

Avian influenza (bird flu) controls

Rules on meat produced from poultry and farmed game birds originating in the Protection Zone

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Summary

This document applies to food business operators (FBOs) (excluding distributors and retailers) following the declaration of protection and surveillance zones to control Highly Pathogenic Avian Influenza (HPAI) in:

- Isle of Anglesey (declared on 28 January 2021)
- North Yorkshire (declared on 08 February 2021)

It provides an explanation of the specific rules to be followed for any meat produced from poultry or farmed game birds originating within the Protection Zone(s). The rules relate to the marking, separation and movement of meat intended for human consumption.

We make these rules in order to reduce animal health risks. Other meat (that is, from poultry

not originating within the Protection Zone) is unaffected. The Food Standards Agency (FSA) advises that, on the basis of scientific evidence, avian influenza poses a very low food safety risk for consumers. Properly cooked poultry and poultry products remain safe to eat.

This document only applies in respect of an outbreak of HPAI in poultry and is not a definitive statement of the law – precise requirements are set out in legislation and the General Licences we have issued.

Meat from poultry or farmed game birds originating within the Protection Zone can be moved or sold, subject to several conditions. These include a requirement that the health mark is replaced with a specific mark (approved by the Secretary of State for each outbreak) which must remain with it throughout any processing or repackaging. Under some specific circumstances, the recipient of poultry meat is permitted to remove the specific mark temporarily for production, and in some circumstance not to re-apply it.

Legal framework

The following legislation is relevant to these outbreaks of HPAI: [The Avian Influenza and Influenza of Avian Origin in Mammals \(England\) \(No.2\) Order 2006](#).

Restricted and unrestricted meat

The term “**restricted meat**” is used to mean:

- Meat from poultry originating from a Protection Zone (PZ);
- Meat from poultry originating from an area that subsequently became a protection zone and was slaughtered **within** 20 or fewer days of the date estimated by a veterinary inspector as being the earliest date of infection at a premises in the relevant zone. This date may change as the epidemiology of the outbreak develops. A list of dates is provided in the Table of Key Dates below;
- Meat that has not been kept separate from the previous 2 categories;
- Any meat, processed meat or meat products derived from any of the above;

To help businesses the dates which apply to restricted meat will be published online. This date may change as the epidemiology of the outbreak develops.

The term “**unrestricted meat**” is used to mean:

- Meat from poultry originating outside of a PZ; or
- Meat from poultry originating in an area that subsequently became a PZ but was slaughtered at least 21 days **before** the date estimated by a veterinary inspector as being the earliest date of infection at a premises in the relevant PZ. This date may change as the epidemiology of the outbreak develops. A list of dates is provided in the Table of Key Dates below.

- Any meat falling into the restricted meat category that has been heat treated to at least 70°C throughout by an approved establishment (in accordance with Article 4 of Regulations (EC) No 853/2004) becomes unrestricted meat and can be marked with the oval identification mark.
- There are no special measures for meat produced from wild game birds during an outbreak of HPAI **in poultry**, thus all such meat is unrestricted¹.

Meat from birds slaughtered after the lifting of the PZ will be unrestricted meat. However, meat from any birds slaughtered before the PZ is lifted and falling under the definition of restricted meat will remain restricted, as will any meat that is subsequently not kept separate from restricted meat.

Requirements of restricted meat

- Restricted meat must be marked with a special mark by an approved establishment. The special mark must then be carried throughout the chain (see illustration below);
- The special mark must not be removed except under the terms of the licence EXD264(HPAI)(E)² which allows for the removal and reapplication of the mark for processing and repackaging;
- FBO receiving live poultry, farmed game or farmed game carcasses from a PZ must ensure that meat from those birds is obtained, cut, transported and stored separately from other meat;
- Restricted meat which is packaged and correctly marked may be stored in the same location as packaged unrestricted meat.
- Restricted meat bearing the special mark must be kept separate from unrestricted meat at all times including during transportation;
- Restricted meat must be produced in accordance with Article 63 (2) of The Avian Influenza and Influenza of Avian Origin in Mammals (England) (No.2) Order 2006;
- Slaughterhouses which are designated by the FSA to receive and process birds from a PZ must notify its clients accordingly.

¹ Additional measures may be introduced for outbreaks of HPAI H5N1 which will be published at <https://www.gov.uk/guidance/avian-influenza-bird-flu> alongside this document

² Published at <https://www.gov.uk/guidance/avian-influenza-bird-flu> alongside this document

The special mark shall be:



Where:

- a) letters must be 8mm high
- b) approval number of the premises (XXXX) must be 11mm high
- c) diameter of mark not less than 30mm
- d) thickness of the border of 3mm

In the case of packaging containing cut meat or offal, the mark must be applied to a label fixed to the packaging, or printed on the packaging, in such a way that it is destroyed when the packaging is opened. This is not necessary, however, if the process of opening destroys the packaging.

When wrapping provides the same protection as packaging, the label may be affixed to the wrapping.

For products of animal origin that are placed in transport containers or large packages and are intended for further handling, processing, wrapping or packaging in another establishment, the mark may be applied to the external surface of the container or packaging.

Please note you are required to maintain the special mark on packaging/ wrapping throughout the chain until it reaches the consumer. General licence EXD264(HPAI)(E)³ allows for the special mark to be removed for the purposes of processing and/or repacking, subject to the conditions set out in the Schedule. Retail butchers and catering establishments directly supplying the final consumer may remove the special mark and are not required to reapply it.

Any unrestricted meat that has come into contact at any stage of transport, storage, processing or handling, with any restricted meat, must be handled as if it were controlled meat and the above conditions, including marking applied.

³ Published at <https://www.gov.uk/guidance/avian-influenza-bird-flu> alongside this document

Movement of restricted meat and products

General licence EXD249(HPAI)(E)⁴ is available to allow movements subject to the conditions of that licence being met. Movement of restricted meat out of Great Britain cannot be authorised.

Requirements for premises to process meat during an outbreak

Slaughterhouses that are either located within the Protection Zone (PZ) or Surveillance Zone (SZ), or which are located outside of the PZ/SZ and receive and process poultry originating from within the PZ or SZ are required to apply to the Food Standards Agency for designation – email approvals@food.gov.uk.

These designations are defined as:

- Level 1 – Slaughterhouses handling only unrestricted poultry originating from the SZ or slaughterhouses located within the PZ or SZ receiving poultry from outside the PZ which will produce unrestricted meat during an outbreak of avian influenza
- Level 2 – Slaughterhouses receiving poultry originating from within the PZ which will produce restricted meat during an outbreak of avian influenza

Disposal of waste and animal by-products

Level 2 designated slaughterhouses processing birds from the PZ are required to adhere to the special animal by-product (ABP) categorisation and disposal rules in accordance with Articles 9, 10, 13 and 14 of Regulation (EC) No 1069/2009, as amended:

- No raw product can go into pet food production
- FBO will need a written confirmation from the rendering company that Category 3 ABP material will be subjected to a minimum heat treatment of 70°C
- If the FBO does not have this confirmation, Category 3 ABPs from birds originating from a PZ must be disposed as Category 2 ABP or above
- If Category 3 ABPs from birds originating in the PZ get mixed with Category 3 ABP from birds outside the PZ, the above controls apply to the entirety.

All approved meat processing establishments handling restricted meat bearing the special mark are advised to dispose of Category 3 ABP through a route that involves heat treatment to a minimum of 70°C.

⁴ Published at <https://www.gov.uk/guidance/avian-influenza-bird-flu> alongside this document

On-farm slaughtering and exemptions from ID and health marking

You must obtain a licence from APHA before you slaughter your poultry at your on-farm slaughter facility when it is in a Protection or Surveillance Zone. This licence includes a requirement for pre-slaughter inspection and, in the Protection Zone, additional conditions for onward movement of the meat.

Registered on-farm slaughter facilities are only registered for the direct supply, by the producer, of small quantities of meat from poultry and lagomorphs slaughtered on the farm to the final consumer or to local retail establishments directly supplying such meat to the final consumer as fresh meat.

Registered slaughter facilities are not eligible to apply a health or identification mark to meat. At these establishments, the Special Mark described in this document must not be applied as this would suggest a degree of meat inspection and control that is not applicable at these premises. The absence of a mark achieves the same outcome as the animal health Special Mark as the meat may only be sold within GB and is not eligible for export to Third countries or for intra-community trade.

Where the slaughterhouse is not an FSA Approved establishment, the facility must have been Registered with your Local Authority for a Primary Producer exemption from 853/2004. Where a Registered on-farm slaughter facility is in the Protection Zone you must also apply to APHA for your On-farm Slaughter Facility to be designated before slaughtering.

Table of key dates

In the rules, the terms “restricted meat” and “unrestricted meat” are defined on the basis of when poultry are slaughtered, and by reference to the date estimated by a veterinary inspector as being the earliest date of infection at a premise in the relevant zone.

The following list, for each recent Infected Premises (IP), defines this date. This information may change as the epidemiology of an outbreak develops.

Infected Premises	Protection Zone Declared	Earliest Infection Date*	Meat produced from poultry originating in this area on or since this date is restricted *	Until the Protection Zone is lifted
Frodsham, Cheshire	03 November 2020	24 October 2020	04 October 2020	27 November 2020
Leominster, Herefordshire	12 November 2020	04 November 2020	15 October 2020	9 December 2020

Infected Premises	Protection Zone Declared	Earliest Infection Date*	Meat produced from poultry originating in this area on or since this date is restricted *	Until the Protection Zone is lifted
Melton Mowbray, Leicestershire	23 November 2020	13 November 2020	24 October 2020	17 December 2020
Northallerton, North Yorkshire	29 November 2020	22 November 2020	02 November 2020	29 December 2020
Northallerton, North Yorkshire	03 December 2020	22 November 2020	02 November 2020	29 December 2020
Attleborough, Norfolk	04 December 2020	27 November 2020	07 November 2020	09 January 2021
Kings Lynn, Norfolk	05 December 2020	28 November 2020	08 November 2020	10 January 2021
Willington, South Derbyshire	15 December 2020	30 November 2020	10 November 2020	08 January 2021
Orkney, Scotland	19 December 2020	06 December 2020	16 November 2020	12 January 2021
Gillingham, North Dorset, Dorset	19 December 2020	12 December 2020	22 November 2020	11 January 2021
Attleborough, Breckland, Norfolk	20 December 2020	29 November 2020	09 November 2020	19 January 2021
Hawes, Richmondshire, North Yorkshire	22 December 2020	09 December 2020	19 November 2020	10 January 2021
Attleborough, Breckland, Norfolk	28 December 2020	02 December 2020	12 November 2020	19 January 2021
Ickburgh, near Watton, Breckland, Norfolk	28 December 2020	12 December 2020	22 November 2020	27 January 2021
Near Exmouth, East Devon, Devon	29 December 2020	19 December 2020	29 November 2020	21 January 2021
Near Alwch, Wales	28 January 2021	20 January 2021	31 December 2020	TBC
Near Redcar, North Yorkshire	08 February 2021	30 January 2021	10 January 2021	TBC

* This table of dates will be updated as the outbreak develops. The earliest infection date and the related “restricted” date may change as the investigations into the source of disease on each infected premises develops. We will update this table to reflect revised dates.

Restricted meat remains restricted despite the ending of the Protection Zone.

Legal references

EU references in this guidance document are relevant during the transition period.

The UK exited the EU on 31 January 2020. There is now a transition period until the end of 2020 while the UK and EU negotiate additional arrangements. EU law continues to apply in the UK during the transition period, including rules on food and feed. This means references in this guidance to EU regulations (as amended) and any related EU guidance material remain relevant.

From 1 January 2021, other than in Northern Ireland, any references to EU Regulations should be read as meaning retained EU law. You can access retained EU law via HM Government EU Exit Web Archive. This should be read alongside any EU Exit legislation that was made to ensure retained EU law operates correctly in a UK context. EU Exit legislation is on legislation.gov.uk. In Northern Ireland, EU law will continue to apply in respect to most of the food and feed hygiene and safety law, as listed in the Northern Ireland Protocol, and retained EU law will not apply to Northern Ireland in these circumstances.