1990 No. 49

ANIMALS

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

Made	*14th February 1990*
Coming into operation—	
Articles 9 to 11 . . .	*2nd April 1990*
Remainder . . .	*16th February 1990*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 5(1), 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 Laying Flocks (Registration and Testing etc.) Order (Northern Ireland) 1990 and, except for Articles 9 to 11, shall come into operation on 16th February 1990.

(2) Articles 9 to 11 shall come into operation on 2nd April 1990.

Interpretation

2.—(1) In this Order—

"authorised laboratory" means a laboratory in Northern Ireland authorised in writing by the Department for the purposes of testing samples from poultry under this Order;

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

"eggs" means the eggs of poultry;

"flock" means any flock of poultry consisting of—

(*a*) not less than 25 birds which are kept primarily for the production of eggs for human consumption (including birds which are being reared for that purpose); or

(*b*) less than 25 birds, the eggs of which are sold for human consumption;

"laboratory" means any laboratory in Northern Ireland which has the necessary facilities and personnel for carrying out tests on samples

(a) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17

specified in Part I of Schedule 1 in accordance with the provisions of Part II of that Schedule;

"the Laying Flocks Register" means the Register kept by the Department under Article 9(2);

"poultry" means domestic fowls of any age and, except in Article 6(1)(*b*) and Schedule 2, "bird" shall be construed accordingly;

"rearing premises" means any premises on which poultry are being reared at any time primarily for the production of eggs for human consumption;

"registered" in relation to any person means the entry in respect of any premises of that person's name in the Laying Flocks Register; and

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

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

Taking of samples from flocks for testing

3. The owner or person in charge of a flock shall ensure that—

(*a*) in respect of the flock the samples specified in Part I of Schedule 1 are taken in such manner and at such times as are so specified; and

(*b*) such samples are submitted forthwith to a laboratory for testing for the presence of salmonella in accordance with a bacteriological method set out in Part II of that Schedule.

Testing of samples from flocks and reporting of results of tests

4.—(1) The person in charge of a laboratory who has accepted for testing a sample submitted to it under Article 3(*b*) shall ensure that—

(*a*) the sample is tested for the presence of salmonella in accordance with a bacteriological method set out in Part II of Schedule 1;

(*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 an examination carried out in accordance with the said bacteriological method a culture of salmonella is isolated from the sample, that a subculture is sent to the Department's Veterinary Research Laboratory, Stoney Road, Stormont, Belfast, or to its Food and Agricultural Microbiology Research Division, Newforge Lane, Belfast.

(2) Where a person to whom a report is made under paragraph (1)(*b*) is not the owner or person in charge of the flock to which the report relates, such person shall immediately pass that report to the owner or person in charge of that flock.

Requirements relating to the collection and handling of eggs

5. The owner or person in charge of a flock shall ensure that the requirements specified in Schedule 2 relating to the collection, handling, storage and packing of eggs from that flock are complied with.

Control of vermin etc.

6.—(1) The owner or person in charge of a flock shall ensure that, on the premises on which the flock is kept, effective measures are taken so as to ensure that—

(*a*) poultry houses and buildings or parts of buildings used to store eggs are not infested by vermin; and

(*b*) poultry houses in which poultry are housed permanently throughout their laying period are not accessible to any other birds at any time.

(2) In paragraph (1)(*b*) "bird" has the same meaning as in the Diseases of Animals (Northern Ireland) Order 1981.

Tampering with samples

7.—(1) A person shall not treat or otherwise tamper with any sample taken for the purpose of this Order.

(2) For the purpose of this Article 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 any test required to be carrried out under this Order.

Keeping of records

8. The owner or person in charge of a flock shall—

(*a*) keep records in respect of the flock containing the information specified in Schedule 3;

(*b*) retain any such records for a period of one year from the date on which the sample or test to which it relates was taken or carried out or, as the case may be, from the date on which the movement of poultry to which it relates took place; and

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

Registration of flocks

9.—(1) Subject to paragraph (7), a person shall not keep a laying flock on any premises unless his name is for the time being registered 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 laying flock on premises in respect of which their names are entered in the register.

(3) Where a person makes an application in writing to the Department for his name to be registered in respect of any premises on which a laying flock is to be kept by him, the Department shall, subject to paragraph (4), so register him and issue to him a certificate of such registration.

(4) The Department shall refuse to register any person in respect of any premises unless all the particulars specified in Schedule 4 are notified in writing to it.

(5) A person whose name is registered in respect of any premises shall, within 28 days of 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 Article.

(6) Where a person, who is registered in respect of any premises, in accordance with paragraph (5) notifies the Department within 28 days after an anniversary of that registration that the number of laying birds kept by him on those premises has been reduced to less than 100 then, unless within those 28 days after the anniversary he informs the Department that he anticipates the number of laying birds kept by him on the premises in question will increase to 100 or more before the next following anniversary of his registration, the Department shall revoke his registration.

(7) The provisions of paragraph (1) shall not apply where the name of the person keeping the laying flock is entered in the Breeding Flocks Register in respect of the premises on which the laying flock is kept.

(8) In this Article—

(*a*) "laying bird" means a bird kept primarily for the production of eggs for human consumption, other than a bird which is being raised for that purpose;

(*b*) "laying flock" means a flock of poultry consisting of not less than 100 laying birds;

(*c*) "Breeding Flock Register" has the meaning assigned to it by Article 3(2) of the Poultry Breeding Flocks and Hatcheries (Registration and Testing etc.) Order (Northern Ireland) 1990(**a**).

Notification by registered persons of results of tests on samples

10.—(1) A registered person shall notify the Department in writing of the results of tests carried out on samples in accordance with Article 3(*b*) and which have been reported or passed to him in accordance with Article 4.

(2) Such notification shall contain the information specified in Schedule 5 and shall be given by the registered person to the Department at 12 week intervals commencing with the date on which the registered person first receives a report of any such test.

Revocation and saving

11.—(1) Subject to paragraph (2), the Diseases of Animals (Testing of Poultry Flocks) Order (Northern Ireland) 1989(**b**) is hereby revoked.

(2) The Diseases of Animals (Testing of Poultry Flocks) Order (Northern Ireland) 1989 shall continue to apply in relation to any sample taken thereunder before the coming into operation of this Order as if paragraph (1) had not been made.

Sealed with the Official Seal of the Department of Agriculture on 14th February 1990.

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

(**a**) S.R. 1990 No. 50
(**b**) S.R., 1989 No. 120

SCHEDULE 1 Article 3(*a*)

PART I

SAMPLES TO BE TAKEN

1. In respect of each flock the samples to be taken shall be as provided in paragraphs 2 and 3.

2. In the case of birds of up to 15 weeks of age, the samples to be taken shall comprise:—

(*a*) all chick box liners, up to a maximum of 10, from the boxes or other containers in which chicks are delivered to any rearing premises on any day prior to 31st March 1990, such samples to be taken on the day of the arrival of the chicks there;

(*b*) the carcases of all chicks, up to a maximum of 60, which are found to be dead on arrival at any rearing premises prior to 31st March 1990;

(*c*) the carcases of all chicks, up to a maximum of 60, which die within 4 days of their arrival at any rearing premises prior to 31st March 1990;

(*d*) the carcases of all birds up to a maximum of 60, which die or are culled at 4 weeks of age, or within one week of attaining that age; and

(*e*) either—

(i) composite samples of fresh faeces taken within one week of the birds attaining 4 and 14 weeks of age, each composite sample being made up of individual samples of fresh faeces, each weighing not less than 1 gram, taken from a number of sites selected at random from the house in which the birds are kept or, where birds have free access to more than one house on any premises, from each group of houses in which birds are kept on those premises; or

(ii) cloacal swabs taken, at the rate of one swab from each bird, within one week of the birds attaining 4 and 14 weeks of age.

3. In the case of birds which are more than 15 weeks of age, the samples to be taken shall comprise:—

(*a*) composite samples of fresh faeces, each composite sample being made up of individual samples of fresh faeces, each weighing not less than 1 gram, taken from a number of sites selected at random from the house in which the birds are kept or, where birds have free access to more than one house on any premises, from each group of houses in which birds are kept on those premises; or

(*b*) cloacal swabs taken at the rate of one swab from each bird (selected at random),

and in either case such samples are to be taken on one occasion when the birds are between 15 and 26 weeks of age and at 12 week intervals thereafter until the birds die or are culled.

4. For the purposes of paragraphs 2(*e*) and 3 the number of sites from which individual faeces samples are to be taken in order to make a composite sample and the number of cloacal swabs to be taken shall be calculated as follows:—