

General licence to arrange a fair, market, show, exhibition or other gathering involving the collecting together of poultry or other captive birds in Scotland (EXD 178 (AI) (S))

This licence permits the collection of birds at fairs, markets, shows, exhibitions or other gatherings subject to the conditions set out in the schedule. This licence is valid for all bird species, except *anseriformes* (including ducks, geese and swans), the presence of which at bird gatherings remains prohibited.

A veterinary risk assessment has been carried out in accordance with article 4(2) of the Avian Influenza (Preventive Measures) (Scotland) Order 2007 (“the Order”).

A Veterinary Inspector is satisfied that, under the conditions of this licence, certain bird gatherings and the transit of birds to and from those gatherings will not significantly increase the risk of transmission of avian influenza virus.

This licence applies in Scotland, including in the higher risk areas (HRAs) identified by Scottish Ministers under Article 3 of Commission Implementing Decision (EU) 2018/1136 (“the Decision”) and in accordance with Article 4(4)(e) of the Decision, which permits, subject to the compliance by the licensee with the conditions in the schedule, the gathering of birds in the HRAs.

An epidemiological assessment has been carried out in accordance with Article 4(1) of the Decision.

This licence is effective from **10:30 am on 15 March 2024** and revokes and replaces EXD 178 (AI) (S), which came into force at 12:00 noon on 5 February 2024.

This licence may be varied, suspended or revoked at any time.
This licence has been issued by the Scottish Ministers and applies to Scotland.

Signed: Jesus Gallego

Jesus Gallego, Deputy Chief Veterinary Officer, Scotland

Date: 15 March 2024 Time: 10:30 am

A member of staff of the Scottish Ministers

Legislation

This licence is made under the powers contained in the Animal Health Act 1981 (as amended) and “the Order”, which means:

- The Avian Influenza (Preventive Measures) (Scotland) Order 2007 (as amended)

This general licence is issued in accordance with:

- Article 4 of the Order

Conditions of the licence

1. The person arranging the gathering is the licensee and is responsible for ensuring the conditions in this licence are complied with.
2. The licensee must take all reasonable steps to prevent the spread of avian influenza onto, within and off the premises or vehicle where the gathering is held.
3. The licensee must distribute biosecurity advice in advance of the event to any participant, including the instruction that birds must be inspected for signs of illness before travelling to any gathering, and a recommendation that any birds travelling from a gathering should be kept separate from wild birds, isolated from other kept birds at that premises and monitored for signs of illness for at least fourteen days.
4. The licensee must advise participants that:
 - i. the premises of origin for any galliformes attending a gathering (and for premises with 50 or more poultry) must be registered with the Animal and Plant Health Agency (APHA) on the GB Poultry Register, and that

the keeper of the birds attending the gathering will need to provide evidence of registration before they are granted entry.

ii. it is recommended that all other birds should be registered on the GB Poultry Register before attending a gathering.

5. The licensee must have in place written contingency arrangements that explain what should happen if there is a notifiable avian disease incident at or near the event. The plan must include details of:

i. how birds suspected of notifiable avian disease will be separated from other birds;

ii. how birds will be kept at the premises until an APHA Veterinary Inspector has given instructions for birds to leave the premises, if notifiable avian disease is suspected at the gathering; and

iii. how birds will be kept and cared for at the premises if movements off the premises are restricted because the gathering subsequently becomes located in a notifiable avian disease control zone.

6. The licensee must ensure that:

i. no birds are allowed to enter a gathering unless the participant declares that they do not originate from premises or areas which are under restrictions related to confirmation of notifiable avian disease, including from any disease control zone imposed by Ministers or premises within an Avian Influenza Prevention Zone in accordance with paragraph 12.

ii. when they arrive at the event, all galliformes remain isolated from all other birds on the event site until all such birds have been individually inspected by a named veterinary surgeon, designated by the licensee.

iii. when they arrive at the event, birds of a species other than galliformes remain isolated from all other birds on the event site until all such birds have been individually inspected by a named person, designated by the licensee, who is knowledgeable in identifying and reporting the signs of notifiable avian disease in these species.

iv. at gatherings where **both** galliformes and birds of a species other than galliformes are present, upon their arrival, all birds remain isolated from all other birds until they have been individually inspected by a named veterinary surgeon designated by the licensee.

7. The licensee must notify the Animal and Plant Health Agency (APHA) at least 7 calendar days prior to the event. Contact details for APHA are:

APHA Field Services (Inverness)
Longman House
28 Longman Road
Inverness, IV1 1SF

Telephone: 0300 0600 709

Fax: 01463 711495

Email: APHAScotlandShows@apha.gov.uk

8. The notification must include:

- i. the date (or range of dates) upon which the bird gathering will take place;
- ii. the location of the gathering (including address, postcode and CPH number if applicable);
- iii. details of the licensee (full name and full contact details);
- iv. anticipated numbers and type(s) of birds that will be gathered together; and
- v. the purpose of the gathering

9. Where gatherings take the form of dealing or internet sales, notification to APHA may be made annually, providing the anticipated frequency and volume of sales, in addition to requirements at paragraph 8 and the records required in paragraph 11.

- 10.** Any changes to the information provided that occurs between notification and the event itself, must also be notified to APHA as soon as possible.

- 11.** The licensee must make a record of all people who bring poultry and other captive birds to a gathering, or take such birds from a gathering, and keep the record for at least three months following the end of the gathering. The record must include at least the following information:
 - a) Full name
 - b) Home address (including postcode)
 - c) Telephone number
 - d) Number and type(s) of birds
 - e) Details of the locations that birds came from, and went to after the gathering

- 12.** The licensee must require all participants bringing galliformes to a gathering, to complete and return a signed declaration form before allowing entry to where live birds are kept or gathered, confirming:
 - a) they have read and will fully comply with all biosecurity information provided;
 - b) to the best of their knowledge, their birds have not been in contact with any notifiable avian disease agents and do not show any signs of infection; and
 - c) the address of the premises of origin of the birds, with confirmation that the birds do not originate from a premises within a Protection Zone, Surveillance Zone, Restricted Zone, Temporary Control Zone, Temporary Movement Restriction Zone or Avian Influenza Prevention Zone.

- 13.** The licensee must not allow any cage, crate, basket or other container onto premises being used for a gathering that is visibly contaminated with bird droppings, bedding or other material of bird origin, other than that from, or provided for, the birds brought to the gathering, and must make this requirement known in advance to all those bringing birds to the gathering.

14. The licensee must also:

i. ensure that a veterinary surgeon is available to attend at short notice during the whole time that birds are present at the gathering, and ensure they are consulted if birds show signs of ill-health or welfare problems;

ii. ensure that cleansing and disinfection facilities are available to gathering attendees on site, and good biosecurity practices are encouraged;

iii. report any signs suggestive of notifiable avian disease to APHA immediately: no birds should be allowed to leave the premises until APHA have confirmed this can be permitted;

iv. ensure that any feed to which captive birds had access, and all bedding, droppings, other material of bird origin and other contaminants derived from birds at the gathering and which are left on the premises when the gathering has ended are:

a) destroyed; or

b) treated so as to remove the risk of transmission of disease; or

c) disposed of so that birds do not have access to them; or

d) disposed of as Category 2 material under Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules, as regards animal by-products and derived products not intended for human consumption.

v. in the case of impervious surfaces, cleanse and disinfect those parts of the premises contaminated by such materials; if the gathering is held on unpaved ground, that ground must not be used for another bird gathering or keeping birds for two weeks;

vi. ensure anyone seen to be visibly contaminated with faecal material, feathers or other material of avian origin is refused entry to the bird gathering area until such contamination has been removed

and disinfection applied, or the person changed into clean clothing and footwear and washed their hands; and

vii. ensure any cages, crates, baskets or other containers not removed from the premises by those attending the gathering are cleansed and disinfected as soon as reasonably practicable after the end of the gathering, and in any case before they are used again. Any cages, crates, baskets or other containers made of a porous material that cannot be cleansed and disinfected should be appropriately destroyed.

15. Where a gathering is held on a vehicle (for example, to transport racing pigeons to the start of a race), the licensee must ensure that condition (vii) above is applied to the vehicle.

Explanatory notes

1. Definitions:

"other captive bird" means any bird, other than poultry, kept in captivity and including any bird kept for shows, races, exhibitions or competitions (such as ornamental birds and racing pigeons).

"poultry" means all birds that are reared or kept in captivity for the production of meat, or eggs for consumption, the production of other commercial products, for restocking supplies of game or for the purposes of any breeding programme for the production of these categories of birds.

"premises" includes any land, building or other place.

"gathering" is interpreted to mean an occasion at which poultry and/or other captive birds are brought together from different locations for any purpose, and afterwards either go back to their original locations or go on to more than one new location, and includes:

- i. a fair, market, show, sale or exhibition;
- ii. the collection of pigeons from different lofts on a vehicle for pigeon racing; and

- iii. hen 'hotels' (when birds are temporarily located somewhere other than their usual premises).
2. This licence permits the gathering of poultry and other captive birds (with stated exception of *anseriformes* (including ducks, geese and swans)), which include:
- Galliformes (including pheasants, partridges, quail, chickens, turkeys and guinea fowl);
 - Columbiformes (including doves and pigeons);
 - Passerines (including finches and canaries);
 - Psittaciformes (including parrots, macaws, cockatiels);
 - Falconiformes (including hawks, harriers, buzzards, eagles);
 - Strigiformes (including owls); and
 - Racing pigeon gatherings for pigeon racing within the UK, the Republic of Ireland and the Crown Dependencies.
3. The following are not considered to be gatherings and do not, therefore, need to be licensed:
- collection of birds at a licensed slaughterhouse for slaughter;
 - a collection of birds that have all come from the same single premises (a dispersal sale or 're-homing');
 - an event involving only eggs (no live birds are present or become present);
 - birds that are brought together from different locations, but where no birds move off the premises within 13 days of the last bird arriving on the premises;
 - catching-up of wild game birds (where they have come from multiple locations but are then moved to a single location afterwards, and remain there for breeding or other purposes); and
 - any occasion when all the birds brought together are from the same epidemiological group.

Here, "the same epidemiological group" means that because of the way the birds are kept or managed on a day-to-day basis (e.g. common housing, tended by the same personnel), they are deemed to be of the same health status and of the same level of risk with regards to the introduction of notifiable avian disease.

4. Under article 11(8) and Schedule 2 to the Diseases of Poultry (Scotland) Order 2003, where an area is declared to be an infected area, this general licence will no longer apply. Article 13 (racing pigeons) of the Diseases of Poultry (Scotland) Order 2003 requires that:

“(1) An organiser of a show or race which takes place wholly or partly in Scotland shall ensure that all racing pigeons entered for the race or show have been vaccinated against paramyxovirus 1 in pigeons.

(2) Every person who owns or keeps racing pigeons shall keep a record of every race or show for which any such racing pigeons are entered.”

5. Article 14 (cleansing and disinfection) of the Diseases of Poultry (Scotland) Order 2003 requires that:

“(1) Any person in charge of premises upon which poultry or racing pigeons are or have been exposed for sale or exhibited shall thoroughly cleanse and disinfect those premises, their fittings and any receptacle used for the exposure or exhibition of such birds as soon as practicable after use and in any event before they are used again.

(2) A Veterinary Inspector or an inspector of a local authority may, by notice served on the person in charge of any premises or vehicle on or in which any birds are or have been, require that person to cleanse and disinfect the premises or vehicle and any fittings or receptacle in such manner as that inspector may require and may prohibit the movement into the premises or vehicle of birds until the cleansing and disinfection has been completed to the satisfaction of the inspector.

(3) Without prejudice to the bringing of proceedings under the 1981 Act, where a notice under this article is not complied with, any person authorised by the Scottish Ministers or the local authority may enter the premises or vehicle to which the notice relates and carry out the work of cleansing and disinfection required and the cost of such work shall be recoverable as a debt from the person on whom the notice was served.

(4) For the purposes of this article “cleansing” includes the disposal of all litter, droppings and other matter in a manner which does not present a risk of the spread of disease.”

6. Disinfectants approved by the appropriate authority for use against poultry diseases in Great Britain are listed at:
<https://www.gov.uk/guidance/defra-approved-disinfectant-when-and-how-to-use-it>
7. Anyone in possession of any bird or bird carcase that they suspect may be infected with avian influenza virus, paramyxovirus 1 or Newcastle disease must immediately notify the local APHA office. Contact details can be found at:
<https://www.gov.uk/guidance/contact-apha#scotland-apha-field-services>
8. In the event of a disease outbreak, gatherings of poultry and other captive birds are not permitted in a Protection Zone or Surveillance Zone, and this general licence does not apply within those zones. Birds originating from a Protection Zone or Surveillance Zone are not permitted to attend gatherings.
9. Contact your local APHA office or local authority for further advice on biosecurity measures and any other legislation that may apply.
10. It is your responsibility to ensure that APHA has been notified of the event.

Failure to observe the measures required in this licence is an offence under Section 73 of the Animal Health Act 1981. The penalty on conviction of an offence under this section is a maximum of six months imprisonment or a fine not exceeding Level 5 on the standard scale or both.