



Jersey

FOWL PEST (JERSEY) ORDER 1958

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FOWL PEST (JERSEY) ORDER 1958

Arrangement

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FOWL PEST (JERSEY) ORDER 1958¹

THE ECONOMIC DEVELOPMENT COMMITTEE, in pursuance of Articles 3, 6, 10, 24, 26 and 42 of the Diseases of Animals (Jersey) Law 1956,² orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order –

“approved disinfectant” has the meaning assigned to it in the Diseases of Animals (Approved Disinfectants) (Jersey) Order 1958;³

“carcase” means the carcase of any poultry or any part thereof;

“day-old chick” means a live bird of the following species, that is to say, domestic fowls, turkeys, geese, ducks and guinea-fowls during the first 72 hours of its life or while it has not been fed, whichever period is the shorter;

“disease” means fowl pest in any of its forms, including Newcastle disease, fowl plague and pneumoencephalitis;

“disinfect” means disinfect with an approved disinfectant;

“egg-packing station” means any premises on which is habitually carried on the trade or business of testing, grading, stamping or packing poultry eggs;

“equipment” includes utensils, pens, crates, baskets, boxes, sacks, nets and receptacles;

“examine” includes the taking of specimens for laboratory examination.

“Law” means the Diseases of Animals (Jersey) Law 1956;⁴

“owner” includes an authorized agent of the owner;

“poultry” means any live birds of the following species that is to say –

(a) domestic fowls, turkeys, geese, ducks and guinea-fowls; and

- (b) partridges, pheasants and pigeons kept in contact with domestic fowls, turkeys, geese, ducks or guinea-fowls;

“premises” includes land;

“refuse” means whole or damaged eggs rejected as unfit for sale, discarded egg trays and other equipment, and any straw, litter or waste matter found with, or used in connection with, poultry eggs;

“store poultry” means poultry not intended for immediate slaughter and being over the age of 28 days or, in the case of geese and ducks, over the age of 9 days.

2 Precautions to be adopted on premises where disease is suspected

- (1) The occupier of any premises on which there are any diseased or suspected poultry or carcasses shall –
 - (a) prevent the introduction of poultry and the access of any person (other than the person attending to the poultry) to the premises or part of the premises on which any diseased or suspected poultry or carcass is or has been kept; and
 - (b) detain on those premises any poultry and any carcasses, other than dressed carcasses which are neither diseased nor suspected.
- (2) The restrictions imposed by this Article shall remain in force until such time as they are withdrawn by a notice served on the occupier of the premises by or on behalf of the Minister or until such time as there has been served on the occupier the notice prescribed by Article 4(2).
- (3) Nothing in this Article shall prevent the burning or burying of any carcass on the premises to which this Article relates.

3 Veterinary enquiry by the Minister

Where notice has been given under Article 4 of the Law that any poultry is affected with disease or where there are reasonable grounds for suspecting that any poultry or carcasses are affected with disease, the Minister shall cause the diseased or suspected poultry or carcasses to be examined by the Veterinary Officer.

4 Declaration of an infected place

- (1) Where as the result of an examination under Article 3, it is confirmed that there are diseased poultry or carcasses on any premises, the Minister may declare those premises to be an infected place:

Provided that no such declaration may be made in respect of the premises of the States' Slaughterhouse.
- (2) The Minister, as soon as may be after declaring any premises to be an infected place, shall cause to be served on the occupier of those premises a notice of such declaration.

- (3) The Minister may at any time vary a declaration under paragraph (1) and, in such a case, shall cause to be served on the occupier of the infected place a notice specifying the variation so made.
- (4) Where under this Article any premises have been declared to be an infected place, those premises shall forthwith become subject to the provisions of Article 5, and it shall be the duty of the occupier of the infected place to comply with such of the rules set out in Article 5(1) as apply to that place as well as with such additional and modified rules as may be specified in a notice served on the occupier under Article 5(2).
- (5) The Minister may cause notices to be affixed or exhibited on or about an infected place for ensuring notification that the premises have been declared to be an infected place.
- (6) The Minister, as soon as satisfied that any premises declared to be an infected place no longer constitute a danger of spreading the infection of disease, shall declare those premises no longer to be an infected place.
- (7) The Minister, as soon as may be after declaring any premises no longer to be an infected place, shall cause to be served on the occupier of those premises of such declaration.

5 Rules applicable to an infected place

- (1) Subject as directed under paragraph (2), any premises declared to be an infected place under Article 4 shall, so long as they remain so declared, be subject to the following rules –
 - (a) no live poultry shall be moved into or out of the infected place;
 - (b) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no carcase shall be moved out of the infected place;
 - (c) no eggs intended for hatching shall be moved out of the infected place;
 - (d) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no foodstuffs, litter, droppings, utensil, food-bag, crate, hurdle, poultry appliance, vehicle or other thing shall be moved out of the infected place;
 - (e) all droppings, litter and waste food shall be thoroughly disinfected to the satisfaction of the Veterinary Officer before being permitted to be removed from any building, house, shed, pen, yard or other place in which any diseased or suspected poultry or carcase are or have recently been kept;
 - (f) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no person shall enter or leave the infected place:

Provided that this rule shall not apply to the occupier of the infected place, the members of the occupier's household, an inspector or the person attending the poultry;

- (g) any person whatsoever entering any part of the infected place shall wear suitable overall clothing and boots which are capable of being disinfected and shall, before leaving such place, thoroughly cleanse and disinfect such clothing and boots and also the person's hands;
 - (h) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no person attending diseased or suspected poultry shall attend poultry which are not diseased or suspected.
- (2) The Minister may cause to be served on the occupier of an infected place a notice –
 - (a) directing that such additional rules as may be specified in the notice shall apply to the infected place; or
 - (b) directing that any of the rules set out in paragraph (1) shall not apply to the infected place or shall apply subject to such modifications as may be specified in the notice.

6 Cleansing and disinfection

- (1) The occupier of any premises or place or any part thereof, on which there has been any diseased or suspected poultry or carcase shall, if so required by or on behalf of the Minister, cleanse and disinfect, in such manner and within such time as may be specified in the requirement, those premises or that place or any part thereof and any utensil, appliance or other thing used in connection with such poultry or carcase.
- (2) The owner or the person for the time being in charge of any vehicle in which any diseased or suspected poultry or carcase has been conveyed, and of any utensil, appliance or other thing therein or used in connection therewith, shall, if so required by or on behalf of the Minister, cleanse and disinfect, in such manner and within such time as may be specified in the requirement, that vehicle, utensil, appliance or other thing.
- (3) Where the occupier of any premises or place, or any part thereof, or the owner or person for the time being in charge of any vehicle, utensil, appliance or other thing, as aforesaid, fails to carry out, within the time specified in a requirement under paragraph (1) or (2), as the case may be, of this Article, the cleansing and disinfection specified in the requirement, the Minister may, without prejudice to any proceedings for an offence in respect of such default, cause to be carried out the cleansing and disinfection so required and, in such a case, may recover from the person in default, as a civil debt, the expenses of such cleansing and disinfection.

7 Restrictions on the movement of poultry exposed to infection

- (1) Where there is reason to believe that there are, or have been within 28 days, on any premises any poultry which have been exposed in any manner to the infection of disease, the Minister, for the purpose of preventing the spread of disease, may cause to be served on the occupier of those premises a notice prohibiting the movement of any live poultry into or out of those premises except under and in accordance with a

permit in writing granted by or on behalf of the Minister, and it shall be the duty of the occupier of those premises to comply with the terms of the notice.

- (2) A notice served under paragraph (1) shall remain in force until withdrawn by or on behalf of the Minister.

8 Declaration of an infected area

- (1) In any case where, under Article 4, the Minister has declared any premises to be an infected place, the Minister may declare the whole Island, or any part thereof, to be an infected area.
- (2) If, and for so long as, any area has been declared an infected area under paragraph (1) of this Article, the provisions of Articles 9 to 17 inclusive shall have effect.
- (3) A declaration under paragraph (1) of this Article shall be of no effect unless notice of the fact that it has been made and of the purport thereof has been published in a newspaper circulating in Jersey.

9 Movement into or out of an infected area

- (1) Except with a permit in writing granted by or on behalf of the Minister, no poultry shall be moved into or out of an infected area.
- (2) The occupier of the premises to which poultry are moved under the authority of a permit as aforesaid shall detain such poultry on those premises for a period of 28 days from the date of their arrival on those premises.

10 Movement within an infected area

- (1) Except with a permit in writing granted by or on behalf of the Minister, no poultry shall be moved from premises in an infected area to other premises within that area.
- (2) A permit under paragraph (1) shall be granted only in respect of the movement of –
- (a) poultry intended for immediate slaughter to premises where there are no poultry other than poultry intended for immediate slaughter; or
- (b) poultry which are store poultry or are to be used for special breeding purposes.
- (3) Where poultry to which paragraph (2)(a) applies are moved to any premises, the occupier of those premises shall slaughter such poultry within 48 hours of their arrival on those premises and they shall not be moved alive from those premises.
- (4) Where poultry to which paragraph (2)(b) applies are moved to any premises, the occupier of those premises shall detain such poultry on

those premises for a period of 28 days from the date of their arrival on those premises.

11 Prohibition on exhibition of poultry for show purposes

- (1) It shall not be lawful to hold any exhibition or show of poultry on any premises in an infected area.
- (2) For the purposes of this Article, any premises which are situate partly within an infected area and partly outside that area shall be deemed to be wholly within the infected area.

12 Power to close footpaths and premises in an infected area

- (1) The Minister, notwithstanding the existence of any footpath or right of way, may prohibit the entry of any person into any field, shed or other place in an infected area by giving notice in writing to that effect to the occupier of that field, shed or other place.
- (2) The owner of any poultry (including day-old chicks) or animals in a field, shed or other place in respect of which a prohibition under paragraph (1) has been imposed, or the owner's agents or servants, may enter that field, shed or other place, for the sole purpose of feeding or tending that poultry or those animals but, except under and in accordance with a permit in writing granted by or on behalf of the Minister, such owner, or the owner's agents or servants, shall not enter that field, shed or other place for any other purpose.
- (3) The Minister may cause notices to be affixed or exhibited, in such manner as he or she thinks fit, for ensuring notification of any prohibition imposed under this Article.

13 Control of poultry in an infected area

The Minister may cause to be served on the occupier of any premises in an infected area on which poultry are kept or are temporarily detained while awaiting slaughter, a notice requiring the occupier to keep such poultry under such control as may be specified in the notice or to confine the poultry in such part of those premises or in such equipment as may be so specified, and it shall be the duty of the occupier of those premises to comply with the terms of the notice.

14 Precautions to be taken by persons sexing day-old chicks in an infected area

- (1) No person shall engage in the operation of determining the sex of day-old chicks on any premises in an infected area unless the person is wearing overall clothing capable of being cleansed and disinfected in accordance with the provisions of paragraph (2).
- (2) Any person to whom paragraph (1) applies shall, before leaving any premises on which the person was so engaged –

- (a) cleanse and disinfect his or her overall clothing by steeping it in boiling water or in an approved disinfectant;
- (b) cleanse and disinfect his or her footwear by immersing it in, or thoroughly sponging it with, an approved disinfectant;
- (c) cleanse and disinfect any instrument used in the operation;
- (d) wash and brush his or her hands thoroughly with soap and hot water and then immerse them in an approved disinfectant.

15 Cleansing and disinfection of vehicles used for the conveyance of poultry

- (1) The owner of any vehicle who, in the course of a trade or business involving the habitual collection of poultry from farms, uses that vehicle for the conveyance of poultry (including day-old chicks), poultry carcasses, poultry offal or poultry feathers into, within or out of an infected area shall, as soon as practicable after each occasion on which the vehicle is so used and before any other poultry (including day-old chicks), poultry carcasses, poultry offal, poultry feathers or any fodder or litter or any other thing used for or about poultry or day-old chicks is placed therein, cleanse and disinfect the vehicle in the manner following –
 - (a) the floor, roof, sides and ends of the inside of the vehicle, and the sides and ends of the outside of the vehicle, and all parts thereof with which any poultry or day-old chicks or their droppings or other excretions have, or may have, come in contact, shall be scraped and swept, and the scrapings and sweepings and all manure, sawdust, litter and other matter shall be effectually removed therefrom; the parts aforesaid of the vehicle shall then be thoroughly washed or scrubbed or scoured with water and thoroughly coated or washed with an approved disinfectant;
 - (b) the scrapings and sweepings of the vehicle and all manure, sawdust, litter and other matter removed therefrom shall forthwith be well mixed with quick-lime and effectually removed from contact with any poultry, or be destroyed by fire.
- (2) Where the owner of a vehicle fails to carry out the cleansing and disinfection required under this Article, the Minister may, without prejudice to any proceedings in respect of such default, cause such cleansing and disinfection to be carried out and, in such a case, may recover from the owner, as a civil debt, the expenses of such cleansing and disinfection.

16 Precautions to be taken by operators of egg packing stations

- (1) The operator of an egg packing station, whether situated within or without an infected area, who uses a vehicle for the conveyance of poultry eggs from premises in an infected area to that egg packing station shall, as soon as practicable after each occasion on which the vehicle is so used and before any other poultry eggs, or any poultry (including day-old chicks), poultry carcasses, poultry offal, poultry feathers, or any fodder or

litter or any other thing intended to be used for or about poultry eggs or poultry (including day-old chicks) are placed therein, cleanse and disinfect the vehicle in the manner prescribed in Article 15(1)(a) and (b).

- (2) On each occasion when a vehicle is required by paragraph (1) to be cleansed and disinfected, the operator of the egg packing station shall thoroughly cleanse and disinfect any equipment used in connection with the conveyance of poultry eggs as aforesaid, by thoroughly coating, washing or saturating it with an approved disinfectant or, if the equipment is incapable, without detriment, of being so cleansed and disinfected, the operator shall fumigate that equipment in the manner following –
 - (a) the equipment shall be loosely stacked in a room the walls and ceiling of which are constructed of impermeable material and, before the operations described in sub-paragraphs (d) and (e) are completed, the whole of the inner surfaces of which shall be lightly damped and all doors (other than the exit door), windows and other apertures closed or covered in such manner as to render the room as airtight as possible;
 - (b) the fumigation shall be by means of the release of free formaldehyde gas by the chemical reaction of the quantities of potassium permanganate and a 40% solution of formalin specified in sub-paragraph (c);
 - (c) the quantities referred to in sub-paragraph (b) are 2 ounces of potassium permanganate and 3 ounces of a 40% solution of formalin for every 100 cubic feet of air space contained in the room in which the equipment has been placed, and proportionate quantities for any fraction of 100 cubic feet;
 - (d) the potassium permanganate shall be placed in a large metal receptacle and this receptacle shall be placed in a metal receptacle sufficiently large to contain any overflow of fluid that may result when the 2 substances are brought together;
 - (e) the receptacles so arranged shall be placed in the room in which the equipment has been placed and the 40% solution of formalin shall be quickly poured into the inner receptacle containing the potassium permanganate;
 - (f) forthwith upon the resulting release of formaldehyde gas, the exit door of the room shall be closed and shall remain closed and undisturbed for not less than 40 minutes after the release of the gas;
 - (g) any persons engaged in the operation of this fumigation should wear gas masks; and
 - (h) the formaldehyde gas must not be brought into contact with poultry eggs.
- (3) The provisions of Article 15(2) shall apply in the case of the failure of the operator of an egg packing station to cleanse and disinfect any vehicle or equipment in accordance with the provisions of this Article.
- (4) Where poultry eggs are conveyed from any premises in an infected area to an egg packing station, whether situated within or without the infected area, the operator of the egg packing station shall, as often as may be

necessary during the period beginning with the arrival of the poultry eggs at that egg packing station and ending 48 hours after the infected area has been declared no longer to be an infected area, cause the refuse contained in the packing station to be burned or buried therein or in the buildings or on the land attached thereto within 48 hours of the deposit of that refuse in the egg packing station and shall, throughout the period first above-mentioned, take such steps as may be necessary for the purpose of preventing poultry from coming into contact with any refuse contained in the egg packing station.

17 Production of permit and giving of name and address

The person in charge of any poultry being moved in an infected area where, under this Order, a permit authorizing the movement is necessary, shall on demand made by any officer in an administration of the States for which the Minister is assigned responsibility or any police officer, produce the permit and allow a copy of, or extract from, the permit to be taken and shall, if so required, give the person's name and address.

18 Citation

This Order may be cited as the Fowl Pest (Jersey) Order 1958.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Fowl Pest (Jersey) Order 1958	R&O.3960	1 December 1958
States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005	R&O.132/2005	9 December 2005

Table of Endnote References

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- ¹ *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *chapter 02.400*
- ³ *chapter 02.400.14*
- ⁴ *chapter 02.400*