

Statutory Instrument 2003 No. 2632

The Pigs (Records, Identification and Movement) Order 2003

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STATUTORY INSTRUMENTS

2003 No. 2632

ANIMALS, ENGLAND

ANIMAL HEALTH

The Pigs (Records, Identification and Movement) Order 2003

Made

9th October 2003

Coming into force

31st October 2003

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The Secretary of State, in exercise of the powers conferred upon her by sections 1 and 8(1) of the Animal Health Act 1981[1] makes the following Order:

PART 1

Preliminary

Title, application and commencement

1. This Order may be cited as the Pigs (Records, Identification and Movement) Order 2003; it applies in England and comes into force on 31st October 2003.

Interpretation

2. In this Order -

"approved holding" has the meaning given in article 23;

"CPH number" means the county parish holding number assigned from time to time to any holding or part of any holding by the Department for Environment, Food and Rural Affairs;

"herdmark" means the alpha numeric code allocated to a herd of pigs by the Secretary of State in accordance with article 4(2);

"holding" means any establishment, construction or, in the case of an open air farm, any place in which pigs are held, kept or handled;

"identification mark" has the meaning given in article 10;

"keeper" means any person having care and control of pigs, whether on a temporary or permanent basis, but does not include a person who only transports pigs.

Licences, etc.

3. Any licence, authorisation or approval under this Order shall be in writing, may be subject to conditions and may be suspended, amended or revoked in writing at any time.

PART 2

Record Keeping

Notification of holdings

4. - (1) A keeper shall notify the Secretary of State of the following information within one month of the establishment of a holding -

- (a) the address of the holding; and
- (b) the name and address of the owner or occupier of the holding.

(2) The Secretary of State shall issue an alpha numeric code for each herd of pigs on the holding (the "herdmark"), once the information in paragraph (1) has been provided.

(3) A keeper shall notify the Secretary of State of any change or addition to the information in paragraph (1) within one month of the change or addition.

(4) Paragraph (1) shall not apply to a keeper who has already notified the Secretary of State.

(5) Any notification required under this article shall be in writing.

Movement records

5. - (1) A keeper shall record each movement of a pig on or off his holding within 36 hours of the movement.

(2) The record shall be in the form set out in the Schedule.

(3) If the movement is for any purpose in articles 19 or 20 the keeper shall also record the unique individual identification number.

Slaughterhouse records

6. - (1) An occupier of a slaughterhouse shall, in addition to the requirements of article 5, record the details of any pig brought to the slaughterhouse that is not -

- (a) marked in accordance with article 14, in the case of a pig over 12 months old;
- (b) marked in accordance with article 18 in the case of a pig 12 months old or less; and
- (c) accompanied by the document required by article 21.

(2) The details to be recorded shall be kept separately from the information required by article 5 and shall include -

- (a) the name of the keeper of the pig; and
- (b) the holding from which the pig was sent to slaughter.

Sale records at an auction

7. - (1) At a market where pigs are sold by auction the occupier of the market shall, for each lot of pigs, record -

- (a) the information in the Schedule;
- (b) the name of the seller and buyer; and
- (c) the number of the pen in which each lot was held.

(2) The record shall be made within 36 hours of the sale.

Record of number of pigs on a holding

8. At least once a year the keeper shall record the maximum number of pigs normally present on the holding.

Records retention

9. - (1) Any person required by this Order to make records shall keep them for at least 6 years from the end of the year in which the entry was made.

(2) Records may be in written or electronic form.

PART 3

Identification Marks

Identification mark

10. - (1) An identification mark is -

- (a) an eartag stamped or printed with the letters "UK" followed by the herdmark; or
- (b) a tattoo of the herdmark that is legible for the life of the pig.

(2) For the purposes of articles 19 and 20 the herdmark in paragraph (1) shall be followed by a unique individual identification number allotted to the pig by the keeper.

Requirements for eartags

11. An eartag shall be -

- (a) easy to read during the pig's lifetime;
- (b) made of either metal or plastic or a combination of metal and plastic;
- (c) tamper-resistant;
- (d) incapable of re-use;
- (e) sufficiently heat-resistant that neither the eartag nor the information printed or stamped on it can be damaged by the processing of the carcass following slaughter;

(f) of a design that will remain attached to the pig without being harmful to it.

Slapmark

12. A slapmark is a tattoo of the herdmark which is applied on each front shoulder area of the pig.

Additional marking

13. Nothing in this Order shall prevent a keeper from marking the pig with any other information, or adding further information to the identification mark, provided that this marking does not affect the ability to read the identification mark or the slapmark.

PART 4

General Identification Requirements

Identification of pigs over 12 months moved off a holding

14. No person shall move a pig over 12 months old off a holding unless it is marked with -

- (a) an identification mark; or
- (b) a slapmark that is legible for the life of the pig and throughout the processing of its carcase.

Identification of pigs under 12 months moved off a holding

15. - (1) No person shall move a pig 12 months old or less off a holding unless it is identified in accordance with article 14 or with a temporary mark.

(2) A temporary mark shall -

- (a) either by itself or by reference to a document accompanying the pig during the movement, enable the holding from which the pig was last moved to be identified; and
- (b) last until the pig reaches its destination.

Identification of pigs moved on to a holding from outside the European Union

16. - (1) Any person importing a pig from outside the European Union shall apply an eartag or a tattoo to the pig containing the following information, in the following order -

- (a) the letters "UK";
- (b) the herdmark of the herd into which the imported pig is introduced;
- (c) any other information, if the keeper wishes to apply such information;

and

(d) the letter 'F'.

(2) The eartag or tattoo must be applied to the pig within 30 days of its arrival at the holding of destination, and in any event, before it is moved from that holding.

PART 5

Additional Identification Requirements

Additional identification requirements

17. The identification requirements for the movements specified in articles 18 to 20 apply in addition to the requirements in Part 4.

Movement of pigs 12 months old or less to a slaughterhouse

18. - (1) No person shall move a pig 12 months old or less off a holding to a slaughterhouse or slaughter market unless it is marked with -

- (a) an identification mark; or
- (b) a slapmark that is legible for the life of the pig and throughout the processing of its carcase.

(2) In this article, slaughter market means a market for the sale of pigs intended for immediate slaughter.

Movements of pigs to shows, etc.

19. No person shall move a pig off a holding -

- (a) to a show or exhibition; or
- (b) for breeding purposes with the intention of returning the pig to the holding from which it was moved

unless it is marked with an identification mark that includes a unique individual identification number in accordance with article 10(2).

Movement of pigs for export

20. - (1) No person shall move a pig off a holding for the purposes of intra-Community trade or export unless it is marked with an identification mark that includes -

- (a) a unique individual identification number in accordance with article 10(2); and
- (b) the letters "UK" before the herdmark.

(2) Paragraph (1) shall apply whether the identification mark is an eartag or a tattoo.

PART 6

Regulation of Movements

Movement of pigs

21. - (1) Any person transporting pigs shall carry a document, signed by the keeper, which specifies -

- (a) the address, including postcode and CPH number of the holdings from, and to which, the pig is being moved;
- (b) the date the movement is taking place;
- (c) the number of pigs that the document covers;
- (d) the identification mark of each of the pigs moved; and
- (e) in the case of a movement from a market, the lot numbers of the pigs being moved.

(2) Any person transporting a pig shall give the document referred to in paragraph (1) to the keeper at the holding of destination who shall retain it for at least 6 months.

(3) The keeper at the holding of destination shall, within 3 days of the arrival of a pig, send a copy of the document referred to in paragraph (1) to the local authority.

(4) The keeper of a pig being moved outside England shall send a copy of the document referred to in paragraph (1) to the local authority for the consigning holding.

Walking licences for pet pigs

22. - (1) A keeper of a pet pig may apply to the Secretary of State for a licence (a "walking licence") allowing him to move the pig without complying with articles 5 and 21.

(2) The person moving the pig under this licence must carry a copy of it throughout the movement.

Approved holdings

23. - (1) An approved holding is a holding which the Secretary of State may approve for the purposes of movements of pigs intended for breeding or growing.

(2) The approval shall specify which holdings pigs may be moved from and which holdings they may be moved on to.

(3) A movement of a pig between holdings approved under this article shall not trigger the standstill period in the Disease Control (England) Order 2003[2].

PART 7

Miscellaneous

Removal of an identification mark

24. No person shall, unless authorised by the Secretary of State, remove an identification mark applied or attached under this Order.

Replacement of an identification mark

25. - (1) No person shall, unless authorised by the Secretary of State, replace an identification mark applied or attached under this Order unless it has -

- (a) become illegible;
- (b) been removed for welfare reasons; or
- (c) been lost.

(2) Any person replacing an identification mark shall either -

- (a) apply an identical identification mark; or
- (b) apply a new identification mark and cross-refer the new identification mark with the original identification mark in the record kept under article 5.

Production of documents and records

26. An inspector may require any record made under this Order to be produced on demand and a copy or printout of it to be made.

Enforcement

27. - (1) This Order shall be enforced by the local authority.

(2) The Secretary of State may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority under this Order shall be discharged by the Secretary of State and not by the local authority.

Revocations

28. - (1) The following are revoked -

- (a) the Pigs (Records, Identification and Movement) (Interim Measures) (England) (No.2) Order 2002^[3];
- (b) the Pigs (Records, Identification and Movement) (Interim Measures) (England) (No. 2) (Amendment) Order 2003^[4].

(2) The Pigs (Records, Identification and Movement) Order 1995^[5] is revoked in relation to England only.

Ben Bradshaw

Parliamentary Under Secretary of State Department for Environment, Food and Rural Affairs

9th October 2003

SCHEDULE

Article 5

HOLDING MOVEMENT RECORD

The Pigs (Records, Identification and Movement) Order 2003

Name and address of person keeping the record

<i>Date of movement</i>	<i>Identification mark, slapmark or temporary mark</i>	<i>Number of pigs</i>	<i>Holding from which moved</i>	<i>Holding to which moved</i>

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies in England only, continues to implement Council Directive 92/102/EEC on the identification and registration of animals (OJ No L 355, 5.12.92, p.0032) and revokes and replaces the Pigs (Records, Identification and Movement) (Interim Measures) (England) (No. 2) Order 2002. (S.I. 2002/2154, as amended). It makes the following changes of substance -

- It removes the cessation provision so that the Order now has permanent effect (article 1).
- It amends the provisions relating to the identification of pigs so that -
 - before being moved off a holding, a pig over 12 months old must be marked with an identification mark or a slapmark (article 14) and a pig 12 months old or less must be marked in that way or with a temporary mark (article 15); and
 - a pig imported from outside the European Union must be identified at the destination of holding with an eartag or tattoo

containing the letters "UK" followed by the herdmark and the letter "F" (article 16).

In addition to the above requirements, the Order provides that -

- a pig 12 months old or less being moved to a slaughterhouse or slaughter market must be marked with an identification mark or a slapmark (article 18);
- a pig being moved to a show, exhibition or for export and also for breeding, where it is intended that the pig shall be returned to the holding from which it was moved, must be marked with an identification mark that includes a unique individual identification number (articles 19 and 20).
- It adds article 6 requiring slaughterhouse occupiers to record details of pigs that have not been identified under this Order.
- It extends the period that records must be retained from 3 to 6 years (article 9).

Part 2 sets out record keeping requirements, including the requirement to keep movement records (article 5), sale records at an auction (article 7) and records of the number of pigs on a holding (article 8).

Part 3 defines identification marks (article 10) and slapmarks (article 12) and specifies the requirements for eartags (article 11). Part 6 regulates the movement of pigs (article 21) and pet pigs (article 22) and authorises the Secretary of State to approve holdings from which pigs may be moved without triggering the standstill period in the Disease Control (England) Order 2003 (S.I. 2003/1729) in the holding of destination (article 23).

Part 7 prohibits the removal and replacement of identification marks, except in certain circumstances (articles 24 and 25).

The Order is enforced by the local authority (article 27).

Breach of the Order is an offence under section 73 of the Animal Health Act 1981, punishable in accordance with section 75 of that Act.

A Regulatory Impact Assessment has been prepared for this Order and placed in the library of each House of Parliament. Copies can be obtained from the Livestock Identification Division, Department for Environment, Food and Rural Affairs, 1A Page Street, London SW1P 4PQ.

Notes:

[1] 1981 c. 22. Functions conferred under the 1981 Act on "the Ministers" (as defined in section 86 of that Act) were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) and were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).[back](#)

[2] S.I. 2003/1729.[back](#)

[3] S.I. 2002/2154.[back](#)

[4] S.I. 2003/28.[back](#)

[5] S.I. 1995/11, as amended.[back](#)

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