1994 No. 118

ANIMALS

Poultry Breeding Flocks and Hatcheries Scheme Order (Northern Ireland) 1994

Made	*28th March 1994*
Coming into operation . .	*18th April 1994*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 8(1) and (2) of the Diseases of Animals (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, having consulted with the bodies which appeared to it to be substantially representative of the interests concerned and with the approval of the Department of Finance and Personnel(**b**) hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Poultry Breeding Flocks and Hatcheries Scheme Order (Northern Ireland) 1994 and shall come into operation on 18th April 1994.

Breeding flocks and hatcheries scheme

2. For the purposes of keeping poultry, so far as practicable, free from Salmonella and controlling and, so far as practicable, reducing the incidence of Salmonella, the Department hereby makes the Scheme set out in the Schedule.

Sealed with the Official Seal of the Department of Agriculture on 28th March 1994.

(L.S.) *P. T. Toal*
Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Order.

Sealed with the Official Seal of the Department of Finance and Personnel on 28th March 1994.

(L.S.) *D. Thomson*
Assistant Secretary

(**a**) S.I. 1981/1115 (N.I. 22) to which there are amendments not relevant to the subject matter of this Order

(**b**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3

Poultry Breeding Flocks and Hatcheries Scheme (Northern Ireland) 1994

Citation

1. This Scheme may be cited as the Poultry Breeding Flocks and Hatcheries Scheme (Northern Ireland) 1994.

Interpretation and application

2.—(1) In this Scheme—

"breeding flock" means any flock of poultry consisting of at least 250 birds of a single species which are kept or are being reared on a single premises for the production of hatching eggs;

"the Breeding Flocks Register" means the register kept by the Department under paragraph 3(2);

"chicks" means poultry less than 72 hours old which have not been fed;

"chick box liner" means any material used to line a box or other container in which chicks are transported from a hatchery to any rearing premises;

"composite faeces sample" means a sample of faeces consisting of a number of individual samples of faeces calculated in accordance with the appropriate provisions of Part I of Annex 2 each of which weighs not less than 1 gram and is taken from a site selected at random to represent the building or group of buildings on the holding from which it is taken;

"the Hatcheries Register" means the register kept by the Department under paragraph 4(2);

"hatchery" means any premises, with a total incubator capacity of not less than 1,000 eggs, on which the eggs of poultry are incubated or hatched and from which chicks are sold or supplied;

"hatching eggs" means eggs intended for incubation;

"house" means—

(*a*) a building (including a shed); or

(*b*) a part of a building separated from other parts of that building by a solid partition and having its own ventilation system;

"inspector" includes a veterinary inspector;

"laboratory" means any laboratory authorised in writing by the Department for the purposes of this Scheme which has the necessary facilities and personnel for carrying out tests on samples mentioned in Parts I and II of Annex 2 in accordance with the provisions of Part III of that Annex;

"poultry" means domestic fowls, turkeys, geese or ducks;

"premises" includes land;

"registered" in relation to any person means the entry in respect of any premises of that person's name in a register kept under this Scheme.

(2) The provisions of this Scheme shall not apply in the case of a breeding flock or hatchery which is kept solely for the production of hatching eggs for use in the manufacture of vaccines or for research or other scientific purposes.

Registration of breeding flocks

3.—(1) Any person who owns a breeding flock kept on any premises shall ensure that his name is registered in respect of those premises in the Breeding Flocks Register.

(2) The Department shall, for the purpose of sub-paragraph (1), keep a register of persons as being persons who own a breeding flock kept on the premises in respect of which they are registered.

(3) Where a person makes an application in writing to the Department to be registered in the Breeding Flocks Register in respect of any premises the Department shall, subject to sub-paragraph (4), so register him and shall issue to him a certificate of such registration.

(4) The Department shall refuse to register any person in the Breeding Flocks Register in respect of any premises unless all the particulars specified in Part I of Annex 1 are notified to it in writing.

(5) A person registered in the Breeding Flocks Register shall, within 28 days after each anniversary of the date of such registration, notify the Department in writing of any change in the particulars previously notified to it under this paragraph.

(6) Where a person registered in the Breeding Flocks Register fails to notify the Department in accordance with sub-paragraph (5) of any change in the particulars previously notified to it, the Department may revoke that registration.

(7) Where a person registered in the Breeding Flocks Register has notified the Department in accordance with sub-paragraph (5) that he no longer owns a breeding flock on the premises in respect of which he is registered and does not intend to do so for the next twelve months the Department shall revoke that registration.

Registration of hatcheries

4.—(1) Any person using any premises as a hatchery shall ensure that his name is entered in respect of those premises in the Hatcheries Register.

(2) The Department shall, for the purpose of sub-paragraph (1) keep a register of persons as being persons using as a hatchery any premises in respect of which they are registered.

(3) Where a person makes an application in writing to the Department to be registered in the Hatcheries Register in respect of any premises, the Department shall, subject to sub-paragraph (4), so register him and shall issue to him a certificate of such registration.

(4) The Department shall refuse to register any person in the Hatcheries Register in respect of any premises where all the particulars specified in Part II of Annex 1 are not notified to it in writing.

(5) A person registered in the Hatcheries Register in respect of any premises shall, within 28 days after each anniversary of the date of such registration, notify the Department in writing of any change in the particulars previously notified to it under this paragraph.

(6) Where a person registered in the Hatcheries Register fails to notify the Department in accordance with sub-paragraph (5) of any change in the particulars previously notified to it, the Department may revoke that registration.

(7) Where a person registered in the Hatcheries Register has notified the Department in accordance with sub-paragraph (5) that he no longer uses the premises in respect of which he is registered as a hatchery and does not intend to do so for the next twelve months, the Department shall revoke that registration.

Taking of samples from breeding flocks for bacteriological testing for salmonella

5.—(1) A person who is registered in the Breeding Flocks Register in respect of any premises on which a breeding flock is kept shall ensure that—

(*a*) in respect of the flock the samples taken in Part I of Annex 2 are taken in such manner and at such times as are so specified;

(*b*) those samples are identified in such a manner as to enable the laboratory to which they are submitted, or the inspector to which they are given, to know what type of samples they are, the date on which they were taken, the name of the person registered in the Breeding Flocks Register in respect of the premises from which they were taken, the address of those premises and the house (if any) on those premises from which they were taken;

(*c*) those samples (other than those required to be taken under the supervision of an inspector) are submitted, within 48 hours of being taken, to a laboratory for testing for the presence of salmonella in accordance with an appropriate bacteriological method set out in Part III of Annex 2; and

(*d*) in the case of samples required to be taken under the supervision of an inspector, they are given to him after being so taken for testing by the Department for salmonella in accordance with such a bacteriological method.

(2) Where samples taken in accordance with sub-paragraph (1)(*a*) are required to be submitted to a laboratory for testing under sub-paragraph (1)(*c*), they shall be kept in a refrigerator at between 1°C and 4°C unless they are so submitted within 24 hours of being taken.

Taking of blood samples from domestic fowl in breeding flocks for serological testing for Salmonella pullorum

6. Without prejudice to paragraph 5, a person who is registered in the Breeding Flocks Register in respect of any premises on which a breeding flock comprising domestic fowl is kept by him shall ensure that—

(*a*) the samples specified in Part I of Annex 3 are taken from the fowl in such manner and at such times as are so specified; and

(*b*) those samples are submitted to the Department for testing in accordance with the serological method set out in Part II of Annex 3.

Taking of samples from hatcheries for bacteriological testing for salmonella

7.—(1) A person who is registered in the Hatcheries Register in respect of any premises used by him as a hatchery shall ensure that—

(*a*) the samples specified in Part II of Annex 2 are taken from the poultry in the hatchery in such manner and at such times as are so specified;

(*b*) those samples are identified in such a manner as to enable the laboratory to which they are submitted, or the inspector to which they are given, to know what type of samples they are, the date on which they were taken, the name of the person registered in the Hatcheries Register in respect of the premises from which they were taken, the address of that hatchery and the address of the premises which supplied the hatching eggs to that hatchery;

(*c*) those samples other than those required to be taken under the supervision of an inspector are submitted, within 48 hours of being taken, to a laboratory for testing for the presence of salmonella in accordance with an appropriate bacteriological method set out in Part III of Annex 2;

(*d*) in the case of samples required to be taken under the supervision of an inspector, they are given to him after being so taken, for testing by the Department for salmonella in accordance with such a bacteriological method.

(2) Where samples taken in accordance with sub-paragraph (1)(*a*) are required to be submitted to a laboratory for testing under sub-paragraph (1)(*c*), they shall be kept in a refrigerator at between 1°C and 4°C unless they are so submitted within 24 hours of being taken.

Bacteriological testing of samples from breeding flocks and hatcheries and reporting of results of tests

8.—(1) The person in charge of a laboratory which accepts for testing a sample which has been submitted under paragraph 5(1)(*c*) or 7(1)(*c*) shall ensure that—

(*a*) the sample is tested for the presence of salmonella in accordance with an appropriate bacteriological method set out in Part III of Annex 2;

(*b*) the result of such a test is reported in writing as soon as practicable to the person who submitted the sample; and

(*c*) where, as a result of any test carried out in accordance with such a bacteriological method, a culture of salmonella is isolated from the sample, that a sub-culture is sent to the Department's Laboratory at Stoney Road, Stormont, Belfast.

(2) Where a person to whom a report is made under sub-paragraph (1)(*b*) is not the person registered in the Breeding Flocks Register or the Hatcheries Register, as the case may be, in respect of the premises from which the sample was taken, he shall immediately pass that report to the person so registered.

Tampering with samples

9.—(1) Except as provided for in this Scheme, a person, shall not treat or otherwise tamper with any sample which has been taken for the purposes of this Scheme.

(2) For the purposes of this paragraph a person shall be deemed to have treated a sample if he does anything in relation to it which is likely to affect the result of the test which may be carried out in accordance with this Scheme.

Keeping of records

10.—(1) A person who is registered in the Breeding Flocks Register in respect of any premises shall—

(*a*) in respect of each sample taken under and in accordance with paragraph 5(1)(*a*), keep a record containing the information specified in Part I of Annex 4 in relation to that sample;

(*b*) keep a record of the result of any test carried out which has been reported or passed to him in accordance with paragraph 8(1)(*b*) or (2);

(*c*) keep a record containing the information specified in Part II of Annex 4 of the movement of any poultry, chicks or eggs onto and off the premises.

(2) A person who is registered in the Hatcheries Register in respect of any premises shall—

(*a*) in respect of each sample taken under and in accordance with paragraph 7(1)(*a*) keep a record containing the information specified in Part I of Annex 4 in relation to that sample;

(*b*) keep a record of the result of any test which has been reported or passed to him in accordance with paragraph 8(1)(*b*) or (2); and

(*c*) keep a record containing the information specified in Part III of Annex 4 of the movement of any eggs onto and off, and of the movement of any chicks off the premises.

(3) A person shall—

(*a*) retain any record he is required to keep under sub-paragraphs (1) and (2) for a period of one year from the date on which the sample was taken or from the date of the test or from the date on which the movement took place, as the case may be; and