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STATUTORY INSTRUMENTS

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**2011 No. 2830 (W.303)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Pigs (Records, Identification  
and Movement) (Wales) Order 2011**

*Made* - - - - 22 November 2011

*Coming into force* - - 25 November 2011

The Welsh Ministers, in whom the powers conferred by sections 1 and 8(1) of the Animal Health Act 1981 are now vested<sup>(1)</sup> make the following Order in exercise of those powers:

**PART 1**

Introduction

**Title, application and commencement**

1. The title of this Order is the Pigs (Records, Identification and Movement) (Wales) Order 2011. It comes into force on 25 November 2011 and applies in relation to Wales.

**Interpretation**

2. In this Order—

“BPEX” (“*BPEX*”) means the division of the Agriculture and Horticulture Development Board with responsibility for the pig industry in England.

“CPH number” (“*rhif CPH*”) means the county parish holding number assigned to a holding by the Welsh Ministers;

“herdmark” (“*marc cenfaint*”) means an alphanumeric code issued by the Welsh Ministers under article 4(2);

“holding” (“*daliad*”) means any establishment, construction or, in the case of an open air farm, any place in which pigs are held, kept or handled;

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(1) 1981 c. 22. The functions of “the Ministers” so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of S.I. 1999/672. The functions of a Minister of the Crown so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of S.I. 2004/3044. Section 162 of, and Schedule 11 to, the Government of Wales Act 2006 c. 32, vest these functions in the Welsh Ministers.

“identification mark” (“*marc adnabod*”) means an eartag or tattoo which complies with article 6;

“keeper” (“*ceidwad*”) 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;

“MLCSL” (“*MLCSL*”) means Meat and Livestock Commercial Services Limited.

### **Notifications etc**

3.—(1) Any notification, licence, or approval issued under this Order must be in writing.

(2) Licences and approvals may be subject to conditions and may be suspended, amended or revoked in writing at any time.

## **PART 2**

### **Records**

#### **Notification of holdings**

4.—(1) An occupier of a holding who begins to keep pigs on that holding, and any person who takes over the occupation of a holding where pigs are kept, must notify the Welsh Ministers within one month of—

- (a) their name and address; and
- (b) the address of the holding.

(2) On receipt of a notification under paragraph (1) the Welsh Ministers must issue a herdmark.

(3) The occupier must notify the Welsh Ministers of any change to the information in paragraph (1) within one month.

(4) The occupier must notify the Welsh Ministers within one month if that occupier ceases to keep pigs at any holding notified under paragraph (1).

#### **Records**

5.—(1) The keeper must complete the form in the Schedule within 36 hours of the movement of a pig on or off a holding.

(2) Once a year a keeper must record the maximum number of pigs normally on the holding and the actual number of pigs on the holding at that date.

(3) The keeper must keep these records for at least 3 years.

## **PART 3**

### **Identification**

#### **Ear tags and tattoos**

6.—(1) An ear tag must 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 ear tag nor the information printed or stamped on it can be damaged by the processing of the carcass following slaughter; and
- (f) designed to remain attached to the pig without harming it.

(2) A tattoo must be applied either by tattoo forceps, in which case it must be on an ear, or by slap-marking equipment, in which case it must be on each shoulder and must, in either case, be easy to read.

(3) As an alternative to applying a tattoo by the methods referred to in paragraph (2) a keeper may apply a tattoo to each shoulder by means of equipment which uses compressed air to drive the tattooing pins into the skin of the pig provided the tattoo is easy to read.

(4) A keeper may mark a pig with any further information, or add further information to the ear tag or tattoo provided that the further information is clearly distinguished from the information required under this Order.

#### **Identification of pigs moved off a holding**

- 7.—(1) No person may move a pig off a holding unless it has—
- (a) an ear tag with the letters “UK” followed by the herdmark of the holding from which the pig is moved off; or
  - (b) a tattoo showing that herdmark (with or without the letters “UK”); applied in accordance with article 6.
- (2) Subject to the Disease Control (Wales) Order 2003(2) in the case of a market—
- (a) a pig may be moved off if it is marked with the herdmark of the holding from which it arrived;
  - (b) if the pig is not correctly identified in accordance with these Regulations when it arrives at a market its keeper may correct the identification so that it is identified with the herdmark of the holding from which it arrived, but if the keeper does not do so the pig may only be returned to the holding it came from.

#### **Exception for a pig less than one year old**

- 8.—(1) Article 7 does not apply in relation to a pig less than one year old provided that it is identified with a temporary mark that—
- (a) either by itself or by reference to a document accompanying the pig during the movement enables the holding from which the pig was last moved to be identified; and
  - (b) lasts until the pig reaches its destination.
- (2) This exception does not apply in relation to a pig being moved—
- (a) to a market;
  - (b) to a slaughterhouse;
  - (c) for the purposes of intra-Community trade or export; or
  - (d) to a show.

#### **Additional identification requirements for movements of pigs to shows, porcine semen centres etc.**

- 9.—(1) No person may move a pig off a holding—

- (a) to a show or exhibition;
- (b) for breeding purposes with the intention of returning the pig to the holding from which it was moved; or
- (c) for the purpose of collection of semen at a porcine semen centre,

unless it is marked in accordance with article 7 or with a herdmark that includes a unique individual identification number.

#### **Additional requirements for export**

**10.** No person may move a pig off a holding for the purposes of intra-Community trade or export unless it has an ear tag or tattoo in either case bearing the letters “UK” followed by a herdmark and a unique individual identification number.

#### **Identification of pigs moved onto a holding from outside the European Union**

**11.—(1)** Subject to paragraph (3) any person importing a pig from outside the European Union must apply an ear tag or 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 ear tag 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.

(3) A person importing a pig from outside the European Union need not apply a new identification mark in accordance with paragraph (1) where a pig is moved directly to a slaughterhouse and is slaughtered within 30 days of its arrival from outside the European Union.

## **PART 4**

### **Movements**

#### **Movement of pigs other than movements to markets or collection centres**

**12.—(1)** Subject to articles 13, 14, 15 and 16(2) keepers, other than markets, must notify BPEX of all movements of pigs from their holdings before those movements take place.

(2) Keepers may notify BPEX electronically by entering the following information onto the BPEX movement recording system—

- (a) the address, including the postcode, and CPH number of the holdings from and to which the pigs are being moved;
- (b) the date of the movement;
- (c) the number of pigs being moved;
- (d) the identification mark of each pig moved, and in the case of a movement specified in article 9 or 10 that must include the unique individual identification number required by those articles.

(3) If a keeper does not notify BPEX electronically they must provide the information listed in paragraph (2) by telephone or in writing to MLCSL and may not move those pigs until they have received a document from MLCSL recording that information.

(4) When MLCSL receives notification of movement information under paragraph (3) it must, within one working day of receipt excluding weekends, send the keeper sufficient copies of a document recording that information to enable the keeper, and any transporter and the keeper at the holding of destination to meet their recording obligations.

(5) When pigs are moved from a market the market must notify BPEX of the information at paragraph (2) in relation to those pigs electronically on the day of the movement.

(6) In this article “BPEX movement recording system” (“*system gofnodi symudiadau BPEX*”) means the electronic movement recording system maintained for the purpose of notifications under this Order by BPEX and “working day” (“*diwrnod gwaith*”) means a day which is not a Saturday or a Sunday, Christmas Day, Good Friday or a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971(3).

### **Transitional provisions**

**13.**—(1) Until 1 January 2012 if the market cannot notify BPEX electronically in accordance with article 12(5), it must provide the information listed in article 12(2) by telephone or in writing to MLCSL on the day of the sale.

(2) Until 1 April 2012 a keeper, other than a market, sending pigs to another holding may, instead of notifying the movement under article 12, complete and sign a document that specifies—

- (a) the address, including postcode and CPH number of the holding from and to which the pigs are being moved;
- (b) the date of the movement;
- (c) the number of pigs that the document covers;
- (d) the identification mark of each pig moved, and in the case of a movement specified in article 9 or 10 that must include the unique individual identification number required by those articles.

(3) The keeper must give a copy of this document to the person transporting the pigs.

(4) The transporter must give a copy of this document to the keeper receiving the pigs.

(5) The keeper who is given a copy of this document when receiving the pigs must send it within 3 days to MLCSL.

### **Movement of pigs to markets or collection centres**

**14.**—(1) A keeper moving pigs to a market need not notify the movement in advance if the market notifies BPEX electronically of the information listed in article 12(2) on the day of the pigs arrival at the market.

(2) A keeper moving pigs to a collection centre need not notify the movement in advance if the collection centre has agreed with the keeper to notify BPEX electronically of the information listed in article 12(2) on the day of the pigs arrival at the collection centre.

### **Movement of pigs to veterinary practices for emergency treatment**

**15.** A keeper moving a pig to a veterinary practice for emergency treatment need not notify the movement.

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(3) 1971 c. 80 to which there are amendments not relevant to this Order.

### **Movement of pigs from shows**

16.—(1) When a keeper intends to move a pig from their holding to a show and knows which holding they intend to move the pig to after the show, they must notify both the movement to the show and the movement from the show in accordance with article 12 before moving the pig to the show.

(2) When a keeper moves a pig to a show without knowing which holding they intend to move the pig to after the show, they must provide, in relation to the movement from the show, the information in article 12(2) to BPEX or report to MLCSL within 3 days of the move from the show.

### **Transport of pigs**

17.—(1) Any person transporting pigs must carry a document that specifies—

- (a) the address, including postcode and CPH number of the holdings from and to which the pigs are being moved;
- (b) the date of the movement;
- (c) the number of pigs that the document covers;
- (d) the identification mark of each of the pigs moved and in the case of a movement specified in article 9 or 10, this must include the unique individual identification number required by those articles; and
- (e) in the case of a movement from a market, the lot numbers of the pigs being moved,

and, if the movements are not being reported electronically, that document is signed by the keeper.

(2) The transporter must give two copies of the document to the keeper at the holding of destination if that new keeper is not able to notify BPEX electronically that the new keeper has received those animals.

### **Arrival of pigs at a holding**

18.—(1) The keeper at the holding of destination must keep the document referred to in article 17(1) for at least 6 months unless the keeper notifies the movement under paragraph (2)(a).

(2) The keeper at the holding of destination must, within 3 days of arrival of the pigs, either—

- (a) record on the BPEX movement recording system the number of pigs arriving at their holding; or
- (b) submit the same information to MLCSL by telephone, by fax or in writing.

### **Export of pigs**

19. In the case of a pig moved from a holding to a port and intended for consignment outside Great Britain the keeper at that holding must report the movement via BPEX or send a copy of the document referred to in article 17 to MLCSL within 3 days of the animal leaving the holding.

### **Walking licences for pet pigs**

20. The Welsh Ministers may grant a walking licence to a keeper of a pet pig allowing them to take the pig for a walk off the holding without complying with article 5 or 12, but the person walking the pig must carry a copy of the licence throughout the walk.

### **Approved holdings**

21.—(1) The Welsh Ministers may approve a holding for the purposes of movements of pigs intended for breeding or growing.

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

(3) A movement of pigs between holdings approved under this article does not trigger the standstill period in the Disease Control (Wales) Order 2003.

## **PART 5**

### **Miscellaneous**

#### **Removing or defacing an identification mark**

**22.** No person may, unless authorised by the Welsh Ministers, remove or deface an identification mark.

#### **Replacement of an identification mark**

**23.—**(1) A keeper must replace an identification mark if it has—

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

(2) Any person replacing an identification mark must 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**

**24.** 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**

**25.—**(1) This Order is enforced by the local authority.

(2) The Welsh Ministers may direct, in relation to cases of a particular description or any particular case, that they will enforce this Order instead of the local authority.

(3) In this article “local authority” (“*awdurdod lleol*”) means a county borough council or county council in Wales.

#### **Revocations and amendments**

**26.—**(1) The Pigs (Records, Identification and Movement) Order (Wales) 2008 is revoked<sup>(4)</sup>.

(2) In article 12(2) of the Disease Control (Wales) Order 2003 replace “article 10 of the Pigs (Records, Identification and Movement) (Interim Measures) (Wales) (No 2) Order 2002” with “article 20 of the Pigs (Records, Identification and Movement) (Wales) Order 2011”.

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(4) S.I. 2008/1742 (W.172).

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**Status:** *This is the original version (as it was originally made). Wales  
Statutory Instruments are not carried in their revised form on this site.*

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22 November 2011

*Alun Davies*  
Deputy Minister for Agriculture, Food, Fisheries  
and European Programmes, under authority  
of the Minister for Business, Enterprise,  
Technology and Science, one of the Welsh  
Ministers



SCHEDULE

Article 5

HOLDING MOVEMENT RECORD

**The Pigs (Records, Identification and Movement) (Wales) Order 2011**

Name and address of the person keeping the record

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Date of movement	The identification number <sup>(1)</sup>	Number of pigs	Holding from which moved	Holding to which moved
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- (1) In the case of a movement specified in article 9 or 10, this must include the unique individual identification number required by those articles.
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**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order, which applies in relation to Wales, continues to implement Council Directive [2008/71/EEC](#) on the identification and registration of pigs (OJ No L 213, 8.8.2008, p.31). It revokes and replaces the Pigs (Records, Identification and Movement) (Wales) Order 2008 (S.I.[2008/1742](#)) (W.172).

The principal change is that it requires pre-notification to a central, computerised database of most movements of pigs.

The Order requires that a person keeping pigs on a holding must notify the Welsh Ministers (article 4) and requires a record to be kept (article 5 and the Schedule). Article 24 provides that an inspector is entitled to see these records and require copies.

Articles 6 to 11 require pigs to be marked with ear tags or tattoos and specify what these identification marks must contain.

Articles 12 to 20 deal with the procedures for notification of movements and the necessary documentation.

Article 21 allows the Welsh Ministers to exempt some movements from the requirements of the Disease Control (Wales) Order 2003 (S.I. [2003/1966](#)) (W.211).

Articles 22 and 23 govern the removal and replacement of identification marks.

The Order is enforced by the local authority (article 25).

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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 of the effects this Order will have on the costs of business, the voluntary sector and the public sector has been prepared and is available from the Welsh Government, Cathays Park Cardiff, CF10 3NQ.