

The Pigs (Identification and Notification) Order, 2013

Made

3rd December, 2013

Coming into operation

1st January, 2014

Laid before the States

2014

ARRANGEMENT OF PROVISIONS

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GUERNSEY STATUTORY INSTRUMENT

2013 No. 75

The Pigs (Identification and Notification) Order, 2013

THE COMMERCE AND EMPLOYMENT DEPARTMENT, in exercise of the powers conferred upon it by sections 27, 28, 30 and 33 of the Animal Health Ordinance, 1996^a and of all other powers enabling it in that behalf, hereby makes the following Order:-

Application of section 27.

1. Section 27 of the Animal Health Ordinance, 1996 applies to pigs.

Approved methods of identification.

2. The methods of identification in the Schedule are approved for pigs.

Duty to mark and identify pigs.

3. (1) The owner of a pig imported into the Islands must individually mark and identify the pig –
 - (a) where the pig is imported from a Member State of the European Union, the Bailiwick of Jersey or the Isle of Man, in accordance with Method 1, and
 - (b) where the pig is imported from elsewhere, in accordance with Method 2.

^a Recueil d'Ordonnances Tome XXVII, p. 10; as amended by Tome XXIX, pp. 397 and 406; Tome XXXI, pp. 260 and 567; G.S.I. No. 56 of 2002. See also Ordres en Conseil Vol. XXIX, p. 20.

(2) Subject to paragraph (1), the owner of a pig must individually mark and identify the pig in accordance with Method 2 on the occurrence of any of these events –

- (a) the pig being sold or its ownership being transferred to a new owner,
- (b) the pig being moved to the holding of another owner,
- (c) the pig being exported from the Islands, or
- (d) the pig reaching the age of 12 months or more.

(3) Subject to paragraphs (1) and (2) and article 4, the owner of a pig must individually mark and identify the pig in accordance with –

- (a) Method 3 if it reaches the age of 6 months or more, but less than 12 months, or
 - (b) Method 3 or Method 5 if it reaches the age of 6 months or more, but less than 12 months and is moved to a place where it is to be slaughtered.
- (4) This article is subject to article 8.

Alternative methods of identifying piglets for slaughter.

4. (1) A person required to mark and identify a pig in accordance with article 3(3)(a) or article 8(3) may mark and identify the pig in accordance with paragraph (2) or (3) instead.

(2) Where the pig is aged 10 weeks or less, that pig may be individually marked and identified in accordance with Method 4.

(3) Where the pig is older than 10 weeks but younger than 6 months of age, that pig may be individually marked and identified in accordance with Method 5.

Re-marking and re-identification not required.

5. Once a pig has been marked and identified in accordance with an approved method of identification, it must not be re-marked or re-identified except—

- (a) where required to be marked and identified using a different approved method of identification, or
- (b) where the identification mark is required to be replaced under article 6.

Replacement of lost, destroyed or illegible identification marks.

6. (1) If an identification mark is lost, destroyed or illegible, the owner of the pig identified with the identification mark must replace that mark, or cause it to be replaced, in accordance with paragraph (2), within the earlier of—

- (a) the expiry of 21 days following the loss or destruction, or
- (b) the pig being moved from the holding where it is kept.

(2) An identification mark replacing an identification mark that is lost, destroyed or illegible –

- (a) must be applied by the same method as the identification mark which it replaces, and
- (b) must display the same identification codes as the identification mark which it replaces.

Duty to notify ownership, etc.

7. The owner of a pig must give the Department written notice of each of the following events, within 14 days of the event –

- (a) the acquisition of a pig,
- (b) the birth of a pig,
- (c) the importation of a pig into any of the Islands, or
- (d) an approved method of identification being lost or destroyed or becoming illegible.

Transitional provisions.

8. (1) Article 3 does not apply to a relevant pig.

(2) The owner of a relevant pig must individually mark and identify the pig in accordance with Method 2 on the occurrence of any of these events

–

- (a) the pig being sold or its ownership being transferred to a new owner,
- (b) the pig being moved to the holding of another owner, or
- (c) the pig being exported from the Islands.

(3) Subject to paragraph (2) and article 4, if a pig is moved to a place where it is to be slaughtered, the owner of the animal must individually mark and identify that animal –

- (a) where it has reached the age of 6 months or more, but less than 12 months, in accordance with Method 3 or Method 5, or
- (b) where it is 12 months of age or older, in accordance with Method 2.

(4) In this article, "**relevant pig**" means a pig that was present in any of the Islands immediately before the commencement date.

Interpretation.

9. (1) In this Order, unless the context requires otherwise –

"**approved method of identification**", in relation to any pig, means a method of identification approved under article 2,

"**commencement date**" means the date specified in article 11 for this Order to come into force,

"**Directive 2008/71/EC**" means Council Directive 2008/71/EC of 15

July 2008 on the identification and registration of pigs^b,

"enactment" means any Law, Ordinance or subordinate legislation,

"identification mark" means an identification mark applied in accordance with an approved method of identification,

"the Islands" means the islands of Guernsey, Herm or Jethou,

"Method 1", **"Method 2"**, **"Method 3"**, **"Method 4"** and **"Method 5"** respectively means the approved method of identification so numbered in the Schedule,

"moved to the holding of another owner" means so moved for a period longer than 30 days,

"owner", in relation to any pig, includes the keeper of the pig,

"pig" means any animal of the family *suidae*, and

"subordinate legislation" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

(2) In this Order, a reference to any enactment is a reference to the enactment as from time to time amended, varied, re-enacted (with or without modification), extended or applied.

(3) The provisions of the Interpretation (Guernsey) Law, 1948^c

^b OJ L 213, 8.8.2008, p. 31.

apply to the interpretation of this Order as they apply to the interpretation of an enactment.

Citation.

10. This Order may be cited as the Pigs (Identification and Notification) Order, 2013.

Commencement.

11. This Order comes into force on the 1st January, 2014.

Dated this 3rd day of December, 2013

A handwritten signature in black ink, appearing to be 'K.A. Stewart', written in a cursive style.

DEPUTY K.A. STEWART
Minister of the Commerce and Employment Department
For and on behalf of the Department

^c Ordres en Conseil Vol. XIII, p. 355.

SCHEDULE

APPROVED IDENTIFICATION METHODS

Article 2

Method 1

Identification in accordance with Directive 2008/71/EC.

Method 2

Application of two plastic ear tags, each displaying "UK 159", a unique identification code assigned to the owner by the Department and a unique numerical identification code assigned to that pig by the owner.

Method 3

Application of one plastic ear tag displaying "UK 159" and a unique identification code assigned to the owner by the Department.

Method 4

Application of a permanent tattoo displaying "UK 159" and a unique identification code assigned to the owner by the Department, on a single ear, using equipment approved by the Department for this purpose.

Method 5

Application of a permanent slap mark displaying "UK 159" and a unique identification code assigned to the owner by the Department, on each shoulder, using a slap marker approved by the Department for this purpose.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order directs owners and keepers of pigs to mark and identify their pigs using approved identification methods. Transitional provisions allow pigs that were present in the Islands immediately before the commencement of this Order to be marked and identified in accordance with article 8.

This Order also requires owners and keepers of pigs to notify the Department of certain events.

This Order comes into force on the 1st January, 2014.