STATUTORY INSTRUMENTS

2026 No. 440

ANIMALS, ENGLAND

ANIMAL HEALTH

The Avian Influenza and Influenza of Avian Origin in Mammals (England) (Amendment) Order 2026

Made - - - -	*21st April 2026*
Coming into force - -	*22nd April 2026*

The Secretary of State makes this Order in exercise of the powers conferred by sections 1, 8, 23, 35(1) and 35(3) of the Animal Health Act 1981(**a**).

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Avian Influenza and Influenza of Avian Origin in Mammals (England) (Amendment) Order 2026.

(2) This Order comes into force on 22nd April 2026.

(3) This Order—

(a) extends to England and Wales;

(b) applies in relation to England only.

Amendments of the Avian Influenza and Influenza of Avian Origin in Mammals (England) (No.2) Order 2006

2. In the Avian Influenza and Influenza of Avian Origin in Mammals (England) (No.2) Order 2006(**b**), in article 24 (measures when meat and eggs have been traced)—

(a) for paragraph (1) substitute—

"(1) No person may move meat from the premises to which it has been traced under article 23, except in accordance with paragraph (1A) (including that paragraph as applied in the circumstances set out in paragraph (1B) or (1D)).";

(b) for paragraph (1A) substitute—

"(1A) The Secretary of State may—

(**a**) 1981 c. 22. Functions conferred under the Animal Health Act 1981 on "the Minister" and "the Ministers" (as defined by section 86 of that Act) are now exercisable by the Secretary of State. They were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by S.I. 1999/3141. Functions of the Minister of Agriculture, Fisheries and Food were then transferred to the Secretary of State by S.I. 2002/794.

(**b**) S.I. 2006/2702; relevant amending instruments are S.I. 2022/1224, 2023/1415.

(a) dispose of meat traced from infected premises under article 23;

(b) require disposal of the meat, by notice to the person in possession of it;

(c) license the movement of the meat to a food processing establishment for treatment, where, following a risk assessment, the Secretary of State is satisfied that the movement and treatment will not endanger animal health and that the treatment will inactivate the avian influenza virus.

(1B) Where the premises to which the meat has been traced is a food processing establishment, the meat may be moved from that establishment where—

(a) following a risk assessment, the Secretary of State is satisfied that treatment at those premises will inactivate the avian influenza virus and will not endanger animal health; and

(b) the meat has undergone treatment to achieve a core temperature of 70°C for at least 3.5 seconds.

(1C) Where meat traced from infected premises under article 23 has been moved to a food processing establishment under a licence issued under paragraph (1A)(c), no person may move the meat from that food processing establishment unless the meat has undergone treatment to achieve a core temperature of 70°C for at least 3.5 seconds.

(1D) The Secretary of State may also exercise the power in paragraph (1A)(c) in circumstances where the Secretary of State considers it appropriate to license the movement of the meat from one food processing establishment to another, whether the earlier food processing establishment was the premises to which the meat had been traced or the meat had been moved there under a licence issued under paragraph (1A)(c).".

Hayman of Ullock
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

21st April 2026

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Avian Influenza and Influenza of Avian Origin in Mammals (England) (No.2) Order 2006 (S.I. 2006/2702, "the 2006 Order") to regulate the movement of poultrymeat traced from infected premises during the unregulated period of infection (as defined in article 2 of the 2006 Order). The amendments made to article 24 of the 2006 Order allow the Secretary of State to destroy or require the destruction of the traced meat or (subject to risk assessment, and as an alternative to the destruction of such meat) permit its movement to a food processing establishment for treatment. Once the traced meat has been treated in accordance with new paragraph (1B) or (1C) of article 24 of the 2006 Order (as the case may be), its movement will no longer be restricted.

A full impact assessment has not been produced for this instrument as no, or no significant impact on the private, voluntary or public sector is foreseen. Instead, a de minimis assessment has been prepared as this instrument is likely to result in a net cost benefit, but the net impact is estimated to be below £10 million per year. A copy of the assessment is available from the Exotic Disease Control Team at the Department for Environment, Food and Rural Affairs, Second floor, Seacole Building, 2 Marsham Street, London, SW1P 4DF; email: exotic.disease.policy@defra.gov.uk.

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