STATUTORY RULES OF NORTHERN IRELAND

2005 No. 584

ANIMALS

ANIMAL HEALTH

The Salmonella in Broiler Flocks (Survey Powers) Regulations (Northern Ireland) 2005

Made - - - -	*22nd December 2005*
Coming into operation	*12th January 2006*

The Department of Agriculture and Rural Development, being designated (**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community, makes the following Regulations in exercise of the powers conferred on it by that section.

Citation and commencement

1. These Regulations may be cited as the Salmonella in Broiler Flocks (Survey Powers) Regulations (Northern Ireland) 2005 and shall come into operation on 12th January 2006.

Interpretation

2.—(1) In these Regulations—

"broiler chicken" means any bird of the species *Gallus gallus* bred for meat;

"Commission Decision" means Commission Decision 2005/636/EC concerning a financial contribution by the Community towards a baseline survey on the prevalence of *Salmonella* spp. in broiler flocks of *Gallus gallus* to be carried out in the member States (**3**);

"faecal and environmental material" means faeces from broiler chickens, or other material which may have come into contact with such faeces or with broiler chickens, or a mixture of such faeces and such other material, and any other material which the Technical Specifications require to be sampled;

"holding" means a facility used for the rearing or keeping of broiler chickens;

"the Department" means the Department of Agriculture and Rural Development;

(**1**) S.I.2000/2812
(**2**) 1972 c 68
(**3**) O.J. No. L 228, 3.9.2005, p 14

"inspector" means any person appointed to be an inspector for the purposes of these Regulations by the Department;

"the Technical Specifications" means those technical specifications referred to at Article 5 of the Commission Decision having been presented to the European Commission's Standing Committee on the Food Chain and Animal Health on 19 July 2005 which are entitled "Baseline Survey on the Prevalence of *Salmonella* in Broiler Flocks of *Gallus gallus* in the EU – Technical Specifications".

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Assembly.

Selection of holdings

3.—(1) The Department shall be responsible for the selection of premises, in accordance with the Technical Specifications, for sampling.

(2) The occupier or person in charge of a holding (or any employee or agent of the occupier or person in charge of a holding) shall, upon request, supply such information to the Department as it requires to assist it with the selection of holdings to be included in the survey for the purposes of the Commission Decision, including—

(a) the number of broiler chickens or the number of flocks of broiler chickens on the holding;

(b) the number and times of the flock cycles of the broiler chickens on the holding; and

(c) the production type of the broiler chickens on the holding.

(3) Any person who fails to comply with this regulation is guilty of an offence.

Powers of inspectors

4.—(1) An inspector shall, on producing some duly authenticated document showing his authority, have the right at all reasonable hours to enter a holding which has been selected for sampling, for the purposes of ascertaining in accordance with the Commission Decision—

(a) whether *Salmonella* spp. exists or has existed there;

(b) the *Salmonella* vaccination status of the broiler chickens on the holding; and

(c) whether anti-microbials have been used.

(2) In addition to his right under paragraph (1), an inspector may also enter a holding for the purposes of the enforcement of these Regulations.

(3) When he has entered a holding an inspector may—

(a) take samples of faecal and environmental material;

(b) examine any records in whatever form, including computerised records, and retain or take copies of those records;

(c) make inquiries of any person and require him to provide any information and documentation, including records, that appear to him to be, or likely to be, relevant; and

(d) take with him any person, vehicle or equipment he considers necessary for the execution or enforcement of these Regulations.

Offences

5. A person who—

(**4**) 1954 c. 33(N.I.)