

## **Scottish Government**

### **Declaration of a Temporary Control Zone (Avian Influenza)**

The Scottish Ministers have considered the findings of veterinary inquiries at premises where avian influenza is suspected, in accordance with article 13(c) of the Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006 (“the Order”).

To minimise the risk of the spread of avian influenza from suspect premises, the Scottish Ministers declare a Temporary Control Zone, in the areas described in Annex 1 (Area A) and in Annex 2 (Area B) to this Declaration. The measures listed in Annex 1 apply in Area A. The measures listed in Annex 2 apply in Area B.

The Temporary Control Zone Areas A and B are marked on the map in Annex 3.

These measures apply from : hours on 17 December 2020 until this Declaration is withdrawn or amended by further declaration.

This Declaration is made under article 13(c) of the Order.

Signed

Sheila Voas

At 23:00 on 17 December 2020.

A member of staff of the Scottish Ministers

***Failure to comply with this Declaration may be an offence under section 72 or 73 of the Animal Health Act 1981.***

Copies of this Declaration and of the Order are available at [www.gov.scot/avianinfluenza](http://www.gov.scot/avianinfluenza) and from the Scottish Government Agriculture and Rural Delivery Directorate, St. Andrew’s House, Regent Road, Edinburgh, EH1 3DG.

## Annex 1

### Temporary Control Zone Area A

The Temporary Control Zone Area A comprises that part of Scotland contained within the circle of radius 3 kilometres, centred on grid reference **HY 74890 44284**. Temporary Control Zone Area A is the area within the inner circle on the map in Annex 3.

The measures that apply within Temporary Control Zone Area A are:

#### **Record keeping and duty to inform the Scottish Ministers of birds' change in health**

1. The occupier of any premises must make a record 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 poultry or other captive birds are kept);
  - (b) the date of the visit;
  - (c) whether the person had any contact with poultry or other captive birds on the premises.
2. The occupier of any such premises must keep a record of all poultry entering or leaving those premises.
3. Every person who is engaged in the transport or marketing of poultry or poultry eggs must keep a record of all poultry and poultry eggs transported or marketed by that person.
4. The records referred to in paragraphs 2 and 3 must include—
  - (a) the quantity and description (including species of poultry and type of egg) transported or marketed;
  - (b) in the case of movement from premises—
    - (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 movement onto premises—
    - (i) the date of the movement on to the premises;
    - (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;
  - (d) in the case of marketing without an associated movement, the name and address of the person to whom and the date on which ownership was transferred;
  - (e) the identity and address of any such person.
5. Paragraphs 1 and 3 do not apply to—
  - (a) the retail distribution of eggs and movements subsequent to such distribution; or

(b) the movement of people to zoos, wildlife parks or (unless required by the Scottish Ministers) any other premises open to the public, provided the public has no access to any area where birds are kept.

**6.** The occupier of any premises in Temporary Control Zone Area A must maintain the following records–

- (a) the number or approximate number of poultry (if any) on the premises;
- (b) the number of poultry falling ill on the premises;
- (c) the number of poultry dying on the premises;
- (d) the amount of feed and, where possible, water being consumed by any poultry on the premises;
- (e) any egg production on the premises.

### **Isolation of poultry and other captive birds**

**7.** The occupier of premises where poultry or other captive birds are kept must ensure that they are–

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

**8.** If birds are kept isolated but not housed, the occupier must–

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

### **Disposal of carcasses**

**9.** 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 he licenses their use for diagnosis of disease).

### **Biosecurity measures**

**10.** The occupier and any person entering or leaving premises where poultry, other captive birds or eggs are kept must–

- (a) take appropriate biosecurity measures 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, by notice, imposes.

### **Litter, poultry manure and slurry**

**11.** No person shall remove from premises in Temporary Control Zone Area A or spread used poultry litter, poultry manure or poultry slurry unless licensed to do so by a veterinary inspector.

### **Gatherings of poultry**

**12.** No person shall permit any poultry or other captive birds to be collected together at any fair, market, show, exhibition or other gathering.

### **Release of game**

**13.** No person shall release game birds.

**Restrictions on the movement of mammals, birds, eggs, poultry meat and carcasses**

**14.**—(1) Subject to sub-paragraph (2), no person shall move any domestic mammal within, into or out of Temporary Control Zone Area A unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

(2) Sub-paragraph (1) does not apply to a pet animal which—

- (a) only has access to a part of the premises where people live;
- (b) has no contact with poultry or other captive birds on the premises; and
- (c) has no access to any cages or areas on the premises where poultry or other captive birds are kept.

**15.** Subject to paragraph 16, no person shall move any poultry, other captive bird, egg or carcass within, into or out of Temporary Control Zone Area A unless—

- (a) the movement is set out in paragraph 17 and is;
  - (i) direct;
  - (ii) licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector;
- (b) the movement involves only the retail distribution of table eggs or is a movement subsequent to such distribution; or
- (c) the movement is within the same premises.

**16.** Poultry and eggs may be transported through the Temporary Control Zone Area A on a major highway or railway if no stop is made within the Area.

**17.** The movements referred to in paragraph 15(a) are the following—

- (a) poultry from premises in Temporary Control Zone Area A for immediate slaughter at a slaughterhouse (if the requirements of paragraph 18 and any additional licence conditions are met);
- (b) poultry meat within or out of the Temporary Control Zone Area A (if the requirements of paragraph 19 and any additional licence conditions are met);
- (c) poultry to a designated slaughterhouse within Temporary Control Zone Area A from premises outside the area (if the requirements of paragraph 20 and any additional licence conditions are met);
- (d) day old chicks hatched from eggs produced in Temporary Control Zone Area A from eggs which came into contact with such eggs (if the requirements of paragraph 21 and any additional licence conditions are met);
- (e) day old chicks hatched from eggs originating outside Temporary Control Zone kept separate from eggs produced in the Temporary Control Zone (if the requirements of paragraph 22 and any additional licence conditions are met);
- (f) ready to lay poultry to premises, or part of premises, where no poultry are kept (if the requirements of paragraph 23 and any additional licence conditions are met);

- (g)hatching eggs from outside the Temporary Control Zone Area A to a designated hatchery in Temporary Control Zone Area A or to designated laboratories or institutes for use for scientific, diagnostic or pharmaceutical purposes (if any licence conditions are met);
- (h)hatching eggs from Temporary Control Zone Area A–
  - (i)to any designated hatchery; or
  - (ii)to designated laboratories or institutes for use for scientific, diagnostic or pharmaceutical purposes(if, in both cases, the requirements of paragraph 24 and any additional licence conditions are met);
- (i)eggs to a packing centre (if the requirements of paragraph 25 and any additional licence conditions are met);
- (j)eggs to premises for the manufacture of egg products as referred to in Chapter II of Section X of Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin (if any licence conditions are met);
- (k) eggs for disposal (if any licence conditions are met);
- (l)carcasses for disposal (if any licence conditions are met).

**Requirements for the transport of poultry from premises in Temporary Control Zone Area A for immediate slaughter at a designated slaughterhouse**

- 18.** Poultry must not be moved unless the following requirements are met–
- (a)a veterinary inspector must have clinically examined poultry at the premises a maximum of 24 hours before they leave the premises; and
  - (b)the poultry are transported in vehicles sealed by a veterinary inspector or in accordance with the instructions of a veterinary inspector.

**Requirements for the movement of poultry meat from poultry sent to a designated slaughterhouse from premises within Temporary Control Zone Area A**

- 19.** Poultry meat must not be moved unless it meets the requirements of article 61 of the Order.

**Requirements for the movement of poultry to a slaughterhouse within Temporary Control Zone A from premises outside Temporary Control Zone Area A**

- 20.** Poultry must not be moved unless they are kept separate from poultry originating within Temporary Control Zone Area A and are subsequently slaughtered separately or at different times from other poultry.

**Requirements for the movement of day old chicks hatched from eggs produced in Temporary Control Zone Area A or from eggs which had contact with such eggs**

- 21.** Day old chicks must not be moved unless they are transported in vehicles sealed by a veterinary inspector or in accordance with the instructions of a veterinary inspector.

**Requirements for the movement of day old chicks hatched from eggs originating outside Temporary Control Zone Area A**

22. Day-old chicks from eggs originating outside the Temporary Control Zone must not be transported unless the hatchery within Temporary Control Zone Area A is operated in such a way that those eggs do not come into contact with eggs or day old chicks from within Temporary Control Zone Area A.

**Requirements for the movement of ready to lay poultry**

23. Ready to lay poultry must not be moved from premises within Temporary Control Zone Area A unless—

- (a) poultry and other captive birds at the premises have been clinically examined by a veterinary inspector; and
- (b) the ready to lay poultry are transported in vehicles sealed by the veterinary inspector or in accordance with the instructions of a veterinary inspector.

**Requirements for the movement of hatching eggs from Temporary Control Zone Area A to a designated hatchery or a designated laboratory or institute for use for scientific, diagnostic or pharmaceutical purposes**

24. Hatching eggs must not be moved from Temporary Control Zone Area A to any hatchery, laboratory or institute unless—

- (a) a veterinary inspector does not suspect avian influenza in the flocks from which the eggs derive;
- (b) the eggs and their packaging are disinfected before dispatch; and
- (c) the eggs are transported in vehicles sealed by a veterinary inspector or in accordance with the veterinary inspector's instructions.

**Requirements for the movement of table eggs to a packing centre**

25. Table eggs must not be moved to a packing centre unless—

- (a) they are packed in disposable packaging; and
- (b) any person transporting the eggs complies with any biosecurity requirements laid down by a veterinary inspector.

**Requirements at slaughterhouses**

26. The occupier of a slaughterhouse to which poultry from Temporary Control Zone Area A is sent must ensure that the requirements of article 61 of the Order are met.

**Requirements for poultry meat**

27. Poultry meat from poultry originating in Temporary Control Zone Area A is subject to the requirements set out in article 61(3) of the Order.

28. Poultry meat from poultry originating outside Temporary Control Zone Area A is subject to the requirements set out in article 61(4) of the Order.

**Cleansing and disinfection of vehicles**

29. A person who transports any poultry, other captive bird, meat, feed, manure, slurry, litter or any other thing which may be contaminated must cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded, in accordance with article 65 of the Order.

**30.** A person who enters or leaves premises by vehicle must cleanse and disinfect any part of the vehicle which may have been contaminated without delay in accordance with article 65 of the Order.

## Annex 2

### Temporary Control Zone Area B

The Temporary Control Zone Area B comprises that part of Scotland beyond Temporary Control Zone Area A and within a circle of radius 10 kilometres, centred on grid reference **HY 74890 44284**, as shown on the map in Annex 3.

The measures that apply within Temporary Control Zone Area B are:

#### **Record keeping and duty to inform the Scottish Ministers of birds' change in health**

1. The occupier of any premises must make a record 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 poultry or other captive birds are kept);
  - (b) the date of the visit;
  - (c) whether the person had any contact with poultry or other captive birds on the premises.
2. The occupier of any such premises must keep a record of all poultry entering or leaving those premises.
3. Every person who is engaged in the transport or marketing of poultry or poultry eggs must keep a record of all poultry and poultry eggs transported or marketed by that person.
4. The records referred to in paragraphs (2) and (3) must include—
  - (a) the quantity and description (including species of poultry and type of egg) transported or marketed;
  - (b) in the case of movement from premises—
    - (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 movement onto premises—
    - (i) the date of the movement on to the premises;
    - (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;
  - (d) in the case of marketing without an associated movement, the name and address of the person to whom and the date on which ownership was transferred;
  - (e) the identity and address of any such person.
5. Paragraphs 1 and 3 do not apply to—
  - (a) the retail distribution of eggs and movements subsequent to such distribution; or

(b)the movement of people to zoos, wildlife parks or (unless required by the Scottish Ministers) any other premises open to the public, provided the public has no access to any area where birds are kept.

**6.** The occupier of any premises in Temporary Control Zone Area A must maintain the following records–

- (a)the number or approximate number of poultry (if any) on the premises;
- (b)the number of poultry falling ill on the premises;
- (c)the number of poultry dying on the premises;
- (d)the amount of feed and, where possible, water being consumed by any poultry on the premises;
- (e)any egg production on the premises.

**Restrictions on the movement of poultry, other captive birds and mammals onto and off premises**

**7.**—(1) No person shall move poultry, other captive birds or mammals of domestic species from or to premises within Temporary Control Zone Area A, unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

(2) Sub-paragraph (1) does not apply to pet mammals which–

- (a)only have access to a part of the premises where people live;
- (b)have no contact with poultry or other captive birds on the premises; and
- (c)have no access to any cages or areas on the premises where poultry or other captive birds are kept.

**Biosecurity measures**

**8.** The occupier and any person entering or leaving premises where poultry, other captive birds or eggs are kept must–

- (a)take appropriate biosecurity measures 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, by notice, imposes.

**Litter, poultry manure and slurry**

**9.** No person shall remove from premises in Temporary Control Zone Area A or spread used poultry litter, poultry manure or poultry slurry unless licensed to do so by a veterinary inspector.

**Gatherings of poultry**

**10.** No person shall permit any poultry or other captive birds to be collected together at any fair, market, show, exhibition or other gathering.

**Release of game**

**11.** No person shall release game birds.

**Restrictions on the movement of poultry and eggs within Temporary Control Zone Area B**

**12.** No person shall move any poultry or eggs within Temporary Control Zone Area B (other than through the area by road or rail without stopping), unless licensed to do so by a veterinary inspector.

**13.** Paragraph 12 does not apply to the retail distribution of eggs and movements subsequent to such distribution

**14.** A veterinary inspector must not grant a licence under paragraph 12 unless satisfied that the licensee will take appropriate biosecurity measures at the premises and the taking of these measures must be conditions of the licence.

**15.** A veterinary inspector may license the transport of poultry from outside the Temporary Control Zone to a designated slaughterhouse within temporary Control Zone Area B and subsequent movements of the meat derived from such poultry.

### **Restrictions on the movement of poultry and eggs out of Temporary Control Zone Area B**

**16.** No person shall move any poultry or eggs out of Temporary Control Zone Area B, unless the movement is one of the following and is licensed by a veterinary inspector—

- (a) poultry for slaughter (if the requirements of paragraph 18 and any additional licence conditions are met);
- (b) day-old chicks hatched from eggs originating within Temporary Control Zone Area B (if the requirements of paragraph 19 and any additional licence conditions are met);
- (c) day-old chicks hatched from eggs originating outside the Temporary Control Zone (if the requirements of paragraph 20 and any additional licence conditions are met);
- (d) ready-to-lay poultry to premises, or part of premises, where no poultry are kept if any licence conditions are met;
- (e) hatching eggs from Temporary Control Zone Area B—
  - (i) to a designated hatchery; or
  - (ii) to a designated laboratory or institute for use for scientific, diagnostic or pharmaceutical purposes, (if the requirements of paragraph 21 and any additional licence conditions are met);
- (f) eggs to a designated packing centre (if the requirements of paragraph 22 and any additional licence conditions are met);
- (g) eggs to premises for the manufacture of egg products (if the requirements of paragraph 23 and any additional licence conditions are met);
- (h) eggs for disposal if any licence conditions are met.

**17.** Paragraph 16 does not apply to the retail distribution of eggs and movements subsequent to such distribution.

### **Requirements for the transport of poultry from premises in the Temporary Control Zone Area B for immediate slaughter at a designated slaughterhouse**

**18.** Poultry must not be moved to a designated slaughterhouse unless a veterinary inspector has clinically examined poultry at the premises a maximum of 24 hours before they leave the premises.

**Requirements for the movement of day-old chicks hatched from eggs produced within the surveillance zone or from eggs which have had contact with such eggs**

**19.** Day-old chicks must not be moved unless any biosecurity measures laid down by a veterinary inspector are complied with.

**Requirements for the movement of day-old chicks hatched from eggs originating outside the Temporary Control Zone**

**20.** Day-old chicks hatched from eggs originating outside the Temporary Control Zone must not be moved unless the hatchery within the Temporary Control Zone is operated in such a way that eggs from outside the Temporary Control Zone do not come into contact with eggs or day old chicks from within the Temporary Control Zone.

**Requirements for the movement of hatching eggs from the area to a designated hatchery, or to a designated laboratory or institute for use for scientific, diagnostic or pharmaceutical purposes**

**21.** Hatching eggs must not be moved from Temporary Control Zone Area B to any hatchery, laboratory or institute unless the eggs and their packaging are disinfected before they leave the premises.

**Requirements for the movement of table eggs to a packing centre**

**22.** Table eggs must not be transported to a designated packing centre unless—

- (a) they are packed in disposable packaging; and
- (b) any person transporting the eggs complies with any biosecurity measures laid down by a veterinary inspector.

**Requirements for the movement of table eggs to premises for the manufacture of egg products**

**23.** Eggs must not be transported to premises for the manufacture of egg products except in accordance with Chapter XI of Annex II to Regulation (EC) No. 852/2004.

**Cleansing and disinfection of vehicles**

**24.** A person who transports any poultry, other captive bird, carcase, feed, manure, slurry, litter or any other thing which may be contaminated must cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded in accordance with article 65 of the Order.

**25.** A person who enters or leaves premises by vehicle must, without delay, cleanse and disinfect any part of the vehicle which may have been contaminated in accordance with article 65 of the Order.

### Annex 3

### Map showing the Temporary Control Zone

## Avian Influenza H5N8, 3km Temporary Control Zone A and 10km Temporary Control Zone B, Sanday, Orkney Islands 17 December 2020

