Marketing of Poultry

REGULATIONS, DATED THE 24TH DAY OF SEPTEMBER, 1958, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER SECTION 9 OF THE MARKETING OF POULTRY ACT (NORTHERN IRELAND), 1949.

1958. No. 157 **[C]**

The Ministry of Agriculture in exercise of the power conferred on it by Section 9 of the Marketing of Poultry Act (Northern Ireland), 1949(a), and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Short Title

1. These Regulations may be cited as the Marketing of Poultry Regulations (Northern Ireland), 1958.

Interpretations

2. In these Regulations unless the context otherwise requires:—

"Ministry" shall mean the Ministry of Agriculture for Northern Ireland.

"Act" shall mean the Marketing of Poultry Act (Northern Ireland), 1949.

"Poussin" shall mean a young domestic fowl which weighs, if alive, not less than $1\frac{1}{4}$ lb. and not more than 2 lb., or, if plucked and uneviscerated, not less than 1 lb. and not more than $1\frac{3}{4}$ lb.

"Wet Plucking" shall mean the removal of feathers by any method which involves the immersion of the carcase in water.

"Clean Plucking" shall mean the removal of all feathers and all growth associated with feathers (whether known as "pins" or "downs" or otherwise).

"Eviscerated Poultry" shall mean poultry with the feathers, head, neck, feet and all inedible offal removed, but which may include the giblets and may include poultry the carcase of which has been dissected into portions. Grammatical variations of this expression shall be construed accordingly.

"Sale by retail" shall mean a sale direct to a consumer but does not include sale by a producer.

Other expressions shall have the meanings assigned to them in the Act.

PART I

CONDITIONS APPLICABLE TO LICENCES GRANTED OR RENEWED BY THE MINISTRY

Premises and equipment

3. The holder of a Class A licence or a Class B licence shall provide premises for the purpose of his business of selling poultry by wholesale which shall comply with the following requirements:—

(a) 1949. c. 14.

(1) (*a*) The premises of a Class A licence-holder shall include separate rooms for each of the following purposes:—

(i) intake,

(ii) killing and plucking,

(iii) picking and finishing.

Provided that the Ministry may, in certain circumstances, approve variations of the requirements at (i), (ii) and (iii).

(iv) grading and packing,

(v) storage of boxes, packing material and feathers,

(vi) refrigeration of poultry. This room shall be of a minimum cubic capacity of 2,000 cubic feet and shall be equipped with a plant capable of the duty prescribed for " Chill Room " in the First Schedule.

Where evisceration is practised the holder of a Class A licence shall, in addition, provide the following separate rooms:—

(vii) an eviscerating room equipped to the requirements of the Ministry, and

(viii) either a hard freeze room equipped with a plant capable of the duty prescribed for "Hard Freeze " in the First Schedule or a quick freeze unit equipped with plant capable of the duty prescribed for " Quick Freeze " in the First Schedule.

(*b*) The premises of a Class B licence-holder shall include separate rooms for each of the following purposes:—

(i) intake,

(ii) killing and plucking,

(iii) picking and finishing.

Provided that the Ministry may, in certain circumstances, approve variations of the requirements at (i), (ii) and (iii).

(iv) cooling, grading and packing,

(v) storage of boxes, packing material and feathers.

Where evisceration is practised the holder of a Class B licence shall, in addition, provide a separate room for this purpose, equipped to the requirements of the Ministry.

(2) The dimensions of the premises and the arrangement of each part thereof in relation to each other part shall be such as will satisfy the Ministry that the business in respect of which a licence is granted can be conducted in accordance with these Regulations with reasonable facility and despatch.

(3) The premises shall be provided with adequate lighting and ventilation; the walls and floors shall be finished with a smooth and non-porous surface capable of being easily washed; and the premises and any equipment provided therein shall be maintained in a clean and sanitary condition and free from any odour likely to contaminate the poultry or packing material.

(4) A supply of running water shall be provided, and wash-hand basins or sinks with suitable drainage shall be provided at appropriate points on the premises. Where wet plucking is practised, a plentiful supply of clean hot water shall also be made available and the water in the dipping tanks shall be changed so frequently as to ensure that it remains reasonably clean and wholesome. Where wet plucking by sub-scalding is practised, there shall also be provided a plentiful supply of chilled water.

(5) Premises shall not, unless prior authority in writing has been given by the Ministry, be used for any purposes other than those of the business in respect of which the owner or occupier holds a licence.

(6) The holder of a Class A licence, a Class B licence or a Class C licence shall provide suitable vehicles, poultry crates and weighing machines for the purpose of the collection of poultry from producers. Only equipment of the approved type shall be used.

Limitation on sales and purchases of poultry by licence-holders

4.—(1) The holder of a Class A or a Class B licence shall not purchase from a producer any poultry other than live poultry.

(2) The holder of a Class A or a Class B licence shall not purchase from the holder of a Class C licence any poultry other than live poultry.

(3) The holder of a Class A licence shall not purchase from the holder of a Class B licence any poultry other than live poultry and the holder of a Class B licence shall not sell to the holder of a Class A licence any poultry other than live poultry.

(4) The holder of a Class A licence shall not purchase from or sell to another holder of a Class A licence any poultry other than live poultry or poultry prepared for sale or consignment in accordance with the conditions set forth in the Second Schedule to these Regulations, provided that the Ministry may grant exemptions to the provisions of this sub-section to meet the requirements of a particular trade.

Procedure for the preparation of poultry for sale

5. In the preparation of poultry for sale or consignment, the holder of a Class A licence shall comply with the conditions set forth in Part I, Section A, Part II and Part III of the Second Schedule to these Regulations, and the holder of a Class B licence shall comply with the conditions set forth in Part I, Section B, of the said Schedule.

The provisions of this Regulation are subject to any authorisation which may be granted by the Ministry for the preparation of poultry for any special requirements of the trade.

Part II

Conditions to permits granted by the Ministry

Permits granted to holders of Class A licences

6. The holder of a Class A licence shall not, for the purposes of the preparation for sale or consignment of any poultry sent from

Northern Ireland to Great Britain or the Isle of Man in the course of trade or business, use any premises or equipment other than premises or equipment approved by the Ministry for the purposes of his licence.

Permits granted to producers

7.—(1) Where the quantity of dead poultry sent by a producer from Northern Ireland to Great Britain or the Isle of Man under permit granted by the Ministry exceeds 50 lb. in weight in any one week or where the quantity of live poultry sent to Great Britain or the Isle of Man for purposes other than breeding, laying or rearing, exceeds twelve in any one week, the provisions of Part I (with the exception of Regulation 3(6)) and of Part III, Regulations 10(2) and (3) and 12(2) shall have effect in relation to the holder of a permit as they have in relation to the holder of a Class A licence.

(2) A producer may, under permit granted by the Ministry, make arrangements for the marketing of his dead poultry in excess of 50 lb. in weight in Great Britain and the Isle of Man provided the poultry are killed, graded and packed by a Class A licence-holder on the licence-holder's premises and in accordance with the conditions set forth in these Regulations. The cases in which such poultry are packed shall bear all the information required in sub-section (6) of Part III of the Second Schedule to these Regulations and may, in addition, bear such other information as is required by the producer. The licence-holder shall pay the additional licence fees.

PART III

GENERAL

Forms

8. The forms set out in the Third Schedule hereto or forms to the like effect shall be used in the cases in which they are stated to be applicable and shall, for the purposes of the Act and of these Regulations, be deemed to be the prescribed forms.

Date of renewal of licence

9. For the purposes of sub-section six of Section one of the Act, the date until which a licence granted under the Act shall, unless suspended or revoked or surrendered by the holder, remain in force shall be the 30th day of September next after the date on which it was granted.

Fees payable in respect of licences

10.—(1) The fees payable upon the grant or renewal of licences under Section one of the Act shall be as follows:—

For a Class A licence—Five pounds.

For a Class B licence—Five pounds.

For a Class C licence—Two pounds.

(2) The additional sum payable in respect of poultry sent to Great Britain or the Isle of Man by the holder of a Class A licence shall be:—

For poussins—one farthing per bird.

For other poultry (dead)—one farthing per lb.

For other poultry (live)—one penny per bird.

(3) The amount calculated at the rates prescribed in the foregoing paragraph due by the holder of a Class A licence in respect of any calendar month shall be payable to the Ministry not later than the fifteenth day next after the end of the said calendar month.

Exemption from purchase by weight

11. For the purposes of Section five of the Act it shall not be obligatory to purchase poussins by weight nor shall it be obligatory to purchase by weight any poultry intended for the purpose of breeding, laying or rearing, provided that at the time of purchase the purchaser makes a declaration to that effect to the seller. Where the purchaser is a licence-holder the said declaration shall be in writing.

Records and returns

12.—(1) The holder of a licence shall give to each person from whom he purchased live poultry a receipt in the form prescribed in the Third Schedule and shall himself retain a copy of each such receipt.

(2) The holder of a licence shall keep, or cause to be kept, in respect of each day an accurate record of every purchase of poultry by him and of every sale of poultry, whether by wholesale or retail, such record to include the following particulars:—

(*a*) the date of the purchase or sale;

(*b*) the name and address of the person from whom he bought the poultry or to whom he sold the poultry;

(*c*) for poussins—the number of birds;

(*d*) for dead poultry other than poussins—the description and weight;

(*e*) for live poultry other than poussins—the description, weight and number.

Provided that the holder of a Class C licence shall not be required to keep a record of his sales, by retail, of dead poultry.

(3) The holder of a licence shall retain the record of any transaction required to be kept pursuant to this Regulation for one year from the date of the transaction.

(4) The holder of a Class A licence shall make returns to the Ministry in respect of poultry sent from Northern Ireland to Great Britain or the Isle of Man, as follows:—

(*a*) A return, which shall accompany the consignment, showing the date of despatch, the destination, and the description and weight or, in the case of poussins or live poultry, the description and number, of the poultry contained in the consignment.