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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.

This guidance is for Wales

The Animal Health Act 1981, the Disease Control (Wales) Order 2003 and the Pigs (Records, Identification and Movement) (Wales) Order 2014 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, such as was seen during the 2001 foot-and-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.

Official documentation and registration: legal requirements

Before you move pigs on to your land, you must obtain a county parish holding (CPH) number. This is an individual identification number for the land and buildings where your pigs will be kept. Details of how to apply for a CPH number are available on the Welsh Government website.

Once you have your CPH number, you will have to obtain a movement licence (eAML2) before you legally move pigs on to your holding. A pig movement licence can be obtained via the following methods.

Register for eAML2 by going to the <u>AHDB Pork</u> website. You can then set up movements online and print off the requisite number of haulier summary / movement forms. The eAML2 also incorporates the food chain information (FCI) declaration that is required when moving pigs to slaughter.

If you do not have internet access, you can get an electronic eAML2 over the telephone by ringing the eAML2 helpline on 0844 335 8400. The eAML2 movement form will then be posted to you. Please note, you cannot move any pigs until the eAML2 form has been received.

Once the pigs are on your holding, you must notify AHDB Pork within three days of arrival and record the movement on the eAML2 licensing system.

Pig movements to a market / collection centre only do not require pre-notification if the market or collection centre operator agrees to complete the movement electronically for both the move from the farm and the confirmation of the arrival at the market. You must ensure that the market or collection centre operators are agreeable to this before the movement of pigs physically occurs. In these cases, you may complete a written paper copy of the haulier summary for the movement of pigs. You must also receive and retain confirmation of the move from the market or collection centre in the form of a completed eAML2 form.

You must also - within one month of getting your pigs or taking over a premises that already has pigs - register with APHA (Animal and Plant Health Agency) as a pig keeper, which will issue you with a herd number. You will be asked for your CPH number as a reference and will then be issued with a herd mark, which is a quick and effective method for identifying premises from which pigs have moved.

Note: the 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 the following 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
- address of the holding to which they were moved

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

The keeper can choose in which format to keep a holding register, 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 <u>movement record</u> is attached.

More information on keeping a holding register for pigs can be found on the GOV.UK 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 'Fallen stock and the disposal of animal by-products'). They cannot be buried, fed to dogs, etc and disposal receipts must be kept for two years.

Identification

Pigs are required to be identified with an ear tag / tattoo / slapmark consisting of the APHA-allocated herd mark when they are over a year old. It is also required when they are under a year old in the following circumstances:

- 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.

It is important to identify a pig with your herd mark before it is moved from your holding. Even if a pig was identified when it came on to your holding, you must also add your herdmark via an ear tag, tattoo or slapmark to the animal before it moves from your 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. The vehicle or container used to transport your pigs must be thoroughly cleansed and disinfected with an approved disinfectant. 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 and 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 holding for a set period of time. In the case of pigs this is 20 days (with limited exceptions). This means that when your pig(s) arrives on the holding, no pigs can be moved from your holding until 20 full days have elapsed; in other words, pigs are free to move from your holding again on the 21st day after they were moved on to your premises.

If any sheep, goats or cattle are kept on your holding and you move a pig on to the premises, those sheep, goats and cattle cannot be moved anywhere until six full days have elapsed; in other words, sheep, goats and cattle are free to move on the seventh day after pigs arrived on to your holding.

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. Instead the carcase must be taken to, or collected by, an approved knacker's yard, hunt kennel, incinerator or rendering operator by private arrangement. Disposal receipts from approved premises must be kept for two years. For more information see 'Fallen stock and the disposal of animal byproducts'.

Walking licence

If you own a pet pig and wish to walk the animal off your premises, you must apply for a walking licence. These licences are issued by APHA on behalf of the Welsh Government and contain these 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 APHA on 0300 303 8268. 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 GOV.UK website. See also the Welsh Government's <u>Code of Recommendations for the Welfare of Livestock: 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

Clarified the requirements on keeping a holding register.

Last reviewed / updated: February 2024

Key legislation

- Animal Health Act 1981
- Disease Control (Wales) Order 2003
- <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) (Wales) Order 2011
- Veterinary Medicine Regulations 2013
- Animal By-Products (Enforcement) (Wales) Regulations 2014

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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