1991 No. 140

ANIMALS

Poultry Feedingstuffs Order (Northern Ireland) 1991

Made	*29th March 1991*
Coming into operation . . .	*30th March 1991*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 5(1), 19(*e*) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Poultry Feedingstuffs Order (Northern Ireland) 1991 and shall come into operation on 30th March 1991.

Interpretation

2. In this Order—

"approved disinfectant" means a disinfectant for the time being approved by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(**b**);

"container" means any bin, box, skip or other rigid container which is not self-propelled and which is used for the carriage of feedingstuffs or ingredients thereof;

"feedingstuffs" means any manufactured feedingstuffs intended for feeding to poultry;

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

"processed" means heat treated in accordance with the requirements of Part I of the Schedule.

Prohibition on sale, supply and use of certain feedingstuffs for feeding to poultry

3.—(1) Subject to paragraph (2) and Article 4, a person shall not—

(*a*) sell or supply to any person, for the feeding of poultry; or

(*b*) feed to any poultry,

feedingstuffs which have not been, and which he knows or reasonably suspects have not been, processed.

(2) The prohibitions contained in paragraph (1) shall not apply in relation to any feedingstuffs manufactured before the coming into operation of this Order.

(**a**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17
(**b**) S.R. & O. (N.I.) 1972 No. 16 as amended by S.R. 1975 No. 69

Exemptions from the provisions of Article 3

4.—(1) Notwithstanding Article 3(1), a person may—

(*a*) sell or supply to any person, for the feeding of poultry; or

(*b*) feed to any poultry,

unprocessed feedingstuffs manufactured on or before 31st August 1991 which comply with the requirements of paragraph (2) or (3) as the case may be.

(2) Where the feedingstuffs have been imported into Northern Ireland they shall have been collected and held in accordance with Article 5 and removed in accordance with Article 6.

(3) Where the feedingstuffs have been manufactured in Northern Ireland they shall have been—

(*a*) manufactured from ingredients which have been collected, held and removed in accordance with Articles 5 and 6;

(*b*) collected and held in accordance with Article 5; and

(*c*) removed in accordance with Article 6.

Restrictions on access to certain feedingstuffs and their ingredients

5.—(1) The owner or person in charge of any premises in Northern Ireland used for the manufacture of feedingstuffs to which this Article applies or the collection or holding of such feedingstuffs or any ingredients to which this Article applies, shall ensure that—

(*a*) those premises or any container therein in which such feedingstuffs or ingredients are collected or held are, to the satisfaction of a veterinary inspector, vermin and bird proof; and

(*b*) such feedingstuffs or ingredients are so collected and held in those premises or containers that no vermin or birds can gain access thereto.

(2) This Article and Article 6 applies to—

(*a*) any processed feedingstuffs; and

(*b*) any feedingstuffs sold or supplied or intended to be sold or supplied or fed to poultry under Article 4(1) and any ingredient intended to be used therein.

Restrictions on removal of feedingstuffs for poultry

6.—(1) A person shall not use or cause or permit to be used any vehicle for the removal of feedingstuffs or ingredients to which this Article applies unless such feedingstuffs or ingredients are—

(*a*) carried in a leak-proof container which is enclosed by a tightly fitting lid or other cover which prevents spillage and both the container and the lid or other cover are capable of being thoroughly cleansed and disinfected;

(*b*) sealed in a package which had not previously been used for any purpose; or

(*c*) enclosed by impervious material which is capable of being thoroughly cleansed and disinfected and the vehicle is so constructed as to prevent any leakage or spillage.

(2) A person shall not use or cause or permit to be used—

(*a*) any vehicle or container for the removal of feedingstuffs or ingredients to which this Article applies; or

(*b*) any materials for the enclosure of such feedingstuffs or ingredients,

unless that vehicle or container (together with its lid or other covering) and those materials had not previously been used for any purpose or were first thoroughly cleansed and disinfected.

Separation of processed feedingstuffs from unprocessed feedingstuffs

7. A person shall not remove or cause or permit to be removed processed feedingstuffs in a vehicle, container or package which also contains any unprocessed feedingstuffs or ingredients intended to be used in any feedingstuffs.

Separation of unprocessed feedingstuffs and their ingredients

8. A person shall not remove or cause or permit to be removed any feedingstuffs sold or supplied or intended to be sold or supplied under Article 4(1) and any ingredients intended to be used therein in a vehicle, container or package which also contains ingredients which have not been collected, held or removed in accordance with Articles 5 and 6.

Keeping of records

9.—(1) A person who manufactures feedingstuffs shall, in respect thereof, keep the records specified in Part II of the Schedule.

(2) A person who sells or supplies feedingstuffs shall, in respect thereof, keep the records specified in Part III of the Schedule.

(3) A person who sells or supplies ingredients for use in the manufacture of feedingstuffs shall, in respect thereof, keep the records specified in Part IV of the Schedule.

(4) A person who feeds feedingstuffs to poultry shall, in respect thereof, keep the records specified in Part V of the Schedule.

(5) A person required to keep a record under this Article shall—

(*a*) retain such record for a period of 12 months from the date of the last entry in the record; and

(*b*) produce such record to an inspector on demand being made by him at any reasonable time during that period and allow him to take a copy of it or an extract from it.

Taking of samples by inspectors

10. Where, in accordance with Article 46 of the Diseases of Animals (Northern Ireland) Order 1981, an inspector has entered any land, building, shed, pen or place he may take from any feedingstuffs, or any ingredients for use in the manufacture of feedingstuffs, such samples as he considers necessary in order to ascertain whether the requirements of this Order are being complied with.