

Declaration of the ending of a Protection Zone (Highly Pathogenic Avian Influenza near Elham, Folkestone & Hythe, Kent made at 21.00 on 20 July 2023 and the area that formed that Protection Zone becomes part of the Surveillance Zone centred on grid reference TR1713844352 (AIV 2023/37)

1) The Avian Influenza and Influenza of Avian Origin in Mammals (England) (No 2) Order 2006¹ (as amended) (“the Order”).

2) In accordance with article 36(1) and (2) of the Order the Secretary of State declares that from 16.30 on 18 August 2023 the Protection Zone (with a 3 kilometre radius) declared at 21.00 on 20 July 2023 ends and the area that formed that Protection Zone becomes part of the Surveillance Zone (with a 10-kilometre radius) centred on grid reference TR1713844352.

3) Surveillance Zone measures that applied in the 20 July 2023 Declaration (reproduced in Annex 2 to this declaration) now apply to the whole Surveillance Zone that is described in Annex 1 and shown depicted in the map attached at Annex 3.

4) The Secretary of State declares that the Declaration made at 21.00 on 20 July 2023 is hereby revoked and replaced by this declaration of a Surveillance Zone from 16.30 on 18 August 2023.

Signed:

Gordon Hickman

16.30 on 18 August 2023

Failure to comply with this Declaration may be an offence under section 72 or 73 of the Animal Health Act 1981.

Copies of this Declaration and of the Order are available at <https://www.gov.uk/guidance/avian-influenza-bird-flu> and from the Department for

¹ S.I. 2006/2702, as amended by 2018/1406, 2021/ 1472, 2022/1108 and 2022/1224.

Annex 1 – Surveillance Zone

The Surveillance Zone comprises the area of England contained within the black circle of radius 10 kilometres, centred on grid reference TR1713844352. The grid reference is to the Ordnance Survey [1:250,000 Road series] and the map is attached at Annex 3.

Annex 2 – Measures in a Surveillance Zone

Record of visitors

- 1) Subject to paragraph 5, the occupier of any premises where poultry or other captive birds are kept must make records of—
 - (a) the name and address of any person visiting the premises (unless the visit is only to a part of the premises where people live and where no poultry or other captive birds are kept);
 - (b) the date of the visit;
 - (c) whether the person had any contact with poultry or other captive birds on the premises.

Record of poultry

- 2) The occupier of any premises where poultry or other captive birds are kept in the zone must—
 - (a) make a record of all poultry entering or leaving those premises as soon as reasonably practicable after the movement;
 - (b) immediately report to the Secretary of State any increased morbidity or mortality or significant drop in egg production or, where relevant, feed or water intake, or other relevant information relating to the production of eggs on the premises.

Record of poultry movements

- 3) Subject to paragraph 5, any person who is engaged in the transport or marketing of poultry or poultry eggs in the zone must, as soon as is reasonably practicable, make a record of all poultry and poultry eggs transported or marketed by him.

Poultry movements to be recorded

- 4) The records referred to in paragraphs 2 and 3 above must include—

- (a) the quantity and description (including species of poultry and type of egg) transported or marketed;
- (b) in the case of a movement from premises in the zone—
 - (i) the date of the movement off the premises;
 - (ii) the premises of destination (if known);
 - (iii) the name and address of the person to whom ownership or possession is being or has been transferred;
- (c) in the case of a movement onto premises in the zone—
 - (i) the date of the movement;
 - (ii) the premises from which the movement originated (if known);
 - (iii) the name and address of the person from whom ownership or possession is being or has been transferred;
- (d) in the case of marketing without an associated movement, the identity and address of the person to whom and the date on which ownership was transferred.

Scope of record keeping duties

- 5) Paragraphs 1 and 3 do not apply in respect of the movement of—
 - (a) eggs direct to retail premises, at or from such premise or subsequent to such a movement;
 - (b) people to zoos, wildlife parks or (unless required by the Secretary of State) any other premises open to the public, provided the public has no access to any area where birds are kept;
 - (c) the following onto any premises where poultry or other captive birds are kept—
 - (i) any person on a public right of way or exercising any other right of access to the premises;
 - (ii) trespassers;
 - (iii) any person executing this Order.

Restrictions on the movement of poultry, other captive birds and mammals onto and off premises

- 6) (1) Subject to sub-paragraph (2), no person shall move poultry, other captive birds or mammals from or to premises in the zone where poultry or other captive birds

are kept, unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

(2) Sub-paragraph (1) does not apply to pet animals which—

- (a) only have access to that part of the premises where people live;
- (b) have no contact with poultry or other captive birds on the premises; and
- (c) have no access to any cages or areas on the premises where poultry or other captive birds are kept.

Biosecurity measures

- 7) The occupier and any person entering or leaving premises in the zone where poultry, other captive birds or eggs are kept must—
 - (a) take such biosecurity measures as he considers necessary to reduce the risk of the spread of avian influenza to or from the premises; and
 - (b) comply with any biosecurity requirements which a veterinary inspector or an inspector under the direction of a veterinary inspector by notice to him, imposes.

Litter, poultry manure and slurry

- 8) (1) No person shall remove from premises in the zone or spread used poultry litter, poultry manure or poultry slurry unless licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.
- (2) The movement of manure, with appropriate biosecurity in place, may be authorised, by a veterinary inspector, from a premises situated in the surveillance zone to a designated plant, for treatment or for intermediate storage for subsequent treatment, to mitigate against the risk of the spread of avian influenza virus.

Gatherings of poultry

- 9) No person shall permit any poultry or other captive birds to be collected together at any fair, market, show, exhibition or other gathering in the zone.

Release of game

- 10) No person shall release game birds in the zone.

Restrictions on the movement of poultry and eggs within the zone

- 11) Subject to paragraph 12, no person shall move any poultry or eggs within the zone (other than through the zone by road or rail without stopping), unless they comply

with all relevant biosecurity measures laid down by a veterinary inspector in licence conditions.

Wholesale and retail distribution of eggs within the zone

- 12) Paragraph 11 does not apply to the movement of eggs direct to wholesale or retail premises, or subsequent to such a movement.

Biosecurity measures

- 13) A veterinary inspector must not grant a licence under paragraph 11 unless he is satisfied that the licensee will take appropriate biosecurity measures and the taking of such measures must be conditions of the licence.

Movement of poultry to a slaughterhouse

- 14) A veterinary inspector may license the movement of poultry from outside any avian influenza protection and surveillance zones to a slaughterhouse within the surveillance zone and subsequent movements of the meat derived from such poultry.

Restrictions on the movement of poultry and eggs out of the zone

- 15) (1) Subject to paragraph 16, no person shall move any poultry or eggs out of the zone, unless the movement is—
- (a) a movement set out in sub-paragraph (2); and
 - (b) licensed by a veterinary inspector.
- (2) The movements referred to in sub-paragraph (1) are movements of—
- (a) poultry for slaughter (if the requirements of paragraph 17 are met);
 - (b) day-old chicks hatched from eggs originating within the protection or surveillance zone or from eggs which came into contact with such eggs (if the requirements of paragraph 18 are met);
 - (c) day-old chicks hatched from eggs originating outside the protection and surveillance zones kept separate from eggs produced in such a zone (if the requirements of paragraph 19 are met);
 - (d) ready-to-lay poultry or brood-to-move Galliformes to premises or a part of any premises where no poultry are kept;
 - (e) hatching eggs from the zone—
 - (i) to a designated hatchery; or

(ii) to designated premises for use for scientific, diagnostic or pharmaceutical purposes

(if, in both cases, the requirements of paragraph 20 are met);

(f) eggs to a designated egg packing centre (if the requirements of paragraph 21 are met);

(g) eggs to an egg processing plant;

(h) eggs for disposal;

(i) poultry to a veterinary surgery for treatment or return to the premises of origin following such a movement.

Wholesale and retail distribution of table eggs

16) Paragraph 15 does not apply to a movement of table eggs direct to wholesale or retail premises or subsequent to such a movement.

Requirements for the movement of poultry from premises in the zone to a designated slaughterhouse

17) Poultry must not be moved from premises in the zone to a designated slaughterhouse outside the zone unless the following requirements are met—

(a) a veterinary inspector has examined the poultry at the premises no more than 24 hours before they leave the premises;

(b) on the basis of a risk assessment, samples have been taken from the poultry and tested for avian influenza in accordance with the diagnostic manual;

(c) the appropriate minister responsible for the designated slaughterhouse has been informed and has agreed to receive the poultry.

Requirements for the movement of day-old chicks hatched from eggs produced within the protection or surveillance zone or from eggs which have had contact with such eggs

18) Day-old chicks from eggs produced within the protection or surveillance zone or from eggs which have had contact with such eggs must not be moved unless any biosecurity measures laid down by a veterinary inspector by notice or licence condition are complied with.

Requirements for the movement of day-old chicks hatched from eggs originating outside the protection and surveillance zones

- 19) Day-old chicks from eggs originating outside any avian influenza protection and surveillance zones must not be moved unless the hatchery within the zone is operated in such a way that eggs from outside the zone do not come into contact with eggs or day-old chicks from within the zone.

Requirements for the movement of hatching eggs from the zone to a designated hatchery, or to designated premises for use for scientific, diagnostic or pharmaceutical purposes

- 20) Hatching eggs must not be moved from the zone to a designated hatchery or to designated premises for use for scientific, diagnostic or pharmaceutical purposes unless the eggs and their packaging are disinfected before they leave the premises.

Requirements for the movement of eggs to an egg packing centre

- 21) Eggs must not be moved to a designated egg packing centre unless—
- (a) they are packed in disposable packaging or packaging which has been cleansed and disinfected in accordance with instructions of a veterinary inspector; and
 - (b) any person transporting the eggs complies with any biosecurity measures laid down by a veterinary inspector.

Cleansing and disinfection of vehicles carrying any thing which may be contaminated

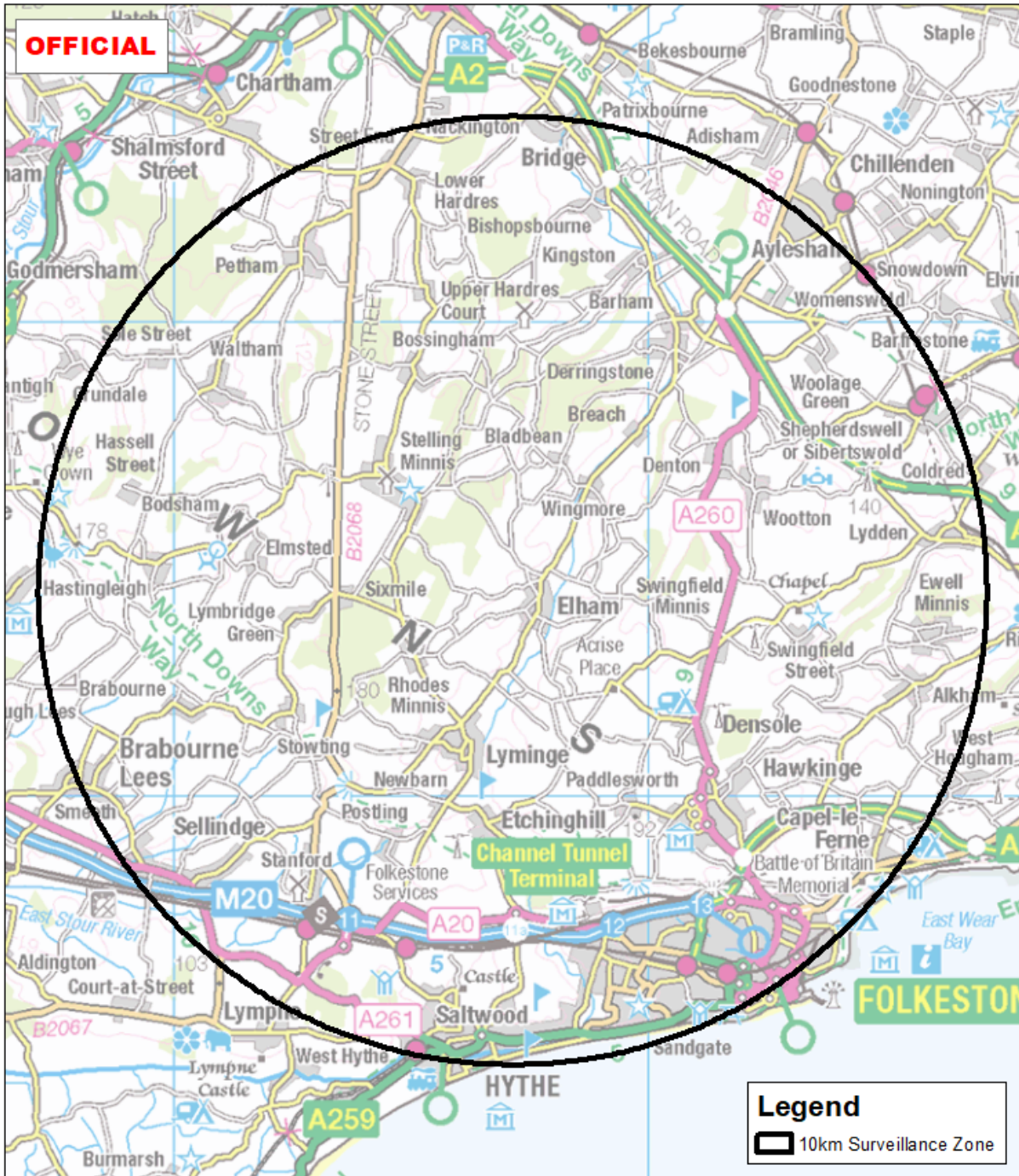
- 22) A person who transports any poultry, other captive bird, meat, feed, manure, slurry, litter or any other thing which may be contaminated must cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded, in accordance with article 66 of the Order.


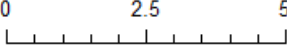

Cleansing and disinfection of vehicles

- 23) A person who enters or leaves premises in the zone by vehicle must cleanse and disinfect without delay any part of the vehicle which may have been contaminated, in accordance with article 66 of the Order.

Annex 3 – Map showing the Surveillance Zone in England

**Highly Pathogenic Avian Influenza H5N1,
10km Surveillance Zone,
Near Elham, Folkestone and Hythe, Kent.
18th August 2023**



 Animal & Plant Health Agency	© Crown copyright and database rights 2023 Ordnance Survey AC0000815687	 0 2.5 5 Kilometers		Department for Environment Food & Rural Affairs
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