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trading standards law explained

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Key legislation

Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Scotland

The Animal Health Act 1981, the Disease Control (Interim Measures) (Scotland) Order 2003 and the Pigs (Records, Identification and Movement) (Scotland) Order 2011 lay down strict controls on keeping pigs, even as pets.

This legislation is in place because all pigs are farmed animals in the eyes of the law, whether kept as pet pigs or as part of a large commercial herd. Pigs are susceptible to highly contagious diseases, which if

allowed to spread unchecked could decimate the UK farming industry, as was seen during the 2001 footand-mouth disease outbreak. Pigs are farmed animals and must be properly disposed of if they die; burial is illegal.

If you intend to breed and sell or send animals to slaughter, then additional rules apply.

Risk of disease

When keeping a pig in domestic surroundings there is the potential risk of exposure to animal diseases, which you and your family members could catch. You should think seriously about how you will look after a pig in such a situation and the special precautions you will need to take to prevent illness.

New keepers

If you want to keep pigs, you must notify the <u>Animal and Plant Health Agency (APHA)</u> of your name and address, and the address of the holding on which the pigs will be kept (which includes domestic property, if you intend to keep them at home). This must be done within one month. APHA should be contacted via your <u>local APHA office</u> or <u>customer.registration@apha.gov.uk</u>. You will be asked for your county parish holding (CPH) number as a reference (see below) and they will then provide you with your herd mark, which is alphanumeric and is a quick and effective method for identifying premises from which pigs have moved.

You must also notify APHA, within one month, if you stop keeping pigs or if there are any changes to the details initially provided.

Official documentation and registration: legal requirements

Before you move pigs on to your land, you must obtain a CPH number. This is an individual identification number for the land and buildings where your pigs will be kept. To apply for a CPH number, you need to contact your local Scottish Government Agriculture and Rural Economy office.

When you have your CPH number, you may also, in some circumstances, need a movement document so you can legally move your pig. All movements of pigs must be pre-notified (or at least on the day the journey commences) to a central database run by ScotEID. Notification of any movement can be made:

- online on the <u>ScotEID</u> website. You can then set up movements and print off the requisite number of haulier summary / movement documents
- by phone on 01466 794323. In this case, you may request a movement document is sent out (assuming adequate pre-notification is given)
- in writing to ScotEID Information Centre, 83 Gordon Street, Huntly, AB54 8FG. In this case, you must complete your own movement document

Where the movement is pre-notified electronically or by phone to ScotEID, there is no need for a pig movement document, unless the pigs are either:

- less than 12 months old, and marked with a temporary mark
- moving to England, Wales or Northern Ireland

Once the journey has been completed, the keeper at the destination must confirm (within three days) receipt of the pigs to ScotEID by one of the means given above.

Note: registration with APHA is a legal requirement for disease-control purposes and is not related to registration with any breed / pedigree societies.

Record keeping

All pig owners must keep records of the animals moving on to or off their premises. This information, known as a holding register, can be kept in written or electronic form. The holding register is required by law to hold specified information:

- name and address of the person keeping the record
- date of movement
- identification number or temporary mark
- number of pigs moved
- address of the holding from which they were moved, including CPH
- address of the holding to which they were moved, including CPH

You must record each movement of a pig on to or off your premises within 36 hours of the movement taking place. Once a year you will need to record the actual number of pigs that you have on your holding at that date. If you stop keeping pigs, you must keep your records for three years after the date that the last animal left your premises.

The keeper can choose which format to keep a holding register in, as long as it contains the required information and a copy can be provided when requested. Options include:

- a paper record
- a spreadsheet
- using the holding register function in farm-management software
- the eAML2 system

A template movement record is attached.

More information on keeping a holding register for pigs can be found on the Scottish Government website.

You must also keep a record of any veterinary medicines purchased and administered to your pigs, including medicines given by a vet. For further information, see 'Keeping veterinary medicine records'.

You must keep a record of the disposal of any dead pigs (see '<u>Fallen stock and the disposal of animal by-products</u>'). They cannot be buried or fed to dogs etc.

Identification

All pigs must be identified before being moved. Dependent on the age of the pig and other factors, the rules for identification vary. Pigs are required to be identified with an ear tag / tattoo / slapmark consisting of the Scottish Government-allocated herd mark when they are over a year old. It is also required in the following circumstances, when they are under a year old:

- moving to market
- moving to slaughter
- moving to a show*
- being exported* (see also 'UK-GB' prefix requirements in 'Exporting animals')

[*Must additionally be marked with a unique individual identification number.]

If your pet pig is less than 12 months old and not making one of the above-mentioned movements, a temporary mark (for example, a blue dot or red stripe with livestock marker spray) may be used to identify the animal.

In the case of pigs moving from a market, the pig must be identified with the herd mark of the holding it was moved to the market from; otherwise it may only return to that holding.

Transporting your pet pigs

The welfare needs of your pet pigs must always be considered before and during transport, and the necessary precautions taken to prevent any spread of disease. You must be especially careful not to transport your pigs in any way likely to cause injury or undue suffering, and you must be able to cleanse and disinfect the vehicle or container. For this reason, it is advisable to transport any livestock in a vehicle or trailer specially designed for livestock transport.

When you get the pigs home

Once you move pigs on to a registered holding, the premises will be subject to 'standstill' rules.

Standstill rules apply different time restrictions on different species of livestock. They are designed to slow the spread of disease within livestock and help protect the farming industry.

These rules mean that any pigs, or other livestock animals already on your premises, will not be allowed to move off the address for a set period of time; in the case of pigs, this is 20 days (with limited exceptions). This means that your pigs cannot move anywhere until 20 full days have elapsed; in other words, pigs are free to move again on the 21st day after they were moved on to your premises.

If any sheep or cattle are kept on your holding and you move a pig on to the premises, those sheep and cattle cannot be moved anywhere (with limited exceptions) until 13 days have elapsed; in other words, cattle and sheep are free to move again on the 14th day after pigs were moved on to your premises.

Surplus food

Surplus food can cause disease. It is illegal to feed your animal with surplus food, such as scraps from your house. It is also illegal to feed pigs with food from restaurants, kitchens and other catering facilities. There are serious penalties for anyone found breaching these strict rules. For more information on what can and can't be fed to livestock, see 'Disposal of surplus food'.

If a pig dies

There are strict laws governing the disposal of livestock carcases, which includes pet pigs. You cannot bury your pet pig if it dies (with a few exceptions). Instead, the body must be taken to, or collected by, an approved knacker's yard, hunt kennel, incinerator or rendering operator by private arrangement. For more information, see 'Fallen stock and the disposal of animal by-products'.

Walking licence

If you own a pet pig and you want to walk the animal off the premises, you must apply for a walking licence. These licences are issued by APHA, and contain the following conditions:

- the exercise route you use is the same as the route on the certificate
- you always keep the pig on a lead
- there is no contact with other pigs
- you never feed the pig with surplus food
- you carry a copy of the licence throughout the walk

To get a walking licence, contact your <u>local APHA office</u>. The licence needs to be renewed every year.

Your pigs' welfare

Owners and keepers are legally responsible for ensuring that the welfare needs of their animals are met, both where they are kept and when being transported.

Further information

More <u>detailed information on pigs</u> can be found on the Scottish Government website. See also the Scottish Government's <u>Guidance for the Welfare of Pigs</u>.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

No major changes.

Last reviewed / updated: June 2025

Key legislation

- Animal Health Act 1981
- <u>Disease Control (Interim Measures) (Scotland) Order 2002</u>
- <u>assimilated Regulation (EC) No 1069/2009</u> laying down health rules as regards animal by-products and derived products not intended for human consumption (Animal by-products Regulation)
- Pigs (Records, Identification and Movement) (Scotland) Order 2011
- Animal By-Products (Enforcement) (Scotland) Regulations 2013
- Veterinary Medicine Regulations 2013

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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Source URL:

https://www.businesscompanion.info/en/quick-guides/animals-and-agriculture/keeping-pet-pigs-s