1990 No. 50

ANIMALS

Poultry Breeding Flocks and Hatcheries (Registration and Testing etc.) Order (Northern Ireland) 1990

Made	*14th February 1990*
Coming into operation—	
Articles 3 and 4 . . .	*2nd April 1990*
Remainder . . .	*16th February 1990*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 5(1), 19(*h*) and (*i*), 44 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.—(1) This Order may be cited as the Poultry Breeding Flocks and Hatcheries (Registration and Testing etc.) Order (Northern Ireland) 1990 and, except for Articles 3 and 4, shall come into operation on 16th February 1990.

(2) Articles 3 and 4 shall come into operation on 2nd April 1990.

Interpretation

2.—(1) In this Order—

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

"authorised laboratory" means a laboratory in Northern Ireland authorised in writing by the Department for the purposes of this Order;

"breeding flock" means any flock of poultry consisting of not less than 25 birds which are kept (or are being reared) for the production of hatching eggs or birds for (in either case) sale or supply for breeding purposes or for the production of eggs or for meat;

"the Breeding Flocks Register" means the register kept by the Department under Article 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;

(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

"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 Schedule 3, each of which weighs not less than 1 gram and is taken from a site selected at random to represent the house or group of houses on the premises from which it is taken;

"hatching eggs" means eggs intended for incubation;

"the Hatcheries Register" means the register kept by the Department under Article 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;

"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 in Northern Ireland which has the necessary facilities and personnel for carrying out tests on samples mentioned in Parts I and II of Schedule 3 in accordance with the provisions of Part III of that Schedule;

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

"rearing premises" means any premises on which chicks are placed for rearing as replacement breeding stock;

"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 Order;

"sanitised", in relation to any egg, means—

(*a*) fumigated with formaldehyde;

(*b*) sprayed with or immersed in an egg shell disinfectant in accordance with the manufacturer's instructions; or

(*c*) made hygienic by any other method approved by the Department; and

"vermin" means rats, mice, flies or cockroaches.

(2) Until the coming into operation of Articles 3 and 4 any reference in this Order to a person who is registered in the Breeding Flocks Register or in the Hatcheries Register in respect of any premises shall be a reference to a person who is keeping a breeding flock on any premises or (as the case may be) to a person who is using any premises as a hatchery and whose name would be required to be entered in the Breeding Flocks Register or in the Hatcheries Register in respect of those premises in accordance with Article 3 or 4 if those Articles were in operation.

(3) Any reference in this Order to the supply of any hatching eggs, chicks or birds shall be deemed to include the transfer of them from one premises to any other premises (whether or not in the same ownership or occupation) for breeding purposes or for the production of eggs or for meat.

(4) After 1st June 1990 any reference in this Order to a laboratory shall be a reference to an authorised laboratory.

Registration of breeding flocks

3.—(1) Subject to paragraph (9), a person shall not keep a breeding flock on any premises unless his name is for the time being registered in the Breeding Flocks Register in respect of the premises on which the flock is kept.

(2) The Department shall, for the purposes of paragraph (1), keep a register of persons as being persons entitled to keep a breeding flock on any premises in respect of which they are registered.

(3) Where a person applies in writing to the Department to be registered in the Breeding Flocks Register in respect of any premises, the Department shall, subject to paragraphs (4) and (5), 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 Schedule 1 are notified to it in writing.

(5) The Department shall refuse to register any person in the Breeding Flocks Register in respect of any premises if an inspector is not permitted to enter the premises as required by paragraph 3 of Part I of Schedule 2 or if, as a result of an inspection carried out on the premises, it is satisfied that the requirements specified in paragraph 1 of that Part are not complied with by the applicant.

(6) The registration of a person in the Breeding Flocks Register in respect of any premises and any renewal of that registration shall expire after a period of one year from the date of the application therefor.

(7) A person who is registered for the time being in the Breeding Flocks Register in respect of any premises may, at any time before the date his registration expires, apply in writing to the Department for that registration to be renewed in respect of those premises.

(8) On receipt of an application under paragraph (7) the Department shall renew the applicant's registration in respect of the premises to which the application relates unless, as a result of an inspection carried out on the premises by an inspector, it is satisfied that the applicant has failed to comply with any of the requirements specified in Part I of Schedule 2 relating to the keeping of a breeding flock on those premises.

(9) The provisions of paragraph (1) shall not apply in the case of a breeding flock consisting of birds which are kept solely for the production of hatching eggs or chicks for use (in either case) in the manufacture of vaccines or for research or other scientific purposes.

Registration of hatcheries

4.—(1) Subject to paragraph (9), a person shall not use any premises as a hatchery unless his name is for the time being registered in the Hatcheries Register in respect of those premises.

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

(3) Where a person applies in writing to the Department to be registered in the Hatcheries Register in respect of any premises the Department shall, subject to paragraphs (4) and (5), 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 unless all particulars specified in Part II of Schedule 1 are notified to it in writing.

(5) The Department shall refuse to register any person in the Hatcheries Register in respect of any premises if an inspector is not permitted to enter the premises as required by paragraph 3 of Part II of Schedule 2 or if, as a result of an inspection carried out on the premises by an inspector, it is satisfied that any of the requirements specified in paragraph 1 of that Part are not complied with by the applicant.

(6) The registration of a person in the Hatcheries Register in respect of any premises and any renewal of that registration shall expire after a period of one year from the date of the application therefor.

(7) A person who is registered for the time being in the Hatcheries Register in respect of any premises may, at any time before the date his registration expires, apply in writing to the Department for that registration to be renewed in respect of those premises.

(8) On receipt of an application under paragraph (7), the Department shall renew the applicant's registration in respect of the premises to which the application relates unless, as a result of an inspection carried out on the premises by an inspector, it is satisfied that the applicant has failed to comply with any of the requirements specified in Part II of Schedule 2 relating to the use of those premises as a hatchery.

(9) The provisions of paragraph (1) shall not apply in the case of any premises used solely for the incubation or hatching of eggs from which chicks are sold or supplied for use in the manufacture of vaccines or for research or other scientific purposes.

Duties of registered persons in respect of breeding flocks and hatcheries

5. A person who is registered in respect of any premises in the Breeding Flocks Register or in the Hatcheries Register shall ensure that the requirements specified in Part I of Schedule 2 relating to the keeping of a breeding flock on those premises or, as the case may be, the requirements specified in Part II of that Schedule relating to the use of those premises as a hatchery are complied with.

Taking of samples from breeding flocks for bacteriological testing for salmonella

6. A person who is registered in the Breeding Flocks Register in respect of any premises on which a breeding flock is kept by him shall ensure that—

(*a*) in respect of the flock the samples specified in Part I of Schedule 3 are taken in such manner and at such times as are so specified;

(*b*) such samples are identified in such a manner as to enable the laboratory to which they are submitted to know what type of samples they are, the name of the person entered in the Breeding Flocks

Register in respect of the premises on which they were taken, the address of those premises and the house (if any) on those premises from which they were taken;

(*c*) such samples (other than those required to be taken under the supervision of an inspector) are submitted, within 48 hours of being taken, or, in the case of samples required to be taken over a period of 4 consecutive days, within 48 hours of the end of that period, to a laboratory for testing for the presence of salmonella in accordance with an appropriate bacteriological method set out in Part III of Schedule 3; 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 for salmonella by the Department in accordance with such a bacteriological method.

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

7. A person who is registered in the Breeding Flocks Register in respect of any premises on which a breeding flock containing any domestic fowls is kept by him shall ensure that—

(*a*) blood samples are taken from the fowls in such manner as is specified in Part I of Schedule 4 and at such times as are so specified; and

(*b*) such samples are tested in accordance with the serological method set out in Part II of that Schedule, by or under the supervision of an inspector for the presence of *Salmonella pullorum*.

Taking of samples from hatcheries for bacteriological testing for salmonella

8. 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 Schedule 3 are taken from 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 to know what type of samples they are, the name of the person entered in the Hatcheries Register in respect of the premises on which they were taken, the address of those premises and the address of the premises which supplied the hatching eggs to the hatchery from which the samples were obtained;

(*c*) such 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 Schedule 3; 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.