

2006 No. 1506

ANIMALS, ENGLAND

ANIMAL HEALTH

**The Specified Animal Pathogens (Amendment) (England) Order
2006**

Made - - - - *10th June 2006*
Coming into force - - *4th July 2006*

The Secretary of State, in exercise of the powers conferred on him by sections 1, 88(2) and (4) of the Animal Health Act 1981(a), makes the following Order:

Title, commencement and application

1.—(1) This Order may be cited as the Specified Animal Pathogens (Amendment) (England) Order 2006 and comes into force on 4th July 2006.

(2) This Order applies in England only.

Amendment to the Specified Animal Pathogens Order 1998

2.—(1) The Specified Animal Pathogens Order 1998(b) is amended as follows.

(2) For article 4, substitute—

“Prohibitions in relation to specified animal pathogens

4.—(1) No person shall have in his possession—

- (a) any animal pathogen specified in Part 1 of the Schedule to this Order; or
- (b) any carrier in which he knows such a pathogen is present,

except under the authority of a licence issued by the Secretary of State.

(2) No person shall deliberately introduce into any animal any animal pathogen specified in either Part 1 or Part 2 of that Schedule, except under the authority of a licence issued by the Secretary of State.

(3) Paragraphs (1) and (2) are subject to article 5.

(4) If any person has in his possession any thing in respect of which he has reasonable grounds for suspecting that an animal pathogen specified in Part 1 of that Schedule is

(a) 1981 c. 22. Powers of the Secretary of State under the Act were previously exercised by “the Ministers” (see section 86(1)). Functions of the Ministers, so far as exercisable by the Secretaries of State of Scotland and Wales in relation to England, were transferred to the Minister of Agriculture, Fisheries and Food by S.I. 1999/3141. Functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by S.I. 2002/794.

(b) S.I. 1998/463.

present, and does not have a licence in respect of that pathogen, he shall forthwith notify a veterinary inspector.”.

(3) For article 5(2)(a), substitute —

“(a) permitted to be placed on the market under the Veterinary Medicines Regulations 2005(a) or the Medicines for Human Use (Marketing Authorisations etc) Regulations 1994(b);”.

(4) For article 5(2)(c), substitute —

“(c) in respect of which an animal test certificate has been issued in accordance with regulation 8(3) of the Veterinary Medicines Regulations 2005(c).”.

(5) For the Schedule, substitute the text in the Schedule to this Order.

10th June 2006

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

(a) S.I. 2005/2745.
(b) S.I. 1994/3144.
(c) S.I. 2005/2745.

SCHEDULE

Article 2(5)

“SCHEDULE

Articles 3 and 4

Specified animal pathogens

PART 1

African horse sickness virus

African swine fever virus

Aujeszky's disease virus

Avian influenza viruses which are —

- (a) uncharacterised;
- (b) Type A viruses which have an intravenous pathogenicity index in six-week-old chickens of greater than 1.2; or
- (c) Type A viruses H5 or H7 subtype for which nucleotide sequencing has demonstrated multiple basic amino acids at the cleavage site of haemagglutinin

Babesia bovis, *Babesia bigemina* and *Babesia caballi*

Bacillus anthracis

Bluetongue virus

Bovine leukosis virus

Brucella abortus, *Brucella melitensis*, *Brucella ovis* and *Brucella suis*

Burkholderia mallei

Classical swine fever virus

Cochliomyia hominivorax

Eastern and Western equine encephalomyelitis viruses

Echinococcus multilocularis and *Echinococcus granulosus*

Ehrlichia ruminantium

Equine infectious anaemia virus

Foot and mouth disease virus

Hendra disease virus

Histoplasma farciminosum

Japanese encephalitis virus

Lumpy skin disease virus

Mycoplasma agalactiae, *Mycoplasma capricolum* sub species *capripneumoniae*, *Mycoplasma mycoides* sub species *mycoides* SC and *mycoides* LC variants and *Mycoplasma mycoides* var *capri*

Newcastle disease (avian paramyxovirus type 1) viruses which are —

- (a) uncharacterised; or
- (b) have an intracerebral pathogenicity index in one-day-old chicks of 0.4 or more, when not less than 10 million 50% egg infectious doses (EID₅₀) are administered to each bird in the test

Nipah disease virus

Peste des petits ruminants virus

Rabies virus and all viruses of the genus *Lyssavirus*

Rift Valley Fever virus

Rinderpest virus

St Louis equine encephalomyelitis virus

Sheep and goat pox virus

Swine vesicular disease virus

Teschen disease virus

Theileria annulata, *Theileria equi* and *Theileria parva*

Trichinella spiralis

Trypanosoma brucei, *Trypanosoma congolense*, *Trypanosoma equiperdum*, *Trypanosoma evansi*, *Trypanosoma simiae* and *Trypanosoma vivax*

Venezuelan equine encephalomyelitis virus

Vesicular stomatitis virus

West Nile virus

PART 2

The live virus causing viral haemorrhagic disease of rabbits”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Specified Animal Pathogens Order 1998 (S.I. 1998/463). This Order—

- (a) adds Nipah disease virus, West Nile virus and St Louis equine encephalomyelitis virus to Part 1 of the Schedule;
- (b) updates certain terms in the Schedule with those now more commonly used by the scientific community;
- (c) updates certain references to veterinary medicines legislation; and
- (d) clarifies article 4 of the Order as to which controls apply to pathogens in each Part of the Schedule.

A draft of this Order was notified to the European Commission in accordance with Directive 98/34/EC (OJ No L 204 21/07/98 p37), as amended by Directive 98/48/EC (OJ L217 05/08/98 p18).

A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from the Information Resource Centre, Department for Environment, Food and Rural Affairs, Lower Ground Floor, Ergon House, 17 Smith Square, London, SW1P 3JR.

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E0782 6/2006 160782T 19585