



Jersey

## ANIMAL HEALTH (MISCELLANEOUS EXOTIC DISEASES) (JERSEY) ORDER 2017

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## **ANIMAL HEALTH (MISCELLANEOUS EXOTIC DISEASES) (JERSEY) ORDER 2017**

*Made*

*24th January 2017*

*Coming into force*

*1st February 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 –

### **PART 1**

#### **INTRODUCTORY PROVISIONS**

#### **1 Interpretation**

In this Order –

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

“equipment”, means any equipment that has been in contact with blood or other bodily fluids from susceptible animals, including needles and surgical or dental equipment, unless that equipment has either been sterilised following such contact or is securely confined in a sharps container complying with the relevant British Standard or an equivalent standard;

“general restrictions” means –

- (a) in relation to the diseases listed Part 1 of Schedule 2, the restrictions in Part 1 of Schedule 3; and
- (b) in relation to the diseases listed in Part 2 of Schedule 2, the restrictions in Parts 1 and 2 of Schedule 3;

“genetic material” means any semen, ovum or embryo of a susceptible animal;

“infected premises” means premises that have been designated as infected premises under Article 8(1);

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

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“susceptible animal” means, for each disease listed in the first column of the table in Schedule 1, the animals listed in the second column of the table opposite that first column;

“suspect premises” means premises that are designated as suspect premises under Article 6(3).

## **2 Application**

- (1) This Order applies only to the diseases listed in the first column of Schedule 1.
- (2) For the purposes of this Order the definition “animal” in Article 4 of the Law is extended to include all mammals except human beings.
- (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.
- (4) Parts 2, 3 and 5 of this Order do not apply to a slaughterhouse.

## **3 Power to kill animals**

- (1) In this Order, the power to kill animals in Articles 6(6), 9 and 18(1) applies only to the following diseases –
  - (a) Anthrax;
  - (b) Aujeszky’s disease;
  - (c) Bovine Viral Diarrhoea;
  - (d) Brucellosis;
  - (e) Contagious agalactia;
  - (f) Contagious bovine pleuro-pneumonia;
  - (g) Contagious epididymitis;
  - (h) Dourine;
  - (i) Enzootic bovine leucosis;
  - (j) Epizootic haemorrhagic disease;
  - (k) Epizootic lymphangitis;
  - (l) Equine infectious anaemia;
  - (m) Equine Viral Encephalomyelitis;
  - (n) Glanders;
  - (o) Infectious Bovine Rhinotracheitis/Infectious Pustular Vulvovaginitis;
  - (p) Lumpy skin disease;
  - (q) Peste de Petit Ruminants (Goat plague);
  - (r) Rift Valley fever;
  - (s) Sheep and goat pox;
  - (t) Vesicular stomatitis.
- (2) Article 17 of the Law applies to the diseases set out in paragraph (1).

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**4 References to occupier, main occupier and additional obligations for diseases of horses**

- (1) This Article applies to diseases for which horses are susceptible animals.
- (2) In this Order –
  - (a) a reference to an occupier of premises includes a reference to a person who has ownership or charge of a horse on the premises;
  - (b) the main occupier of premises is the person who has overall responsibility for the premises.
- (3) Any notice required or authorized under this Order –
  - (a) to be served on the main occupier of premises may be served on any person appearing to the person serving the notice to be the main occupier;
  - (b) to be served on any other occupier of premises may be served on any person appearing to the person serving the notice to be that occupier.
- (4) Where a notice has been served on a person referred to in paragraph (3), any reference in this Order to the main occupier or, as the case may be, any other occupier of the premises includes a reference to that person.
- (5) Where the main occupier of premises is required to comply with any obligation under or by virtue of this Order, any other occupier of the premises must give the main occupier such assistance as is reasonably required to enable such compliance.
- (6) Where the main occupier of premises has been served with a notice under this Order, the main occupier must take reasonable steps to inform (orally or otherwise) any other occupier of the premises and any other person entering the premises of any restrictions on the movement to or from the premises of any horse, carcase, equipment or genetic material arising from the service of the notice.
- (7) A notice required or authorized under this Order to be served on the main occupier of premises may (in addition to its being served on the main occupier) be served on any other occupier of the premises.

**PART 2**

**SUSPICION OF A DISEASE**

**5 Initial investigation**

- (1) Where a veterinary inspector investigates following notification of disease under Article 12(1) or 15(2) of the Law and cannot rule out the presence of disease, a veterinary inspector must, according to those findings –
  - (a) confirm that disease is still suspected and serve a notice under Article 6(3); or

- 
- (b) confirm the presence of disease and serve a notice under Article 8(1).
  - (2) However, if the notification is in respect of West Nile fever Article 20 applies instead of those notice provisions.

**6 Measures on suspicion of disease.**

- (1) This Article applies where a veterinary inspector suspects that an animal or carcase on premises is or has been infected with a disease such that the premises or carcase continue to pose the risk of spread of disease.
- (2) However, if the notification is in respect of West Nile fever, Article 20 applies instead of the notice provisions in this Article.
- (3) A veterinary inspector must serve a notice on the occupier designating premises as suspect premises.
- (4) Where such a notice is served on the occupier, a veterinary inspector must specify in the notice whether all or any of the general restrictions apply together with any additional measures that a veterinary inspector considers necessary in order to reduce the risk of the spread of the disease.
- (5) A veterinary inspector must take all reasonable steps to establish whether or not the disease is present on the suspect premises.
- (6) Where required by the epidemiological situation, the States Veterinary Officer may order and arrange for the killing of any susceptible animal on the premises.
- (7) The notice served under paragraph (3) may be revoked only if a veterinary inspector is satisfied that the suspect premises no longer pose a risk of spread of disease.
- (8) On the revocation of the notice the general restrictions in place and any further restrictions applied under paragraph (4) cease to apply.

**7 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) The declaration must apply all or any of the general restrictions and may apply any other measure as the Minister considers necessary in all or part of the temporary controlled zone in order to prevent or reduce the risk of the spread of disease.
- (4) Any part of a temporary controlled zone that is subsequently incorporated into a controlled zone will cease to exist as a temporary controlled zone.
- (5) The Minister must revoke the temporary controlled zone if presence of disease has been ruled out on suspect premises.

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## **PART 3**

### **INFECTED PREMISES**

#### **8 Designation of premises as infected premises when presence of disease confirmed**

- (1) Where the States Veterinary Officer is satisfied that a disease is or has been present on premises and the premises or any carcass on the premises continue to pose the risk of spread of disease, an inspector must serve a notice on the occupier designating the premises as infected premises.
- (2) However, if the notification is in respect of West Nile fever, Article 20 applies instead of the notice provisions in this Article.
- (3) Where a notice is served under paragraph (1), a veterinary inspector must specify in the notice whether all or any of the general restrictions apply together with any additional measures that a veterinary inspector considers necessary in order to reduce the risk of the spread of the disease.
- (4) For clarity, those additional measures may include such treatment as may be required by the veterinary inspector.

#### **9 Killing of animals on infected premises**

If premises are designated as infected premises the Minister may arrange, without delay and in accordance with Article 17(1) of the Law, for the killing of any or all susceptible animals on the premises.

#### **10 Disposal of carcasses and preliminary cleansing and disinfection**

- (1) Where an animal is killed under this Order other than in accordance with Article 18(1), the Minister must arrange for the disposal of the carcass.
- (2) The Minister may arrange for the disposal of the carcass of any other animal that has died, or is suspected to have died, from a disease.
- (3) The Minister must ensure that any such disposal is carried out without delay and in such a way as to avoid the risk of the spread of disease.
- (4) Following such disposal the Minister may without delay carry out preliminary cleansing and disinfection by spraying with disinfectant –
  - (a) all parts of the premises (other than fields, slurry lagoons and other parts of the premises where the disinfectant would have no effect) and all equipment or other things to which the animal has had access; and
  - (b) anything contaminated during the killing of the animal.

**11 Notice requiring secondary cleansing and disinfection**

- (1) Irrespective of whether or not animals are to be reintroduced on infected premises, an inspector may serve a notice on the occupier requiring secondary cleansing and disinfection as specified in the notice.
- (2) Secondary cleansing and disinfection must be carried out in such a way as to minimise the risk of the spread of disease or survival of any causal agent of the disease.
- (3) Following completion of the secondary cleansing and disinfection, a veterinary inspector must certify in writing when satisfied that the requirements of the notice have been completed.

**12 Use of approved disinfectants**

- (1) Where disinfection is carried out under this Order any disinfectant used must be –
  - (a) an approved disinfectant that is published as being approved in respect of General Orders; and
  - (b) used at the approved dilution rate and in accordance with the manufacturer's instructions.

- (2) 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.

**13 Special measures where vectors involved in outbreak**

- (1) This Article applies to the following diseases –
  - (a) Equine infectious anaemia;
  - (b) Equine Viral Encephalomyelitis;
  - (c) Epizootic haemorrhagic disease;
  - (d) Lumpy skin disease;
  - (e) Rift Valley fever;
  - (f) Vesicular stomatitis.
- (2) If the presence of vectors is suspected on premises where disease has been confirmed, a veterinary inspector may require the occupier to implement practical measures for controlling the vectors.



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**14 Revocation of notice designating premises as infected premises**

A veterinary inspector must not revoke a notice served under Article 8(1) unless the States Veterinary Officer is satisfied that –

- (a) the premises no longer pose a threat of spreading disease;
- (b) any necessary cleansing and disinfection has been completed to the satisfaction of a veterinary inspector;
- (c) for diseases to which Article 13 applies, vectors no longer pose a threat of spreading disease on the premises; and
- (d) any sentinel animals used have been tested by a veterinary inspector for disease with negative results.

**15 Restocking and testing with sentinel animals on infected premises**

- (1) Where sentinel animals are to be used in the process of monitoring for the resurgence of disease, a veterinary inspector must license the introduction of sentinel animals onto the premises and their numbers and placement must be in accordance with the conditions of the licence.
- (2) A veterinary inspector must not grant a licence under paragraph (1) unless –
  - (a) at least 21 days has elapsed since the completion of any required secondary cleansing and disinfection to the satisfaction of a veterinary inspector; and
  - (b) in the case of diseases to which Article 13 applies, the States Veterinary Officer is satisfied that vectors no longer pose a threat of spreading disease on the premises.
- (3) The sentinel animals must –
  - (a) have come from premises not subject to any relevant disease controls or restrictions under this Order; or
  - (b) have been tested at the expense of the occupier before being brought on to the premises and found to be negative for the presence of disease.
- (4) A person must not allow a sentinel animal to leave premises subject to a notice served under Article 8(1) unless –
  - (a) licensed to do so by a veterinary inspector; or
  - (b) the notice has been revoked.
- (5) All costs associated with the use of sentinel animals are at the occupier's expense.

**PART 4****SUSPICION AND CONFIRMATION OF DISEASE AT  
SLAUGHTERHOUSE****16 Application of this Part**

This Part does not apply to enzootic bovine leucosis.

**17 Requirement to serve notice**

- (1) Where a veterinary inspector has examined an animal carcass at a slaughterhouse and cannot rule out the presence of a disease on it (a “suspect animal”) an inspector must serve a notice on the operator of the slaughterhouse.
- (2) The notice may set out the requirements of Article 12(3) of the Law and may additionally impose on that operator all or any of the following measures –
  - (a) no susceptible animal or carcass to be moved to or from the slaughterhouse;
  - (b) no other animal to be moved to or from the slaughterhouse if the veterinary inspector suspects there is a risk that it could spread disease;
  - (c) to take all biosecurity measures that the veterinary inspector believes are necessary.
- (3) A veterinary inspector may take samples from an animal, carcass or any other thing and have those samples tested to ascertain whether or not disease is present at the slaughterhouse.
- (4) If following the results of investigations by a veterinary inspector the States Veterinary Officer is satisfied that that disease is not present at the slaughterhouse, a veterinary inspector must as soon as reasonably practicable revoke the notice served under paragraph (1).

**18 Killing of animals at slaughterhouse**

- (1) If the States Veterinary Officer is satisfied that disease is present at the slaughterhouse the Minister may ensure that all susceptible animals are killed without delay under the supervision of a veterinary inspector.
- (2) After the killing –
  - (a) the operator of the slaughterhouse must destroy as required by a veterinary inspector the carcasses and offal of infected or other animals;
  - (b) the operator of the slaughterhouse must cleanse and disinfect buildings, equipment and vehicles (including if appropriate control of vectors) as instructed by a veterinary inspector;
  - (c) subject to sub-paragraph (d), a veterinary inspector must revoke the notice served under Article 17(1) once that cleansing and

- 
- disinfection has been completed to the satisfaction of the veterinary inspector;
- (d) in the case of diseases to which Article 13 applies the veterinary inspector must also be satisfied that any necessary vector controls have been effectively applied before revoking the notice served under Article 17(1).

## **PART 5**

### **AREA CONTROLS FOLLOWING CONFIRMATION OF DISEASE**

#### **19 Controlled zones**

- (1) Where the existence of disease has been confirmed on any premises the Minister may declare one or more controlled zones around the premises.
- (2) The zones must be centred on the part of the premises that the Minister considers most appropriate for disease control and be of such radius as the Minister considers necessary to reduce the risk of spread of disease.
- (3) The Minister may ensure that within those zones, as far as is reasonably practicable –
  - (a) premises that contain susceptible animals are identified; and
  - (b) veterinary inspectors visit such identified premises to –
    - (i) inspect, and as necessary examine, the animals on the premises, and
    - (ii) collect and have tested such samples as the States Veterinary Officer considers necessary.
- (4) The declaration must apply all or any of the general restrictions and may apply any other measure as the Minister considers necessary in all or part of a controlled zone in order to prevent or reduce the risk of the spread of disease.
- (5) The Minister must keep in place a controlled zone until the States Veterinary Officer is satisfied that –
  - (a) sufficient time has elapsed since the killing of susceptible animals on any infected premises for disease to have recurred in the zone; and
  - (b) effective cleansing and disinfection on the infected premises has been carried out.

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**PART 6****MISCELLANEOUS AND CLOSING PROVISIONS****20 Notice provisions in cases of West Nile fever**

- (1) This Article applies where the disease referred to in Article 5(1), 6(1) or 8(1) is West Nile fever.
- (2) Where this Article applies a veterinary inspector must serve a notice on the main occupier requiring all horses on the premises to remain there until a veterinary inspector has examined as many of the horses as he or she considers necessary.
- (3) When a notice has been served under paragraph (2) a veterinary inspector –
  - (a) must confirm in writing to the occupier that all the horses that need to be examined have been examined and that the notice served under paragraph (2) ceases to have effect;
  - (b) may confirm that notification of further suspect horses under Article 12(1) of the Law in relation to the outbreak is not necessary.

**21 Prohibition on vaccination except in certain cases**

- (1) A person must not vaccinate any animal against disease other than –
  - (a) a horse against equine viral arteritis or against West Nile fever;
  - (b) in accordance with a licence granted by a veterinary inspector;
  - (c) if the animal is in a vaccination zone declared by the Minister under this Article, in accordance with the terms of that declaration; or
  - (d) in accordance with the terms of a notice served by a veterinary inspector on the occupier of premises requiring vaccination of any animal.
- (2) The cost of any vaccination under this Article is to be borne by the keeper of the animal being vaccinated unless the licence, declaration or notice, as the case may be, states otherwise.

**22 Publication of results of veterinary inquiry**

- (1) This Article applies to equine viral arteritis.
- (2) Where a veterinary officer makes an investigation following notification of disease under Article 12(1) of the Law –
  - (a) upon confirmation being given under Article 5(1)(b) of the presence of disease in any stallion the Minister may publish, in such manner as he or she thinks fit, the fact of confirmation and the name and location of the stallion; and
  - (b) thereafter if the States Veterinary Officer or person authorized by him or her is satisfied that the disease or the virus no longer exists

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in that stallion, the Minister must publish in the same manner that fact and the name and location of the stallion.

- (3) Where the investigation mentioned in paragraph (2) is postponed –
- (a) the Minister may publish, in such manner as he or she thinks fit, the fact that existence of the disease or the virus in a stallion is suspected and the name and location for that stallion; and
  - (b) where publication has been made under sub-paragraph (a), upon confirmation by or on behalf of the States Veterinary Officer that the disease or the virus does not exist in the stallion, the Minister must publish in the same manner that fact and the name and location of that stallion.

### **23 Records**

The occupier must keep any record required under a notice given or zone declared under Article 7, 19 or 21 for at least 6 months after –

- (a) the revocation of the notice; or
  - (b) the premises cease to be within any such zone,
- whichever is the later.

### **24 Revocations**

The following Orders are revoked –

- (a) Anthrax (Jersey) Order 1958<sup>3</sup>;
- (b) Aujeszky's Disease (Jersey) Order 1984<sup>4</sup>;
- (c) Enzootic Bovine Leucosis Disease (Jersey) Order 1984<sup>5</sup>;
- (d) Epizootic Lymphangitis (Jersey) Order 1958<sup>6</sup>;
- (e) Glanders or Farcy (Jersey) Order 1958<sup>7</sup>;
- (f) Pleuro-Pneumonia (Jersey) Order 1958<sup>8</sup>;
- (g) Sheep Pox (Jersey) Order 1958<sup>9</sup>;
- (h) Sheep Scab (Jersey) Order 1958<sup>10</sup>;
- (i) Diseases of Animals (Infectious Bovine Rhinotracheitis) (Jersey) Order 2012<sup>11</sup>.

### **25 Citation and commencement**

This Order may be cited as the Animal Health (Miscellaneous Exotic Diseases) (Jersey) Order 2017 and shall come into force on 1st February 2017.

**DEPUTY S.G. LUCE OF ST. MARTIN**

*Minister for the Environment*

**SCHEDULE 1**

(Articles 1 and 2)

**DISEASES AND SUSCEPTIBLE ANIMALS**

<b>Disease</b>	<b>Susceptible animals</b>
Anthrax	All mammals except human beings
Aujeszky's disease	Cattle, deer, horses, goats, sheep and swine, dogs and cats.
Bovine Viral Diarrhoea	Cattle
Brucellosis	Cattle, goats, sheep and swine
Contagious agalactia	Goats and sheep
Contagious bovine pleuro-pneumonia	Cattle
Contagious epididymitis	Sheep
Contagious equine metritis	Horses
Dourine	Horses
Enzootic bovine leucosis	Cattle
Epizootic haemorrhagic disease	Deer
Epizootic lymphangitis	Horses
Equine infectious anaemia	Horses
Equine viral arteritis	Horses
Equine Viral Encephalomyelitis	Horses
Glanders	Horses
Infectious Bovine Rhinotracheitis/Infectious Pustular Vulvovaginitis	Cattle
Lumpy skin disease	Cattle
Peste de Petit Ruminants (Goat plague)	Goats and sheep
Porcine Epidemic Diarrhoea	Swine
Rift Valley fever	Goats, sheep and cattle
Sheep and goat pox	Goats and sheep
Sheep scab	Sheep
Swine influenza	Swine
Vesicular stomatitis	Cattle, horses, swine
West Nile fever	Horses

**SCHEDULE 2**

(Article 1)

**DISEASES TO WHICH CERTAIN RESTRICTIONS IN SCHEDULE 3 APPLY**

**PART 1**

Contagious epididymitis

Dourine

**PART 2**

Anthrax

Aujeszky's disease

Bovine Viral Diarrhoea

Brucellosis

Contagious agalactia

Contagious bovine pleuro pneumonia

Enzootic bovine leucosis

Epizootic haemorrhagic disease

Epizootic lymphangitis

Equine Viral Encephalomyelitis

Equine infectious anaemia

Glanders

Goat and sheep pox

Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis

Lumpy skin disease

Peste des petit ruminants (Goat plague)

Porcine Epidemic Diarrhoea

Rift Valley fever

Vesicular stomatitis

**SCHEDULE 3**

(Articles 1, 6, 7, 8 and 19 and Schedule 2)

**GENERAL MEASURES ON SUSPECT AND INFECTED PREMISES,  
TEMPORARY CONTROLLED ZONES AND CONTROLLED ZONES****PART 1****1 Records**

The occupier must keep a record of the number of susceptible animals on the premises and take all reasonable steps to keep the record updated.

**2 Confinement or isolation of susceptible animals**

The occupier must ensure that susceptible animals are confined or isolated as directed by a veterinary inspector.

**3 Restriction on movement of susceptible animals**

A person must not move any susceptible animal or carcase of a susceptible animal on or off premises except –

- (a) under the authority of a licence granted by a veterinary inspector; or
- (b) where the animal is a horse, it may return to the premises where it normally lives.

**PART 2****4 Restriction on removal of any equipment, animal or thing liable to spread disease**

A person must not remove from the premises any equipment, animal or any other thing (including genetic material) that may spread disease except under the authority of a licence granted by a veterinary inspector.

**5 Restrictions on spreading manure and slurry**

A person must not move off premises, or spread, manure or slurry except under the authority of a licence granted by a veterinary inspector.

**6 Cleansing, disinfection and other biosecurity measures**

The occupier must –

- (a) provide and maintain means of cleansing and disinfection at the entrances to, and exits from, the premises and all buildings on those premises housing susceptible animals; and



- (b) comply with any directions from an inspector concerning such means of cleansing and disinfection and the imposition of other biosecurity measures (including rodent and vector control).

**7 Restriction on movement of vehicles and persons**

- (1) A person must not –
  - (a) enter or leave the premises; or
  - (b) move any vehicle to or from the premises,except under the authority of a licence granted by a veterinary inspector.
- (2) All persons entering or leaving the premises must observe appropriate biosecurity measures, which may include cleansing and disinfecting footwear, outer clothing, exposed skin and any possessions they have on them.
- (3) Sub-paragraph (1) does not apply to any movement necessary for the provision of emergency services (police, ambulance, fire and rescue or coastguard).

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- 1 *L.12/2016*
  - 2 *L.12/2016*
  - 3 *R&O.3956 (chapter 02.400.02)*
  - 4 *R&O.7275 (chapter 02.400.04)*
  - 5 *R&O.7290 (chapter 02.400.32)*
  - 6 *R&O.3974 (chapter 02.400.34)*
  - 7 *R&O.3975 (chapter 02.400.48)*
  - 8 *R&O.3976 (chapter 02.400.62)*
  - 9 *R&O.3979 (chapter 02.400.74)*
  - 10 *R&O.3980 (chapter 02.400.72)*
  - 11 *R&O.35/2012 (chapter 02.400.21)*