



STATUTORY INSTRUMENTS.

S.I. No. 535 of 2025

AVIAN INFLUENZA (TEMPORARY MEASURES) REGULATIONS 2025

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The Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on him by section 36 of the Animal Health and Welfare Act 2013 (No. 15 of 2013), and for the purpose of giving full effect to Regulation (EU) 2016/429 of 9 March 2016¹, Commission Delegated Regulation (EU) 2020/689 of 17 December 2019² and Commission Delegated Regulation (EU) 2020/687 of 17 December 2019³, in so far as those Regulations apply to Avian Influenza, make the following regulations:

1. These are the Avian Influenza (Temporary Measures) Regulations 2025.
2. These Regulations, other than Regulations 4 (2), (3) and (4), apply in that part of the State more particularly described in Schedule 1 ("surveillance zone"), and Schedule 2 ("protection zone").
3. Land or premises—
 - (a) that lies partly within the protection zone and partly within the surveillance zone is deemed to lie wholly within the protection zone, and
 - (b) subject to paragraph (a), that lies partly within the surveillance zone, and partly outside the surveillance zone is deemed to lie wholly within the surveillance zone.
4. (1) A person shall not move, or cause or permit another person to move, poultry, other captive birds, poultry meat (subject to Regulation 5), eggs, carcasses, feed materials or straw originating on land or premises situate in the protection zone or the surveillance zone, poultry litter or poultry manure –
 - (a) from the land or premises where they are situate, or
 - (b) onto land or premises situate within an area described in either Schedule 1 or Schedule 2,

except in accordance with a licence issued by the Minister.

(2) A person shall not have poultry, other captive birds, poultry meat, eggs, carcasses, feed materials or straw originating on land or premises situate in the protection zone or the surveillance zone, poultry litter or poultry manure that has been moved in contravention of paragraph (1) in his or her possession or under his or her control.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02016R0429-20210421>

² Delegated regulation - 2020/689 - EN - EUR-Lex (europa.eu)

³ OJ L 174, 3.6.2020, p. 64

(3) A person shall not spread, or cause or permit another person to spread, poultry litter or manure on land except in accordance with a licence issued by the Minister.

(4) A person shall not move poultry, other captive birds or eggs that have been moved from land or premises situate within an area described in either Schedule 1 or Schedule 2 from the place to which the poultry, other captive birds or eggs have been moved (whether the last-mentioned place is within an area described in either Schedule 1 or Schedule 2 or otherwise) until a period of at least 21 days has elapsed since the arrival of such poultry, other captive birds or eggs at that place.

(5) Paragraphs (1) and (4) do not apply to table eggs moved directly from an egg packing centre if-

- (a) the table eggs were transported to the egg packing centre in-
 - (i) single-use disposable packaging, or
 - (ii) packaging which has been cleaned and disinfected in a manner that kills the avian influenza virus, and
- (b) are moved directly to –
 - (i) an egg product plant approved in accordance with the European Communities (Food and Feed Hygiene) Regulations 2020,
 - (ii) a premises used for the retail sale or wholesale of eggs.

5. A person shall not move poultry meat from land or premises used by a food business operator (within the meaning of the European Communities (Food and Feed Hygiene) Regulations 2020) as a slaughterhouse, cutting plant or cold store unless the poultry meat –

- (a) is –
 - (i) obtained from poultry which originated from premises situate outside the protection zone, and
 - (ii) stored and transported separately from poultry meat obtained from poultry which originated from premises situate within the protection zone, or
- (b) is –
 - (i) marked in accordance with Annex IX of Commission Delegated Regulation 2020/687 of 17 December 2019⁴, and
 - (ii) intended for sale or supply within the State and is not exported.

6. A person who has poultry or other captive birds in his or her possession or under his or her control or otherwise has knowledge of such poultry or other

⁴ Delegated regulation - 2020/687 - EN - EUR-Lex

captive birds shall immediately notify an authorised officer at the Regional Veterinary Office of the Department of Agriculture, Food and the Marine within whose functional area the poultry or other captive birds situate of any increased levels of avian influenza, deaths of poultry or other captive birds, or significant production drop among poultry or captive birds.

7. (1) A person shall not move, or cause or permit another person to move, a farm animal, other than poultry or other captive birds, from land or premises where poultry or other captive birds are present or cause or permit such an animal to be on other land or premises except in accordance with a licence issued by the Minister.

(2) A person shall not cause or permit a farm animal, including poultry or other captive birds, to be brought onto land or premises where poultry or other captive birds are present or cause or permit such an animal to be on the land or premises except in accordance with a licence issued by the Minister.

8. A person shall not release poultry or other captive birds from the land or premises where they are kept or cause or permit such birds to be released or stray from that land or premises.

9. (1) An application for a license under these Regulations shall be in a form, contain such particulars and be made in a manner that the Minister may determine.

(2) The Minister may grant a license, attach conditions to a license, vary a condition, insert a new condition, withdraw a license, or refuse an application.

10. (1) A person shall not bring a vehicle onto land or premises where poultry or other captive birds are present unless the vehicle has been cleaned and disinfected in a manner that kills the avian influenza virus –

- (a) prior to coming onto the land or premises, and
- (b) after it has been on other land or premises where poultry or other captive birds are present or being in contact with poultry, other captive birds, eggs, carcasses, poultry litter or poultry manure.

(2) A person shall not have a vehicle that has been brought onto land or premises in contravention of paragraph (1) in his or her possession or under his or her control.

11. A person who has charge of a vehicle, machinery or equipment used in connection with poultry or other captive birds or that has been in contact with poultry or other captive birds shall take all necessary steps to ensure that the vehicle, machinery or equipment is cleaned and disinfected before and immediately after use or contact with poultry, other captive birds or any other thing that could be affected by avian influenza virus with in in a manner that kills the virus, in accordance with the instructions (if any) of an authorised officer.

12. A person who has poultry or other captive birds in his or her possession or under his or her control shall take all necessary measures to ensure that all animal and carcasses are disposed of as soon as possible in accordance with Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009⁵.

13. A person who, on land or premises, has poultry or other captive birds in his or her possession or under his or her control shall take all necessary steps to ensure that all parts of a vehicle that enters or leaves the land or premises is cleaned and disinfected in a manner that kills the avian influenza virus, in accordance with the instructions (if any) of an authorised officer.

14. (1) A person in possession or control of land or premises where poultry or other captive birds are present shall maintain a record of all persons who enter the land or premises and make the record available upon request to an authorised officer.

(2) Paragraph (1) does not apply to persons normally resident there who enter a dwelling on the land or premises without having contact with poultry or other captive birds, or to a zoo or wildlife park.

15. Regulations 4, 5, 6, 7, 8, 10, 11, 12, 13 and 14 are penal provisions to which section 36 (4) (b) of the Animal Health and Welfare Act 2013 applies.

16. A veterinary practitioner may take a sample from an animal or animal product and submit it to a laboratory situate within the State for examination, testing or analysis other than for the detection of avian influenza.

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02009R1069-20191214>

Schedule 1

Regulation 2

Surveillance zone

The parts of the counties of **Monaghan** contained within a circle of a radius of 10 kilometers excluding the 3km protection zone, centered on

- (a) Latitude 54.183636974764276, Longitude -6.832071001324294
- (b) generally described as Clontibret, Co. Monaghan

Schedule 2

Regulation 2

Protection zone

The parts of the county **Monaghan** contained within a circle of a radius of 3 kilometers, centered on

- (a) Latitude 54.183636974764276, Longitude -6.832071001324294
- (b) generally described as Clontibret, Co. Monaghan



GIVEN under the Official Seal of the Minister for
Agriculture, Food and the Marine,,
10 November, 2025.

JUNE FANNING ,
An officer authorised to authenticate the official Seal of
the Minister.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations provide for precautionary measures to be taken in surveillance and protection zones established in counties **Monaghan** to facilitate the control and eradication of avian influenza.

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