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trading standards law explained

Livestock markets

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This guidance is for Wales

Most people in a market, whether they are selling, buying, in charge of, hauling or just viewing animals, are required to comply with certain ways of handling them. Animals must be handled with care, in an appropriate manner for their species, and be fit for transport and sale in a market.

Only people who are correctly dressed in clean washable or disposable clothing and footwear should enter designated animal areas. They should wash their hands and cleanse and disinfect their footwear when leaving this area.

The golden rule for vehicles is 'clean in, clean out'.

For the purposes of this guide, 'animals' are cattle, sheep, goats (and all other ruminating animals), pigs, rabbits and poultry.

The law

The Animal Gatherings (Wales) Order 2010 (AGO) applies to any occasion at which animals are brought together for a sale, show or exhibition, onward consignment for slaughter within Great Britain, or inspection to confirm the animals possess specific breed characteristics.

To hold an animal gathering the premises must have an AGO licence from the Animal and Plant Health Agency (APHA) and comply with the associated conditions (there are statutory fees payable for APHA to license premises). One-day shows (where no public sale or auction of animals takes place) and gatherings solely for the purpose of an inspection to confirm that animals possess specific breed characteristics are exempt from licence fees.

The Welfare of Animals at Markets Order 1990 (WAMO) defines a market as "... a market place or sale-yard, or any other premises or place to which animals are brought from other places and exposed for sale and includes any lairage adjoining a market and used in connection with it and any place adjoining a market used as a parking area by visitors to the market for parking vehicles".

Note: this definition does not include a farm sale where all the animals are resident on the farm and owned by the occupier of that farm.

For specific information on horses, please see 'Welfare of horses at markets etc'.

What is a market?

This is both a place and an event.

Market conditions

- animals or poultry must not be lifted, dragged or suspended by their head, ears, horns, legs, feet, tail, fleece or wings
- the use of sticks, goads and instruments capable of inflicting electric shocks is controlled and specified
- unfit animals* are not to be exposed for sale
- animals must not be caused injury or unnecessary suffering while in the market by any means and by any person
- the method and manner of penning / caging animal species and poultry is specified

[*'Unfit' includes infirm, diseased, ill, injured, fatigued or likely to give birth. Suspected unfit animals can be detained pending veterinary examination. Livestock must also be fit for transport; see the information on animal welfare during transport on the Welsh Government website.]

Market operators (normally the auctioneers) are required to:

- supply suitable bedding for specified animals
- ensure suitable pens are provided for unfit animals
- make provision for the feeding and watering of animals
- supply footbaths and handwashing facilities at the entrance to the animal areas and the loading / unloading areas
- ensure that alleyways, pens and fittings are not likely to cause injury to animals

Market authorities are required to provide covered accommodation for specified animals.

Market operators are also required to accurately meet the recording and movement reporting requirements, which can be specific to the species passing through the market:

- **cattle.** Market operators must record and report all movements on to and off their holding, including cattle that are sold at market and cattle that are returned to their original holding. Farmers must also report and record all movements on to and off their holding, including cattle that are bought at market or returned to their holding from market
- **sheep.** Most markets are approved central point recording centres (CPRCs), which means they will read individual tags of sheep, record the number of sheep and then provide the farmer with a printed document for their records. They will also report the move electronically to EID Cymru. The farmer then logs on to their EID account and accepts the move

- **pigs.** If the market operator agrees that the market can accept on-the-day movements of pigs without the need for the farmer to pre-notify the movement (as is usually the case when moving pigs), the market will set up an electronic movement document and send it to the eAML2 bureau service on behalf of the farmer. The farmer should confirm this move when they log on to their eAML2 account. When the pig is sold at market, the market will set up an 'off movement' and print a haulier summary for the new buyer's records. Again, the new buyer should confirm this move when they log on to their eAML2 account

Identification

All cattle, pigs, sheep and goats must be correctly identified. Identification in this context includes both physical identification, such as ear tags, slapmarks or tattoos (as appropriate and as permitted by the relevant legislation) and the relevant valid documentation that must accompany individual species - for example, cattle passports or movement documents for sheep / goats (AML1) and pigs (eAML2).

If animals are to be slaughtered for human consumption, the appropriate food chain information (FCI) declaration will be required; see 'Food chain information' for more information.

More detailed guidance on species-specific requirements can be found in the following guides:

- 'Goats: identification, records and movement'
- 'Sheep: identification, records and movement'
- 'Cattle identification'
- 'Identification and movement of pigs'
- 'Registration and records of poultry and other captive birds'

Further information on animal identification, movement and tracing regulations is available on the Welsh Government website.

Sales of calves

In this context, calf means a bovine animal under 12 weeks old. Calves can only be sold at market under certain conditions; they must be:

- removed from market within four hours of the last calf being sold by auction
- accompanied by a valid cattle passport and, if intended for slaughter, by a food chain information document (FCI)

Marketing of any calf more than twice in a consecutive period of 28 days is not permitted.

Calves less than seven days old or those with an unhealed navel may not be taken into a market at all.

Calves under six months old presented at market must have an adequate supply of suitable bedding, which must be dry when provided. A thin dusting of sawdust would not be considered adequate.

See also 'Calves at market'.

Young animals

Young lambs and goat kids must not be taken to market or exposed for sale while they still have unhealed navels.

Young lambs and goat kids under four weeks of age, not accompanied by mother, must:

- be housed in covered accommodation, with solid sides and free from draughts
- be removed from the market not more than four hours after arrival
- have bedding provided, which must be dry

Pigs less than three weeks old, lambs less than one week old and calves less than ten days old must not be transported further than 100 km.

Biosecurity

Leave 'disease' where it is by following good biosecurity measures every time you leave a premises with livestock:

- you should ensure that you know the signs of notifiable diseases in animals and, if in doubt, seek veterinary advice as soon as possible
- don't come on to the premises with clothes or livestock vehicle (including a vehicle used to pull a trailer) contaminated with mud or other farm contamination
- facilities are provided for you to cleanse and disinfect your boots and scrub your hands. Use them if you need to
- handling animals can spread disease. You should wash your hands and clothing / footwear before you leave the premises
- you should cleanse and disinfect your livestock vehicle on site before leaving if at all possible
- be alert for any signs of disease in animals. If there is a suspect case while you are on the premises, be prepared to cooperate with the authorities in implementing the disease control contingency plan

Welsh Government guidance on biosecurity at animal gatherings gives essential advice to supplement the legal obligations of those people running and also those attending a market in whatever capacity. Detailed guidance on disease prevention for livestock and poultry keepers can be found on the GOV.UK website.

Livestock vehicles

The golden rule for vehicles is 'clean in, clean out'. Animals must not be loaded into a vehicle or trailer unless it has been thoroughly cleansed and disinfected, using an approved disinfectant, since it was last used to transport animals.

You must not bring a vehicle or trailer to a market (even if it is empty) if it is visibly contaminated with animal dung, other than the dung of animals on the vehicle or trailer at the time. However, you may enter the market for the purpose of washing out your vehicle, in which case you must go straight to the lorry wash.

If you bring animals to a market and then purchase others, you must not load the purchased animals unless and until you have cleansed and disinfected the vehicle or trailer. However, there are exceptions to this rule - for example, if you are transporting animals between the same two points (except two sale premises) on the same day, and the means of transport is used exclusively for this purpose, then you only need to cleanse and disinfect before the first journey and after the last.

If you have brought animals to a market and wish to leave without cleansing and disinfecting your empty vehicle or trailer, you must complete and sign an undertaking that you will cleanse and disinfect within 24 hours or, in any event, before the vehicle or trailer is next used to transport animals (local authority inspectors may carry out random checks).

All livestock vehicles must have their tyres, mudguards and wheel arches cleansed and disinfected when leaving the market.

For further guidance, see 'Cleansing and disinfection of vehicles'.

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

Species-specific information has been added to the 'Market conditions' section. The 'Sales of calves' section has been amended for greater clarity.

Last reviewed / updated: October 2024

Key legislation

- Welfare of Animals at Markets Order 1990
- Transport of Animals (Cleansing and Disinfection) (Wales) (No. 3) Order 2003
- Animal Welfare Act 2006
- Welfare of Animals (Transport) (Wales) Order 2007
- Animal Gatherings (Wales) Order 2010

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 go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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