WELSH STATUTORY INSTRUMENTS

2009 No. 441 (W.46)

ANIMALS, WALES

ANIMAL HEALTH

The Control of Salmonella in Broiler Flocks (Wales) Order 2009

Made - - - -	*27 February 2009*
Coming into force - -	*9 March 2009*

The Welsh Ministers make this Order in exercise of the powers conferred by sections 1 and 8 of the Animal Health Act 1981(**1**).

Title, application and commencement

1. The title of this Order is the Control of Salmonella in Broiler Flocks (Wales) Order 2009; it applies in relation to Wales and comes into force on 9 March 2009.

Interpretation

2. In this Order—

"broiler flock" ("*haid o frwyliaid*") means a flock kept for the production of meat intended for human consumption;

"chickens" ("*ieir*") means birds of the species *Gallus gallus*.

"flock" ("*haid*") means all chickens 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 chickens, includes all birds sharing the same airspace;

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

"local authority" ("*awdurdod lleol*") means, in relation to an area, the county council or county borough council for that area;

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

(**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.

Competent authority

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

(a) Commission Regulation (EC) No. 646/2007 implementing Regulation (EC) No. 2160/2003 of the European Parliament and of the Council 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(**2**); and

(b) 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(**3**).

Notification of broiler flocks

4.—(1) The occupier of the holding on which one or more broiler flocks are kept must notify the Welsh Ministers of the information in paragraph (4) of this article—

(a) within three months of the coming into force of this Order; or

(b) in the case of such a holding established after the date this Order comes into force, within three months of the establishment of the holding.

(2) The occupier must notify the Welsh Ministers of any change or addition to that information within three months of the change or addition.

(3) This article does not apply to any occupier who has notified the Welsh Ministers of that information under any other enactment.

(4) The information to be notified is —

(a) the address and telephone number of the holding;

(b) the name, address and telephone number of the occupier and of the person who owns each flock on the holding;

(c) the number of flocks on the holding.

Sampling

5.—(1) The occupier must carry out sampling in accordance with points 1 and 2 of the Annex to Regulation (EC) No. 646/2007 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 post" 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.

(**2**) OJ No. L151, 13.6.2007, p. 21 as amended by Commission Regulation (EC) No. 584/2008 (OJ No. L162, 21.6.2008, p.3).
(**3**) OJ No. L212, 2.8.2006, p. 3.