WELSH STATUTORY INSTRUMENTS

2007 No. 1708 (W.147)

ANIMALS, WALES

ANIMAL HEALTH

The Poultry Breeding Flocks and Hatcheries (Wales) Order 2007

Made - - - -	*13 June 2007*
Coming into force - -	*30 June 2007*

The Welsh Ministers, in exercise of the powers conferred by sections 1 and 8 of the Animal Health Act 1981(**1**) and now vested in them, make the following Order:

PART 1

Introduction

Title, commencement and application

1.—(1) The title of this Order is the Poultry Breeding Flocks and Hatcheries (Wales) Order 2007.

(2) This Order comes into force on 30 June 2007.

(3) This Order applies in relation to Wales.

Interpretation

2.—(1) In this Order—

"approved laboratory" ("*labordy a gymeradwywyd*") means a laboratory approved by the Welsh Ministers for the purposes of this Order;

"breeding flock" ("*haid fridio*") means a flock kept for the production of eggs intended for incubation;

"building" ("*adeilad*") includes a shed and any part of a building that has its own ventilation system and is separated from other parts of the building by a solid partition;

"chick" ("*cyw*") means a bird less than 72 hours old that has not been fed;

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

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

"layer breeder" ("*dodwywr fridiwr*") means poultry kept for the production of eggs intended for the incubation and hatching of chicks—

(a) that will be grown to produce eggs for human consumption, or

(b) whose progeny will be grown to produce eggs for human consumption;

"meat breeder" ("*bridiwr cig*") means poultry kept for the production of eggs intended for the incubation and hatching of chicks—

(a) that will be grown to produce meat for human consumption, or

(b) whose progeny will be grown to produce meat for human consumption;

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

"poultry" ("*dofednod*") means domestic fowls, turkeys, geese and ducks.

(2) Any reference to a Community instrument is a reference to that instrument as amended from time to time.

Competent authority

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

(a) Commission Regulation (EC) No. 1003/2005 implementing Regulation (EC) No. 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No. 2160/2003(**2**) (in this Order, referred to as "the Commission Regulation"); 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**) (in this Order, referred to as "Commission Regulation 1177/2006").

PART 2

Notification of hatcheries and breeding flocks

Notification of hatcheries

4.—(1) The occupier of a poultry hatchery with a total incubator capacity of 1000 eggs or more must notify the Welsh Ministers of the information in Schedule 1, paragraph 1—

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

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

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

(**2**) OJ No. L 170, 1.7.2005, p.12. This Regulation extends to the EEA through Decision of the EEA Joint Committee No. 101/2006 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement (OJ No. L 333, 30.11.2006, p.6).
(**3**) OJ No. L 212, 2.8.2006, p.3.

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

Notification of breeding flocks

5.—(1) The occupier of a holding on which one or more breeding flocks of at least 250 poultry of any single species are kept must notify the Welsh Ministers of the information in Schedule 1, paragraph 2—

(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.

PART 3

Control of salmonella in *Gallus gallus*

CHAPTER 1

Duties of an occupier

Application of Chapter 1

6. This Chapter applies in relation to any holding on which one or more breeding flocks of at least 250 domestic fowl of the species *Gallus gallus* are kept, and any reference in this Chapter to an occupier is a reference to an occupier of such a holding.

Notification of arrival of breeding flocks

7.—(1) The occupier must notify the Welsh Ministers of the expected date of arrival at the holding of every breeding flock of at least 250 domestic fowl of the species *Gallus gallus*.

(2) The notification must be made at least two weeks before the expected date of arrival.

Notification of movement to laying phase etc.

8.—(1) The occupier must notify the Welsh Ministers of the date that he or she expects each breeding flock on the holding to—

(a) move to the laying phase or laying unit; and

(b) reach the end of the production cycle.

(2) The notification must be made at least two weeks before the breeding flock is expected to move to the laying phase or laying unit.

Sampling of breeding flocks

9.—(1) The occupier must take samples from each breeding flock on the holding at the following times—

(a) when the birds in the flock are chicks;

(b) when the birds in the flock are four weeks old;

(c) two weeks before the date the flock is expected to come into lay or move to the laying phase or laying unit; and

(d) every second week during the laying period.

(2) Sampling under paragraph (1)(a) to (c) must be done in accordance with Schedule 2 to this Order and sampling under paragraph (1)(d) must be done in accordance with point 2.2.2.1 of the Annex to the Commission Regulation (routine sampling at the initiative of the operator).

Submission of samples to an approved laboratory

10.—(1) The occupier must dispatch the samples taken under article 9 to an approved laboratory for the purposes of testing for the presence of salmonella.

(2) He or she must dispatch the samples within—

(a) 24 hours of being taken; or

(b) 48 hours of being taken if he places the samples in a refrigerator at a temperature of between 1° and 4° C as soon as practicable on the day they are taken.

(3) He or she must ensure that the samples are identified prior to dispatch so as to enable the approved laboratory to determine—

(a) the name of the occupier;

(b) the address of the holding on which the breeding flock from which the samples were taken are kept;

(c) the type of samples;

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

(e) the identification of the breeding flock sampled;

(f) the age of the breeding flock sampled;

(g) whether the breeding flock from which the samples were taken is a flock of layer breeders or meat breeders; and

(h) the status in the breeding pyramid of the breeding flock from which the samples were taken.

Records of samples

11.—(1) The occupier must—

(a) keep a record of the information in Schedule 3, paragraph 1, in respect of each sample taken in accordance with article 9; and

(b) by 30 June and 31 December each year, notify the Welsh Ministers of that information in respect of sampling undertaken in the six months prior to notification.

(2) He or she must keep the record in paragraph (1)(a) for two years from the date the sample was taken.

Records of movements

12.—(1) The occupier must keep a record of the information in Schedule 3, paragraph 2, in respect of the movement to and from the holding of any domestic fowl of the species *Gallus gallus* or their chicks or eggs.

(2) He or she must keep the record for two years from the date of the movement.

CHAPTER 2

Duties of approved laboratories

Duties of an approved laboratory

13.—(1) The person in charge of an approved laboratory must ensure that the examination of samples submitted to it under article 10 begins within 48 hours of receipt of those samples.

(2) He or she must ensure that—

(a) the samples are prepared as follows—

(i) chick box liners must be prepared in accordance with Schedule 4 to this Order;

(ii) boot swabs' samples must be prepared in accordance with point 3.1.2 of the Annex to the Commission Regulation; and

(iii) any other samples of faeces must be prepared in accordance with point 3.1.3 of that Annex;

(b) the samples are tested for salmonella in accordance with the method in point 3.2 of that Annex; and

(c) the result of any test on any sample is reported in writing as soon as practicable to the occupier who submitted it.

CHAPTER 3

Use of antimicrobials and vaccines

Prohibition on the use of antimicrobials

14. No person may administer any antimicrobial to any bird in a breeding flock of domestic fowl of the species *Gallus gallus* as a specific method to control salmonella in breach of Article 2 of Commission Regulation 1177/2006 (use of antimicrobials).

Prohibition on the use of vaccines

15. No person may administer any live salmonella vaccine to any bird in a breeding flock of domestic fowl of the species *Gallus gallus* in breach of Article 3(1) of Commission Regulation 1177/2006 (use of vaccines).

PART 4

Miscellaneous

Hatchery records

16.—(1) The occupier of a hatchery with a total incubator capacity of 1000 eggs or more and containing domestic fowl of the species *Gallus gallus* or their eggs must keep a record of—

(a) the information in Schedule 3, paragraph 3, in respect of the movement of any eggs of domestic fowl of the species *Gallus gallus* to and from the hatchery; and

(b) the information in Schedule 3, paragraph 4, in respect of the movement of any chicks of domestic fowl of the species *Gallus gallus* from the hatchery.

(2) He or she must keep the record for two years from the date of the movement.