1970. No. 335 [C]

POULTRY

Poultry Testing Scheme

SCHEME*, DATED 3RD DECEMBER 1970, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 8 OF THE POULTRY IMPROVEMENT ACT (NORTHERN IRELAND) 1968.

The Ministry of Agriculture in exercise of the powers conferred on it by Section 8 of the Poultry Improvement Act (Northern Ireland) 1968(a) and of every other power enabling it in that behalf and after such consultation as is required by Section 12(1) of the said Act and with the approval of the Ministry of Finance as to charges hereby makes the following Scheme:—

Citation

1. This Scheme may be cited as the Poultry Testing Scheme (Northern Ireland) 1970.

Interpretation

2. In this Scheme:

"commercial" means used for the production of eggs for consumption;

"entrant" means any person who supplies a sample or part of a sample pursuant to an application under Article 4(1) or any other person who supplies a sample on behalf of such person;

"Gosford Advisory Committee" means the committee for the time being appointed under Section 4 of the Agriculture Act (Northern Ireland) 1949 to advise the Minister of Agriculture on the running of poultry tests;

"pullet" means a female domestic fowl which has not completed its first laying cycle; and

"sample" means a sample of 275 pullet chicks or such other number not exceeding 325 as may be determined by the Ministry.

Carrying out of tests

3. The Ministry may carry out at the Testing Station at Gosford, County Armagh or such other testing stations as it may establish such tests of poultry as it thinks fit in order to determine the comparative profitability of different types, breeds or strains of commercial poultry.

Participation

4.—(1) Any holder of a Poultry Stock Licence who hatches on his licensed premises commercial strains of chicks for sale, supply or distribution shall if required by the Ministry make application to the Ministry in accordance with this Scheme to have a sample tested by the Ministry of each commercial strain

(a) 1968. c. 12 (N.I.).

*This Order was approved by a Resolution of the Senate on 17th December 1970 and by a Resolution of the House of Commons on 17th December 1970.

of poultry hatched on such premises either from his own eggs or from eggs belonging to any other Poultry Stock Licence holder and if such application is accepted by the Ministry such holder shall supply such sample for testing in accordance with this Scheme.

(2) Where the same commercial strain is hatched at more than one hatchery or licensed premises only one sample of that strain shall be tested by the Ministry and the Ministry may at its discretion require each person authorised to operate any such hatchery or licensed premises to supply such number of chicks as part of such sample as the Ministry shall determine.

(3) The Ministry may at its discretion and upon such terms and conditions as it thinks fit accept samples for testing from persons operating outside Northern Ireland who sell, supply or distribute commercial strains of poultry.

Application

5.—(1) Applications to have samples included in the tests shall be made in such form and at such time as the Ministry may require and shall include a description of the strain, breed or cross of poultry to be tested.

(2) The Ministry may at its discretion refuse any application in whole or in part.

Entry fee

6.—(1) (*a*) Subject to sub-paragraph (*b*) a fee of £150 shall be payable to the Ministry by each entrant in respect of each sample supplied by him for testing.

(*b*) Where one sample is supplied by more than one entrant in accordance with Article 4(2) each entrant shall pay such part of the fee of £150 as shall be proportionate to the number of chicks supplied by him for the purposes of that sample.

(2) If for any reason other than the failure of the entrant to observe the provisions of this Scheme the Ministry does not accept any entry or fails to test or discontinues the testing of a sample the fee or such part thereof as the Ministry shall consider reasonable shall be refunded to the entrant.

Conditions

7.—(1) Each sample shall be supplied by the entrant at his own expense and shall be taken at random at the hatchery or licensed premises of the entrant by an authorised officer of the Ministry.

(2) The Ministry shall give to the entrant not less than 2 days' notice of the day on which the sample is to be taken. No chicks of the strain to be sampled shall be removed from the hatchery premises on that day until the sample or samples have been drawn by an authorised officer of the Ministry.

(3) The entrant shall give the authorised officer whatever assistance he may require for the drawing of the sample.

(4) The entrant shall pack the sample in boxes in the presence of the authorised officer who shall seal the boxes. The Ministry shall not be required to return the boxes to the entrant.

(5) The entrant shall arrange at his own expense for the transport of the sample or samples to the testing station where the test is to be carried out. The sample or samples shall become the property of the Ministry on being delivered into the custody of the authorised officer at the testing station.