WELSH STATUTORY INSTRUMENTS

2010 No. 65 (W.15)

ANIMALS, WALES

ANIMAL HEALTH

The Control of Salmonella in Turkey Flocks (Wales) Order 2010

Made - - - -	*13 January 2010*
Laid before the National Assembly for Wales - -	*15 January 2010*
Coming into force - -	*5 February 2010*

The Welsh Ministers make this Order in exercise of the powers conferred by sections 1 and 8 of the Animal Health Act 1981(**1**) and paragraph 1A of Schedule 2 to the European Communities Act 1972(**2**).

The Welsh Ministers consider it expedient that references to the Community instruments implemented by these Regulations should have effect as references to those instruments as amended from time to time.

Title, application and commencement

1. The title of this Order is the Control of Salmonella in Turkey Flocks (Wales) Order 2010. It applies in relation to Wales and comes into force on 5 February 2010.

Interpretation

2.—(1) In this Order—

"flock" ("*haid*") means all turkeys of the same health status kept on the same premises or in the same enclosure and constituting a single epidemiological unit and, in the case of housed turkeys, includes all birds sharing the same airspace;

"holding" ("*daliad*") means any holding on which one or more turkey flocks are kept or are intended to be kept;

"occupier" ("*meddiannydd*") means, in relation to any holding, the person in charge of the holding;

"turkey flock" ("*haid o dyrcwn*") means—

(**1**) 1981 c. 22. Functions of the Minister and the Secretary of State transferred to the National Assembly for Wales by S.I.1999/672 and S.I. 2004/3044. Functions of the National Assembly for Wales are exercisable by the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

(**2**) 1972 c. 68. Paragraph 1A was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).

(a) a flock of more than 250 turkeys kept for breeding;

(b) a flock of more than 500 turkeys kept for the production of meat intended for human consumption unless—

(i) less than 10,000 individual turkeys are kept in any 12 month period at the holding where the flock is found, and

(ii) all the meat is supplied to the final consumer or to local retail establishments.

(2) In this Order, a reference to—

(a) Regulation (EC) No 584/2008 is a reference to Commission Regulation (EC) No 584/2008 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in turkeys(**3**),

(b) Regulation (EC) No 646/2007 is a reference to Commission Regulation (EC) No 646/2007 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in broilers and repealing Regulation (EC) No 1091/2005(**4**),

(c) Regulation (EC) No 1177/2006 is a reference to Commission Regulation (EC) No 1177/2006 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards requirements for the use of specific control methods in the framework of the national programmes for the control of Salmonella in poultry(**5**),

in each case as amended from time to time.

Competent authority

3. The Welsh Ministers are the competent authority for the purposes of—

(a) Regulation (EC) No 584/2008;

(b) Regulation (EC) No 646/2007; and

(c) Regulation (EC) No 1177/2006.

Sampling

4.—(1) The occupier must carry out sampling in accordance with points 1 and 2 of the Annex to Regulation (EC) No 584/2008 and must despatch samples to an approved laboratory in accordance with point 3.1 of that Annex (and for the purposes of that point "express mail" includes first class post).

(2) In relation to each sample the occupier must provide the following information—

(a) the name of the occupier;

(b) the address of the holding;

(c) the type of samples;

(d) the date on which the samples were taken;

(e) the identification of the flock, where there is more than one flock on the holding;

(f) the date on which the flock moved onto the holding;

(g) the age of the flock.

(**3**) OJ No L 162, 21.6.2008, p. 3.
(**4**) OJ No L 151, 13.6.2007, p. 21.
(**5**) OJ No L 212, 2.8.2006, p. 3.