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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 209**

**ANIMALS**

**ANIMAL HEALTH**

**The Poultry Breeding Flocks and Hatcheries  
Scheme Order (Northern Ireland) 2007**

*Made - - - - 23rd March 2007*

*Coming into operation 13th April 2007*

The Department of Agriculture and Rural Development<sup>(1)</sup>, makes the following Order in exercise of the powers conferred on it by Articles 8(1) and 8(2) of the Diseases of Animals (Northern Ireland) Order 1981<sup>(2)</sup> and with the approval of the Department of Finance and Personnel.

In accordance with Article 8(1) of that Order it has consulted with the bodies which appear to it to be representative of the interests concerned.

**Citation and commencement**

1. This Order may be cited as The Poultry Breeding Flocks and Hatcheries Scheme Order (Northern Ireland) 2007 and comes into operation on 13<sup>th</sup> April 2007.

**Breeding flocks and hatcheries scheme**

2. For the purposes of keeping poultry, so far as practicable, free from Salmonella and controlling and, so far as practicable, reducing the incidence of Salmonella, the Department makes the Scheme set out in the Schedule to this Order.

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(1) Formerly the Department of Agriculture for Northern Ireland; see the Departments Order 1999 (S.I. 1999/283 (N.I. 1)) Article 3(4)  
(2) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Article 17, S.I. 1994/1891 (N.I. 6) Article 22

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Ireland Statutory Rules are not carried in their revised form on this site.*

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Sealed with the Official Seal of the Department of Agriculture and Rural Development on 23<sup>rd</sup>  
March 2007.

*E. Redmond*  
A senior officer of the Department of Agriculture  
and Rural Development

Sealed with the Official Seal of the Department of Finance and Personnel on 23<sup>rd</sup> March 2007.

*Mary McIvor*  
A senior officer of the Department of Finance  
and Personnel

SCHEDULE

Article 2

POULTRY BREEDING FLOCKS AND HATCHERIES  
SCHEME (NORTHERN IRELAND) 2007

PART I

INTRODUCTION

**Citation**

1. This Scheme may be cited as The Poultry Breeding Flocks and Hatcheries Scheme (Northern Ireland) 2007.

**Interpretation and application**

2.—(1) In this Scheme—

“approved laboratory” means a laboratory approved by the Department for the purposes of this Order;

“breeding flock” means a flock kept for the production of eggs intended for incubation;

“building” includes a shed and any part of a building that has its own ventilation system and is separated from other parts of the building by a solid partition;

“chick” means a bird less than 72 hours old that has not been fed;

“Commission Regulation” means [Commission Regulation \(EC\) No 1003/2005](#) implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No 2160/2003(3), as amended by [Commission Regulation \(EC\) No 1168/2006](#);

“the Department” means the Department of Agriculture and Rural Development;

“flock” means poultry of the same health status kept on the same holding or in the same enclosure and constituting a single epidemiological unit and, in the case of housed poultry, includes all birds sharing the same airspace;

“layer breeder” means poultry kept for the production of eggs intended for the incubation and hatching of chicks—

- (a) that will be grown to produce eggs for human consumption, or
- (b) whose progeny will be grown to produce eggs for human consumption;

“meat breeder” means poultry kept for the production of eggs intended for the incubation and hatching of chicks—

- (a) that will be grown to produce meat for human consumption, or
- (b) whose progeny will be grown to produce meat for human consumption;

“poultry” means domestic fowls, turkeys, geese or ducks.

**Competent authority**

3. The Department is the competent authority for the purposes of—

(3) O.J. No. L 170, 1.7.2005, p.12 as amended by O.J. No. L 211, 1.8.2006, p 4

- (a) [Commission Regulation \(EC\) No 1003/2005](#) implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No 2160/2003<sup>(4)</sup> (in this Order, referred to as “the Commission Regulation”); and
- (b) [Commission Regulation \(EC\) No 1177/2006](#) implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards requirements for the use of specific control methods in the framework of the national programmes for the control of salmonella in poultry<sup>(5)</sup> (in this Order, referred to as “Commission Regulation 1177/2006”).

## PART II

### NOTIFICATION OF HATCHERIES AND BREEDING FLOCKS

#### Notification of hatcheries

4.—(1) The occupier of a poultry hatchery with a total incubator capacity of 1000 eggs or more must notify the Department of the information in Annex 1, paragraph 1—

- (a) in the case of a hatchery established after the date this Order comes into operation, within three months of the establishment of the hatchery; and
- (b) in any other case within three months of the coming into operation of this Order.

(2) The occupier must notify the Department of any change or addition to that information within three months of the change or addition.

(3) This Article does not apply to any occupier who has notified the Department of that information under any other statutory provision.

#### Notification of breeding flocks

5.—(1) The occupier of a holding on which one or more breeding flocks of at least 250 poultry of any single species are kept must notify the Department of the information in Annex 1, paragraph 2—

- (a) in the case of such a holding established after the coming into operation of this Order, within three months of the establishment of the holding; and
- (b) in any other case within three months of the coming into operation of this Order.

(2) The occupier must notify the Department of any change or addition to that information within three months of the change or addition.

(3) This Article does not apply to any occupier who has notified the Department of that information under any other statutory provision.

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(4) O.J. No. L 170, 1.7.2005, p.12. This Regulation extends to the EEA through Decision of the EEA Joint Committee No 101/2006 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement (O.J. No. L 333, 30.11.2006, p.6)

(5) O.J. No. L 212, 2.8.2006, p.3

**PART III**  
**CONTROL OF SALMONELLA IN *GALLUS GALLUS***  
**CHAPTER 1**  
**Duties of an occupier**

**Application of Chapter 1**

6. This Chapter applies in relation to any holding on which one or more breeding flocks of at least 250 domestic fowl of the species *Gallus gallus* are kept, and any reference in this Chapter to an occupier is a reference to an occupier of such a holding.

**Notification of arrival of breeding flocks**

7.—(1) The occupier must notify the Department of the expected date of arrival at the holding of every breeding flock of at least 250 domestic fowl of the species *Gallus gallus*.

(2) The notification must be made at least two weeks before the expected date of arrival.

**Notification of movement to laying phase etc.**

8.—(1) The occupier must notify the Department of the date that he expects each breeding flock on the holding to—

- (a) move to the laying phase or laying unit; and
- (b) reach the end of the production cycle.

(2) The notification must be made at least two weeks before the breeding flock is expected to move to the laying phase or laying unit.

**Sampling of breeding flocks**

9.—(1) The occupier must take samples from each breeding flock on the holding at the following times—

- (a) when the birds in the flock are chicks;
- (b) when the birds in the flock are four weeks old;
- (c) two weeks before the date the flock is expected to come into lay or move to the laying phase or laying unit; and
- (d) every second week during the laying period.

(2) Sampling under paragraph (1)(a) to (c) must be done in accordance with Annex 2 to this Scheme and sampling under paragraph (1)(d) must be done in accordance with point 2.2.2.1 of the Annex to the Commission Regulation (routine sampling at the initiative of the operator).

**Submission of samples to an approved laboratory**

10.—(1) The occupier must dispatch the samples taken under Article 9 to an approved laboratory for the purposes of testing for the presence of salmonella.

(2) The occupier must dispatch the samples within—

- (a) 24 hours of being taken; or
- (b) 48 hours of being taken if they have been stored in a refrigerator at a temperature of between 1° and 4° C as soon as practicable on the day they are taken.

(3) The occupier must ensure that the samples are identified prior to dispatch so as to enable the approved laboratory to determine—

- (a) the name of the occupier;
- (b) the address of the holding on which the breeding flock from which the samples were taken are kept;
- (c) the type of samples;
- (d) the date on which the samples were taken;
- (e) the identification of the breeding flock sampled;
- (f) the age of the breeding flock sampled;
- (g) whether the breeding flock from which the samples were taken is a flock of layer breeders or meat breeders; and
- (h) the status in the breeding pyramid of the breeding flock from which the samples were taken.

#### **Records of samples**

11.—(1) The occupier must—

- (a) keep a record of the information in Annex 3, paragraph 1, in respect of each sample taken in accordance with Article 9; and
- (b) by 30th June and 31st December each year, notify the Department of that information in respect of sampling undertaken in the six months prior to notification.

(2) The occupier must keep the record in paragraph (1)(a) for two years from the date the sample was taken.

#### **Records of movements**

12.—(1) The occupier must keep a record of the information in Annex 3, paragraph 2, in respect of the movement to and from the holding of any domestic fowl of the species *Gallus gallus* or their chicks or eggs.

(2) The occupier must keep the record in paragraph (1) for two years from the date of the movement.

## **CHAPTER 2**

### **Duties of approved laboratories**

#### **Duties of an approved laboratory**

13.—(1) The person in charge of an approved laboratory must ensure that the examination of samples submitted to it under Article 10 begins within 48 hours of receipt of those samples.

(2) The person in charge must ensure that the—

- (a) samples are prepared as follows—
  - (i) chick box liners must be prepared in accordance with Annex 4 to this Scheme,
  - (ii) boot swabs' samples must be prepared in accordance with point 3.1.2 of the Annex to the Commission Regulation, and
  - (iii) any other samples of faeces must be prepared in accordance with point 3.1.3 of that Annex;

- (b) samples are tested for salmonella in accordance with the method in point 3.2 of that Annex; and
- (c) result of any test on any sample is reported in writing as soon as practicable to the occupier who submitted it.

### CHAPTER 3

#### Use of antimicrobials and vaccines

##### **Prohibition on the use of antimicrobials**

14. A person may not administer any antimicrobial to any bird in a breeding flock of domestic fowl of the species *Gallus gallus* as a specific method to control salmonella in breach of Article 2 of Commission Regulation 1177/2006 (use of antimicrobials).

##### **Prohibition on the use of vaccines**

15. A person may not administer any live salmonella vaccine to any bird in a breeding flock of domestic fowl of the species *Gallus gallus* in breach of Article 3(1) of Commission Regulation 1177/2006 (use of vaccines).

## PART IV

### MISCELLANEOUS

##### **Hatchery records**

16.—(1) The occupier of a hatchery with a total incubator capacity of 1000 eggs or more and containing domestic fowl of the species *Gallus gallus* or their eggs must keep a record of the information in—

- (a) Annex 3, paragraph 3, in respect of the movement of any eggs of domestic fowl of the species *Gallus gallus* to and from the hatchery; and
  - (b) Annex 3, paragraph 4, in respect of the movement of any chicks of domestic fowl of the species *Gallus gallus* from the hatchery.
- (2) The occupier must keep the record for two years from the date of the movement.

##### **Production of records**

17. Any person required to keep a record under this Scheme must produce it to an inspector on demand at any reasonable time and allow a copy of it to be made or extract from it to be taken.

##### **Tampering with samples**

18. A person must not tamper with a sample or do anything to it that is likely to affect the result of any test required to be carried out under this Scheme, except as provided for in this Scheme.

##### **Powers of the Department in cases of default**

19. If any person fails to take any action under this Scheme, an inspector may take, or cause to be taken, such action and his expenses reasonably incurred recoverable by the Department from the person in default.

## Revocation

20. The Poultry Breeding Flocks and Hatcheries Scheme Order (Northern Ireland) 1994<sup>(6)</sup> and the Poultry Breeding Flocks and Hatcheries Scheme (Amendment) Order (Northern Ireland) 2000<sup>(7)</sup> are revoked.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes and remakes the Poultry Breeding Flocks and Hatcheries Scheme Order (Northern Ireland) 1994 ([S.R. 1994 No. 118](#)).

The Order implements the national control programme for domestic fowl of the species *Gallus gallus*—

- (a) required by Article 5 of Regulation ([EC](#)) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents (O.J. No. L 325, 12.12.2003, p 1); and
- (b) approved by the European Commission in accordance with Article 6 of that Regulation.

The national control programme is available from Surveillance, Zoonoses and Emerging Issues Division Department for Environment, Food and Rural Affairs, 1A Page Street, London SW1P 4PQ or from the Defra website ([www.defra.gov.uk](http://www.defra.gov.uk)).

The Order enforces [Commission Regulation \(EC\) No 1003/2005](#) implementing Regulation ([EC](#)) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation ([EC](#)) No 2160/2003 (O.J. No. L 170, 1.7.2005, p12) as amended by [Commission Regulation \(EC\) No 1168/2006](#) (O.J. No. L 211, 1.8.2006, p 4).

Article 4 requires the occupier of a poultry hatchery with a total incubator capacity of 1000 eggs or more to notify the Department. Article 5 requires the occupier of a holding on which breeding flocks of 250 poultry or more are kept to notify the Department.

Articles 6 to 12 apply to the occupier of a holding on which breeding flocks of domestic fowl of the species *Gallus gallus* are kept. Article 7 requires the occupier to notify the Department of the arrival of breeding flocks at the holding and Article 8 requires him to notify when those flocks will move to the laying phase or laying unit and reach the end of the production cycle. Article 9 requires him to take samples from those flocks and Article 10 requires him to submit those samples to an approved laboratory for testing for salmonella. Articles 11 and 12 impose record-keeping requirements on the occupier.

Article 13 sets out the duties of an approved laboratory to prepare and test the samples and report the results of tests to the occupier.

Article 14 prohibits the administering of any antimicrobial to domestic fowl of the species *Gallus Gallus*, other than in accordance with Article 2 of Commission Regulation 1177/2006. Article 15 prohibits the administering of any live salmonella vaccine to such species, other than in accordance with Article 3(1) of that Regulation.

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(6) [S.R. 1994 No.118](#)

(7) [S.R. 2000 No. 110](#)

Article 16 imposes record-keeping requirements on the occupier of a poultry hatchery.

Article 17 – 19 relates to production of records, tampering with of any samples taken which may affect the result except as specified in the Scheme and powers of the Department.

Failure to comply with this Order is an offence under Article 52 of the Diseases of Animals Order (Northern Ireland) 1981.