises in the zone where birds are kept must make records of –

- (a) the name and address of any person visiting the premises (unless the visit is only to a part of the premises where people live and where no birds are kept);
- (b) the date of the visit;
- (c) whether the person had any contact with birds on the premises.

**2 Record of poultry and egg movements**

- (1) The occupier of any premises in the zone must make a record of all poultry entering or leaving those premises as soon as reasonably practicable after the movement.
- (2) Subject to paragraph 3, a person engaged in the transport or marketing of poultry eggs in the zone must make a record as soon as reasonably practicable of all such eggs transported or marketed by the person.
- (3) The records referred to in this paragraph must include –
  - (a) the quantity and description (including species of bird or type of egg) transported or marketed;
  - (b) in the case of a movement from premises in the zone –
    - (i) the date of the movement off the premises,
    - (ii) the premises of destination (if known),
    - (iii) the name and address of the person to whom ownership or possession is being or has been transferred;
  - (c) in the case of a movement on to premises in the zone –
    - (i) the date of the movement,
    - (ii) the premises from which the movement originated (if known),
    - (iii) the name and address of the person from whom ownership or possession is being or has been transferred; and
  - (d) in the case of marketing without an associated movement, the identity and address of the person to whom and the date on which ownership was transferred.

**3 Scope of record keeping duties**

Paragraphs 1 and 2(2) do not apply in respect of any movement of –

- (a) eggs direct to retail premises, at or from such premises or subsequent to such a movement;
- (b) people to zoos or (unless required by the Minister) any other premises open to the public, provided the public has no access to any area where birds are kept;
- (c) the following onto any premises where birds are kept –
  - (i) any person on a public right of way or exercising a right of access to the premises,
  - (ii) trespassers,
  - (iii) any person executing this Order.

#### **4 Housing or isolation of birds**

- (1) The occupier of premises in the zone where birds are kept must ensure that the birds are –
  - (a) housed; or
  - (b) kept isolated, if so directed by a veterinary inspector because housing is impractical or would adversely affect the birds' welfare to a significant degree.
- (2) If sub-paragraph (1)(b) applies the occupier must –
  - (a) ensure that the birds have no contact with birds on other premises; and
  - (b) take all reasonable steps to minimise the birds' contact with wild birds, in accordance with a veterinary inspector's instructions.

#### **5 Restrictions on movement of birds and mammals onto and off premises**

- (1) A person must not move birds or mammals from or to premises in the zone where birds are kept, unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.
- (2) However, sub-paragraph (1) does not apply to pet animals that –
  - (a) have access only to the part of the premises where people live;
  - (b) have no contact with any birds on the premises; and
  - (c) have no access to any cages or areas on the premises where birds are kept.

#### **6 Disposal of carcasses**

The occupier must ensure that all carcasses not seized or disposed of by a veterinary inspector are disposed of in accordance with a veterinary inspector's instructions, unless the veterinary inspector licenses their use for diagnosis of disease.



**7 Biosecurity measures**

The occupier and any person entering or leaving premises in the zone where birds or eggs are kept must –

- (a) take such biosecurity measures as he or she considers necessary to reduce the risk of the spread of disease to or from the premises; and
- (b) comply with any biosecurity requirements which a veterinary inspector or an inspector under the direction of a veterinary inspector, by notice, imposes.

**8 Restriction on movement of litter, manure and slurry**

A person must not remove from premises in the zone or spread used poultry litter, manure or slurry unless licensed by a veterinary inspector.

**9 Prohibition on gatherings of birds**

A person must not permit any birds to be gathered together at any fair, market, show, exhibition or other event in the zone.

**10 Prohibition on release of game birds**

A person must not release game birds in the zone.

**11 Restrictions on movement of poultry, eggs and carcasses**

A person must not move any poultry, eggs or carcasses within or out of the zone unless the movement is –

- (a) of eggs for disposal or carcasses for disposal or diagnosis that is both direct and licensed by a veterinary inspector;
- (b) of table eggs direct to wholesale or retail premises, or subsequent to such a movement;
- (c) within the same premises; or
- (d) licensed by a veterinary inspector.

**12 Cleansing and disinfection of vehicles**

- (1) A person who moves any bird, meat, feed, manure, slurry, litter or any other thing that may be contaminated must, in accordance with Article 31, cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded.
- (2) A person who enters or leaves premises in the zone by vehicle must in accordance with Article 31 and without delay cleanse and disinfect any part of the vehicle that may have been contaminated.

## SCHEDULE 5

(Article 15)

### MEASURES IN A SURVEILLANCE ZONE

#### 1 Record of visitors

Subject to paragraph 3, the occupier of any premises in the zone where birds are kept must make records of –

- (a) the name and address of any person visiting the premises (unless the visit is only to a part of the premises where people live and where no birds are kept);
- (b) the date of the visit;
- (c) whether the person had any contact with birds on the premises.

#### 2 Record of poultry and egg movements

- (1) The occupier of any premises in the zone must make a record of all poultry entering or leaving those premises as soon as reasonably practicable after the movement.
- (2) Subject to paragraph 3, a person engaged in the transport or marketing of poultry eggs in the zone must make a record as soon as reasonably practicable of all such eggs transported or marketed by the person.
- (3) The records referred to in this paragraph must include –
  - (a) the quantity and description (including species of bird or type of egg) transported or marketed;
  - (b) in the case of a movement from premises in the zone –
    - (i) the date of the movement off the premises,
    - (ii) the premises of destination (if known),
    - (iii) the name and address of the person to whom ownership or possession is being or has been transferred;
  - (c) in the case of a movement onto premises in the zone –
    - (i) the date of the movement,
    - (ii) the premises from which the movement originated (if known),
    - (iii) the name and address of the person from whom ownership or possession is being or has been transferred; and
  - (d) in the case of marketing without an associated movement, the identity and address of the person to whom and the date on which ownership was transferred.

#### 3 Scope of record keeping duties

Paragraphs 1 and 2(2) do not apply in respect of any movement of –

- (a) eggs direct to retail premises, at or from such premises or subsequent to such a movement;
- (b) people to zoos or (unless required by the Minister) any other premises open to the public, provided the public has no access to any area where birds are kept;
- (c) the following onto any premises where birds are kept –
  - (i) any person on a public right of way or exercising a right of access to the premises,
  - (ii) trespassers,
  - (iii) any person executing this Order.

#### **4 Restrictions on the movement of birds and mammals onto and off premises**

- (1) A person must not move birds or mammals from or to premises in the zone where birds are kept, unless the movement is licensed by a veterinary inspector.
- (2) However, sub-paragraph (1) does not apply to pet animals that –
  - (a) have access only to the part of the premises where people live;
  - (b) have no contact with birds on the premises; and
  - (c) have no access to any cages or areas on the premises where birds are kept.

#### **5 Biosecurity measures**

The occupier and any person entering or leaving premises in the zone where birds or eggs are kept must –

- (a) take such biosecurity measures as he or she considers necessary to reduce the risk of the spread of disease to or from the premises; and
- (b) comply with any biosecurity requirements which a veterinary inspector or an inspector under the direction of a veterinary inspector, by notice, imposes.

#### **6 Restriction on movement of litter, manure and slurry**

A person must not remove from premises in the zone or spread used poultry litter, manure or slurry unless licensed by a veterinary inspector.

#### **7 Prohibition on gatherings of birds**

A person must not permit any birds to be gathered together at any fair, market, show, exhibition or other event in the zone.

#### **8 Prohibition on release of game birds**

A person must not release game birds in the zone.

**9 Restrictions on movement of poultry, eggs or carcasses within zone**

- (1) A person must not move any poultry, eggs or carcasses within the zone unless licensed by a veterinary inspector.
- (2) However, sub-paragraph (1) does not apply to the movement of eggs direct to wholesale or retail premises, or subsequent to such a movement.
- (3) A veterinary inspector must not grant a licence under sub-paragraph (1) unless the inspector is satisfied that the licensee will take appropriate biosecurity measures.
- (4) The taking of appropriate biosecurity measures must be a condition of the licence.

**10 Restrictions on the movement of poultry, eggs or carcasses out of zone**

A person must not move any poultry, eggs or carcasses out of the zone, unless the movement is of –

- (a) eggs for disposal licensed by a veterinary inspector;
- (b) table eggs direct to wholesale or retail premises or subsequent to such a movement; or
- (c) carcasses and the movement is licensed by a veterinary inspector.

**11 Cleansing and disinfection of vehicles**

- (1) A person who moves any bird, meat, feed, manure, slurry, litter or any other thing that may be contaminated must, in accordance with Article 31, cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded.
- (2) A person who enters or leaves premises in the zone by vehicle must in accordance with Article 31 and without delay cleanse and disinfect any part of the vehicle that may have been contaminated.

**SCHEDULE 6**

(Article 16)

**MEASURES IN A RESTRICTED ZONE****1 Restrictions on movement of birds and mammals onto and off premises**

- (1) A person must not move birds or mammals from or to premises within the zone where birds are kept, unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.
- (2) However, sub-paragraph (1) does not apply to pet animals that –
  - (a) have access only to the part of the premises where people live;
  - (b) have no contact with birds on the premises; and
  - (c) have no access to any cages or areas on the premises where birds are kept.

**2 Biosecurity measures**

The occupier and any person entering or leaving premises in the zone where birds or eggs are kept must –

- (a) take such biosecurity measures as he or she considers necessary to reduce the risk of the spread of avian influenza to or from the premises; and
- (b) comply with any biosecurity requirements which a veterinary inspector or an inspector under the direction of a veterinary inspector, by notice, imposes.

**3 Restriction on movement of litter, manure and slurry**

A person must not remove from premises in the zone, or spread, used poultry litter, manure or slurry unless licensed by a veterinary inspector.

**4 Prohibition on gatherings of birds**

A person must not permit any birds to be gathered together at any fair, market, show, exhibition or other event in the zone unless licensed by a veterinary inspector.

**5 Prohibition on release of game birds**

A person must not release game birds in the zone.

**6 Restrictions on movement of birds and eggs within and out of zone**

- (1) A person must not move any birds or eggs within the zone unless licensed by a veterinary inspector.
- (2) A person must not move any poultry or eggs out of the zone, unless the movement is of –
  - (a) poultry to premises or part of premises where no poultry are currently kept; or
  - (b) eggs for disposal and the movement is licensed by a veterinary inspector.
- (3) However, sub-paragraphs (1) and (2) do not apply to the movement of eggs direct to wholesale or retail premises, or subsequent to such a movement.

**7 Disposal of carcasses**

The occupier of any premises within the zone must ensure that all carcasses are disposed of in accordance with a veterinary inspector's instructions, unless the veterinary inspector licenses their use for diagnosis of disease.

**8 Cleansing and disinfection of vehicles**

A person who moves any bird, meat, feed, manure, slurry, litter or any other thing that may be contaminated must, in accordance with Article 31, cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded.

**SCHEDULE 7**

(Articles 26 and 28)

**PART 1 – MEASURES APPLICABLE IN RESPECT OF A WILD BIRD CONTROL AREA****1 Prohibition on the movement of birds or carcasses from premises**

A person must not move any bird from premises in a wild bird control area except under the authority of a licence granted by a veterinary inspector.

**2 Prohibition on movement and spread of bird manure**

- (1) A person must not move any bird manure from premises in a wild bird control area unless –
  - (a) the movement is to an establishment for treatment;
  - (b) the manure has been treated; or
  - (c) the manure originates from premises from which poultry have been moved under the authority of a licence granted in accordance with paragraph 1.
- (2) A person must not spread any bird manure from premises in a wild bird control area unless the manure –
  - (a) has been treated; or
  - (b) originates from premises from which poultry have been moved under the authority of a licence granted in accordance with paragraph 1.

**3 Prohibition on gatherings of birds**

A person must not permit any birds to be gathered together at any fair, market, show, exhibition or other event in a wild bird control area.

**4 Prohibition on hunting birds**

A person must not hunt wild birds or game birds or otherwise take them from the wild in a wild bird control area except under the authority of a licence granted by the Minister.

**5 Prohibition on releasing game birds**

A person must not release game birds in a wild bird control area.

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**PART 2 – MEASURES APPLICABLE IN RESPECT OF A WILD BIRD MONITORING AREA****1 Prohibition on movement of birds**

A person must not move birds from premises in a wild bird monitoring area before 15 days have elapsed since the declaration of the area, except under the authority of a licence granted by a veterinary inspector.

**2 Prohibition on gatherings of birds**

A person must not permit any birds to be gathered together at any fair, market, show, exhibition or other event in a wild bird monitoring area.

**3 Prohibition on hunting birds**

A person must not hunt wild birds or game birds or otherwise take them from the wild in a wild bird monitoring area except under the authority of a licence granted by the Minister.

**4 Prohibition on releasing game birds**

A person must not release game birds in a wild bird monitoring area.

**PART 3 – BIOSECURITY MEASURES IN A WILD BIRD CONTROL OR MONITORING AREA****1 Application**

This Part applies in respect of premises in a wild bird control area or a wild bird monitoring area where birds are kept, other than slaughterhouses.

**2 Biosecurity measures**

- (1) The occupier of premises must provide and maintain means of disinfection at the entrances and exits of the premises and any buildings on the premises housing birds.
- (2) A person entering or leaving premises must not wear clothing or footwear that is visibly soiled with mud, droppings, animal or bird faeces, or any similar matter.
- (3) A person in charge of a vehicle entering or leaving premises must ensure that the vehicle's –
  - (a) wheels, wheel arches and mud flaps are cleansed and disinfected; and
  - (b) exterior is not visibly soiled with mud, animal or bird faeces or any similar matter (unless it is carrying poultry).



**SCHEDULE 8**

(Article 18, 31 and 34)

**CLEANSING AND DISINFECTION OF PREMISES AND OF ANY THING ON PREMISES****1 General procedures for cleansing, disinfection and treatment**

- (1) A person carrying out cleansing, disinfection and treatment (including measures to control rodents and insects) must do so in accordance with this paragraph or (if different) with any instructions given by a veterinary inspector or an inspector acting under the instruction of a veterinary inspector.
- (2) A person using a disinfectant or degreasing agent under this Order must ensure that they are used as effectively as possible and must, in particular, give consideration to the following in deciding which products to use and how to use them –
  - (a) the nature of the premises to be cleansed or disinfected;
  - (b) the type of vehicle or other thing to be cleansed or disinfected;
  - (c) any instructions from the manufacturer of the product (or of a veterinary inspector) as to pressure, minimum temperature and required contact time.
- (3) A person cleansing and disinfecting under this Order must ensure that –
  - (a) bedding, litter and faecal matter are thoroughly soaked with disinfectant;
  - (b) equipment and installations that would otherwise impair effective cleansing and disinfecting are, where possible, removed or dismantled and either cleansed and disinfected or destroyed, if this is considered necessary by the person carrying out the cleansing and disinfecting or is required by a veterinary inspector;
  - (c) the ground, any floors, ramps and walls are washed and cleansed by thorough brushing and scrubbing.
- (4) A person washing with liquids applied under pressure must avoid re-contaminating areas or parts previously cleansed.
- (5) A person who has cleansed and disinfected part of any premises must avoid re-contaminating that part as he or she cleanses and disinfects other parts.
- (6) A person carrying out a cleansing or disinfecting procedure must ensure that a written record of that procedure is made, showing the date and time the procedure took place.
- (7) A person who makes such a record must keep it on the premises or (if he or she is a person in charge of a vehicle and the procedure involved cleansing or disinfecting that vehicle), with the vehicle.

## **2 Specific procedures for the cleansing and disinfecting of infected premises**

- (1) This paragraph applies to the cleansing and disinfecting of infected premises except to the extent that its requirements are varied by a veterinary inspector or an inspector acting under the instruction of a veterinary inspector.
- (2) Cleansing and disinfection must be carried out during and after the killing of birds and in accordance with a veterinary inspector's instructions.
- (3) A person carrying out a cleansing or disinfection procedure must take all appropriate measures to reduce the risk of disease virus spreading and must, in particular –
  - (a) use appropriate equipment;
  - (b) wear protective clothing (which must be cleansed and disinfected or disposed of after use);
  - (c) take a shower after the cleansing and disinfection;
  - (d) cleanse and disinfect any equipment that may be contaminated before it is removed from the premises;
  - (e) turn off the power supply to any ventilation system, if required to do so by a veterinary inspector.
- (4) After a killing –
  - (a) carcasses must be sprayed with disinfectant;
  - (b) transportation of carcasses and of any tissue or blood spilled during killing or post-mortem examination from the infected premises for disposal must be in closed, leak-proof containers and in accordance with a veterinary inspector's instructions;
  - (c) the following parts of the infected premises must have disinfectant applied as soon as the killed birds have been removed –
    - (i) parts where the birds were housed,
    - (ii) parts contaminated during the killing of the birds,
    - (iii) parts contaminated during any post-mortem examination;
  - (d) any tissue or blood spilled during the killing or any post-mortem must be collected and disposed of with the killed birds;
  - (e) disinfectant must remain on the surfaces to which it has been applied for at least 24 hours.
- (5) After preliminary cleansing and disinfection –
  - (a) manure and used bedding must be treated in accordance with paragraph 3; and
  - (b) all surfaces must be subjected to the following procedures –
    - (i) grease and dirt must be removed from them by the application of a degreasing agent,
    - (ii) they must then be cleansed with water,
    - (iii) they must be washed with cold water, following which further disinfectant must be applied,

- (iv) after 7 days, they must again be treated with a degreasing agent, rinsed with water, sprayed with disinfectant and rinsed again with water.

### **3 Disinfection of litter, manure and slurry that may be contaminated**

- (1) Manure and used bedding that may be contaminated must be –
  - (a) steam treated at a temperature of at least 70°C;
  - (b) destroyed by burning;
  - (c) buried deep enough to prevent access by wild birds and animals; or
  - (d) stacked to heat, sprayed with disinfectant and left for at least 42 days.
- (2) Slurry that may be contaminated must be stored for at least 60 days after the last addition of infectious material unless, in the case of slurry which has been treated in accordance with a veterinary inspector's instructions, a veterinary inspector authorizes a shorter storage period.
- (3) Manure, litter and bedding that may be contaminated may, if licensed by a veterinary inspector, be moved to –
  - (a) a treatment plant carrying out procedures for the destruction of avian influenza virus;
  - (b) storage prior to destruction; or
  - (c) such other place as the veterinary inspector may license.
- (4) The transport of such manure, litter or bedding must be in closed, leak-proof vehicles or containers and in accordance with a veterinary inspector's instructions.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Animal Health (Bird Diseases) (Jersey) Order 2017	<a href="#">R&amp;O.9/2017</a>	1 February 2017

### Table of Renumbered Provisions

Original	Current
38	Omitted, spent
39	38

### Table of Endnote References

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<i>1</i>	<i>L.12/2016</i>
<i>2</i>	<i>L.12/2016</i>
<i>3</i>	<i>chapter 02.400.15</i>
<i>4</i>	<i>chapter 02.050</i>