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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 263**

**ANIMALS**

**ANIMAL HEALTH**

**The Control of Salmonella in Poultry  
Scheme Order (Northern Ireland) 2008**

*Made - - - - 25th June 2008*

*Coming into operation 28th July 2008*

The Department of Agriculture and Rural Development<sup>(1)</sup>, makes the following Order in exercise of the powers conferred 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 Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008 and comes into operation on 28th July 2008.

**Commencement Information**

**II** [Art. 1](#) in operation at 28.7.2008, see [art. 1](#)

**Control of salmonella in poultry scheme**

2. For the purposes of keeping poultry, so far as is 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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**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008. (See end of Document for details)

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**Commencement Information**

**I2** Art. 2 in operation at 28.7.2008, see **art. 1**

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 25th June 2008

(L.S.)

*Elizabeth 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 25th June 2008

(L.S.)

*Jack Layberry*  
A senior officer of the Department of Finance  
and Personnel

## SCHEDULE

Article 2

### CONTROL OF SALMONELLA IN POULTRY SCHEME (NORTHERN IRELAND) 2008

## PART I INTRODUCTION

### Citation

1. This Scheme may be cited as The Control of Salmonella in Poultry Scheme (Northern Ireland) 2008 and comes into operation on 28th July 2008.

### Commencement Information

**I3** Sch. para. 1 in operation at 28.7.2008, see **art. 1**

### Interpretation

2. 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;

“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;

“laying flock” means a flock of poultry kept for the production of eggs intended 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;

“occupier” means, in relation to any hatchery or holding, the person in charge of the hatchery or holding;

“poultry” means birds of the species *Gallus gallus*, turkeys, ducks and geese.

**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008. (See end of Document for details)

#### Commencement Information

**I4** Sch. para. 2 in operation at 28.7.2008, see **art. 1**

#### Competent authority

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

- [<sup>F1</sup>(za) Commission Regulation (EC) No 2160/2003 on the control of salmonella and other food-borne zoonotic agents;]
- (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(3);
  - (b) Commission Regulation (EC) No 1168/2006 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in laying hens of *Gallus gallus* and amending Regulation (EC) No 1003/2005(4); and
  - (c) 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(5).

**F1** Sch. para. 3(za) inserted (31.12.2020) by The Animal Health, Seed Potatoes and Food (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/962), regs. 1(2), 2; 2020 c. 1, Sch. 5 para. 1(1)

#### Commencement Information

**I5** Sch. para. 3 in operation at 28.7.2008, see **art. 1**

## PART II

### POULTRY HATCHERIES

#### Notification of poultry 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) within three months of the coming into operation of this Order; or
- (b) in the case of such a hatchery established after the date this Order comes into operation, within three months of the establishment of the hatchery.

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

(3) 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)

(4) O.J. No. L 211, 1.8.2006, p. 4

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

#### Commencement Information

**I6** Sch. para. 4 in operation at 28.7.2008, see **art. 1**

#### Records in a hatchery incubating *Gallus gallus*

[<sup>F25</sup> The Department is the competent authority for the purposes of—

- (a) [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;
- (b) [Commission Regulation \(EU\) No 200/2010](#) implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Union target for the reduction of the prevalence of Salmonella serotypes in adult breeding flocks of *Gallus gallus*, as last amended by [<sup>F3</sup>[Commission Regulation \(EU\) 2019/268](#)] ; and
- (c) [Commission Regulation \(EU\) No 517/2011](#) implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Union target for the reduction of the prevalence of certain Salmonella serotypes in laying hens of *Gallus gallus* and amending Regulation (EC) No 2160/2003 and [Commission Regulation \(EU\) No 200/2010](#)[<sup>F4</sup>, as amended by [Commission Regulation \(EU\) 2019/268](#)].]

**F2** Sch. para. 5 substituted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, **Sch. 4 para. 5(a)**

**F3** Words in Sch. para. 5(b) substituted (30.10.2019) by [The Animal Health and Welfare \(Amendment\) \(No. 2\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/197\)](#), reg. 1, **Sch. 2 para. 1(2)(a)**

**F4** Words in Sch. para. 5(c) inserted (30.10.2019) by [The Animal Health and Welfare \(Amendment\) \(No. 2\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/197\)](#), reg. 1, **Sch. 2 para. 1(2)(b)**

## PART III

### BREEDING OR LAYING FLOCKS

#### Notification of breeding or laying flocks

6.—(1) The occupier of a holding on which one or more breeding flocks or laying 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) within three months of the coming into operation of this Order; or
- (b) in the case of such a holding established after the date this Order comes into operation, within three months of the establishment of the holding.

(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 Paragraph does not apply to any occupier who has notified the Department of that information under any other enactment.

**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008. (See end of Document for details)

**Commencement Information**

**I7** Sch. para. 6 in operation at 28.7.2008, see **art. 1**

## PART IV

### BREEDING OR LAYING FLOCKS OF THE SPECIES *GALLUS GALLUS*

#### CHAPTER 1

##### Duties of an occupier

#### Application of Chapter 1

7.—(1) This Part applies in relation to any holding on which one or more breeding flocks of the species *Gallus gallus* of at least 250 birds are kept.

(2) It applies in relation to any holding on which one or more laying flocks of the species *Gallus gallus* are kept unless all the eggs are—

- (a) for private domestic use; or
- (b) supplied in small quantities by the producer to the final consumer or to local retail shops.

(3) Any reference to an occupier is a reference to an occupier of such a holding.

(4) All references in this Schedule to birds are references to birds of the species *Gallus gallus*, and all references to flocks are to flocks of those birds.

**Commencement Information**

**I8** Sch. para. 7 in operation at 28.7.2008, see **art. 1**

#### Notification of arrival of breeding flocks

8.—(1) The occupier must notify the Department of the expected date of arrival at the holding of every breeding flock of at least 250 birds.

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

**Commencement Information**

**I9** Sch. para. 8 in operation at 28.7.2008, see **art. 1**

#### Notification of movement to laying phase of breeding flocks

9. At least two weeks before a breeding flock is expected to move to the laying phase, or to a laying unit, the occupier must notify the Department of the date that the flock is expected to—

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

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**Commencement Information**

**I10** Sch. para. 9 in operation at 28.7.2008, see **art. 1**

**Breeding flocks: sampling times**

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

- (a) when the birds are chicks;
- (b) when the birds are four weeks old;
- (c) two weeks before the date the flock is moved to a laying unit or (if they are not moved) the date they are expected to come into lay; and
- (d) every second week during the laying period.

(2) Sampling under sub-paragraph (1) must be done in accordance with the method of sampling specified in Annex 2.

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**Commencement Information**

**I11** Sch. para. 10 in operation at 28.7.2008, see **art. 1**

**Laying flocks: sampling times**

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

- (a) when the birds are chicks;
- (b) two weeks before the date the flock is moved to a laying unit or (if they are not moved) the date they are expected to come into lay; and
- (c) every 15 weeks during the laying period, starting when the birds are between 22 and 26 weeks old.

(2) Sampling under sub-paragraph (1) must be done in accordance with the method of sampling specified in Annex 2.

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**Commencement Information**

**I12** Sch. para. 11 in operation at 28.7.2008, see **art. 1**

**Submission of samples to an approved laboratory**

12.—(1) The occupier must, on the day a sample is taken under this Scheme, dispatch the sample to a laboratory approved by the Department for the purposes of testing for the presence of salmonella.

(2) The occupier must identify the samples and provide the following information—

- (a) the name of the occupier;
- (b) the address of the holding;
- (c) the type of samples;
- (d) the date on which the samples were taken;

**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008. (See end of Document for details)

- (e) the identification of the flock;
- (f) the age of the flock;
- (g) in the case of a breeding flock—
  - (i) whether the flock is a flock of layer breeders or meat breeders; and
  - (ii) the status in the breeding pyramid of the flock.

**Commencement Information**

**I13** Sch. para. 12 in operation at 28.7.2008, see **art. 1**

**Records of samples**

13. The occupier must, as soon as is reasonably practicable after taking a sample, keep a record of the information in Annex 3 paragraph 1.

**Commencement Information**

**I14** Sch. para. 13 in operation at 28.7.2008, see **art. 1**

**Records of movements**

14. When birds or eggs (other than eggs for human consumption) are moved on to or off a holding the occupier must keep a record of the information in Annex 3 paragraph 2.

**Commencement Information**

**I15** Sch. para. 14 in operation at 28.7.2008, see **art. 1**

CHAPTER 2

Duties on the person in charge of a laboratory

**Duties on the person in charge of a laboratory**

15.—(1) The person in charge of a laboratory who receives samples must ensure that the sample is refrigerated and that the examination begins within 48 hours of receipt.

- (2) That person must prepare a sample from chick box liners or hatcher box liners by—
  - (a) taking a piece of soiled liner weighing at least one gram from each liner;
  - (b) bulking together all the pieces from a consignment; and
  - (c) placing the bulked material in Buffered Peptone Water (BPW) at the rate of not more than 1 gram of liner for every 10 ml of BPW.
- (3) In the case of breeding flocks that person must—
  - (a) prepare boot swab samples in accordance with [F5]point 3.1.3 of the Annex to Commission Regulation (EU) 200/2010];
  - (b) prepare any other samples of faeces in accordance with [F6]point 3.1.4 of that Annex]; and
  - (c) test the samples for salmonella in accordance with the method in point 3.2 of that Annex.
- (4) For laying flocks that person must—



- (a) prepare boot swabs' samples in accordance with point 3.1.1 of the Annex to [\[<sup>F7</sup>Commission Regulation \(EU\) No 517/2011\]](#);
  - (b) prepare any other samples of faeces or dust in accordance with 3.1.2 of that Annex; and
  - (c) test the samples for salmonella in accordance with the method in point 3.2 of that Annex.
- (5) That person must send the results as soon as practicable to the person who submitted the sample.

- F5** Words in Sch. para. 17(3)(a) substituted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, **Sch. 4 para. 5(b)(i)**
- F6** Words in Sch. para. 17(3)(b) substituted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, **Sch. 4 para. 5(b)(ii)**
- F7** Words in Sch. para. 17(4)(a) substituted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, **Sch. 4 para. 5(b)(iii)**

**Commencement Information**

- I16** [Sch. para. 15](#) in operation at 28.7.2008, see [art. 1](#)

## CHAPTER 3

### Prohibition on the use of antimicrobials and vaccines

#### Prohibition on the use of antimicrobials

16. A person may not administer any antimicrobial to any bird of the species *Gallus gallus* as a specific method to control salmonella in breach of Article 2 of [Commission Regulation \(EC\) 1177/2006](#) (use of antimicrobials).

**Commencement Information**

- I17** [Sch. para. 16](#) in operation at 28.7.2008, see [art. 1](#)

#### Prohibition on the use of vaccines

17. A person may not administer any live salmonella vaccine to any bird of the species *Gallus gallus* in breach of Article 3(1) of [Commission Regulation \(EC\) 1177/2006](#) (use of vaccines).

**Commencement Information**

- I18** [Sch. para. 17](#) in operation at 28.7.2008, see [art. 1](#)

## PART V

### MISCELLANEOUS

#### Records

18. Any person required to keep a record under this Scheme must keep it for two years from the date it is made and must produce it to an inspector or officer of the Department on demand and allow a copy of it to be made or an extract from it to be taken.

**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008. (See end of Document for details)

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**Commencement Information**

**I19** Sch. para. 18 in operation at 28.7.2008, see **art. 1**

**Tampering with samples**

19. 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.

.....  
**Commencement Information**

**I20** Sch. para. 19 in operation at 28.7.2008, see **art. 1**

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

20. If a person fails to take any action required by this Scheme, an inspector may arrange for such action to be taken at the expense of the person in default.

.....  
**Commencement Information**

**I21** Sch. para. 20 in operation at 28.7.2008, see **art. 1**

**Revocation**

21. The Poultry Breeding Flocks and Hatcheries Scheme Order (Northern Ireland) 2007(6) is revoked.

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**Commencement Information**

**I22** Sch. para. 21 in operation at 28.7.2008, see **art. 1**

ANNEX 1

Paragraphs 4(1) and 6(1)

**Information in relation to poultry hatcheries**

1. The information to be notified is—
  - (a) the name, address and telephone number of the occupier;
  - (b) the address and telephone number of the hatchery;
  - (c) the incubator capacity of the hatchery; and
  - (d) the species of poultry hatched at the hatchery.

.....  
**Commencement Information**

**I23** Annex 1 para. 1 in operation at 28.7.2008, see **art. 1**

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(6) S.R. 2007/209

## Information in relation to breeding or laying flocks

2. The information to be notified is—
  - (a) the name, address and telephone number of the holding;
  - (b) the name, address and telephone number of the occupier and of the person who owns each breeding flock on the holding;
  - (c) the number of flocks on the holding;
  - (d) for each flock—
    - (i) the identification of the flock;
    - (ii) whether it is a breeding flock or a laying flock;
    - (iii) the species;
    - (iv) the number of poultry;
  - (e) for each breeding flock—
    - (i) whether the flock is a flock of layer breeders or meat breeders; and
    - (ii) the status in the breeding pyramid of the flock.

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### Commencement Information

**I24** [Annex 1 para. 2](#) in operation at 28.7.2008, see [art. 1](#)

## ANNEX 2

Paragraphs 10 and 11

## Method of sampling chicks

- 1.—(1) An occupier who samples chicks under this Schedule must take—
  - (a) 1 chick box liner, or hatcher tray liner, for every 500 chicks delivered from each hatchery, up to a maximum of 10; and
  - (b) the carcasses of all chicks, up to a maximum of 60, from each hatchery that are dead on arrival at the holding.
- (2) In this paragraph—
  - (a) “chick box liner” means any material used to line a box or other container in which chicks are transported from the hatchery to the holding
  - (b) “hatcher tray liner” means any material used to line a box, tray or other container in which eggs are incubated or hatched.

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### Commencement Information

**I25** [Annex 2 para. 1](#) in operation at 28.7.2008, see [art. 1](#)

## Sampling of four-week-old birds etc.

- 2.—(1) An occupier must use the methods set out in this paragraph when sampling—
  - (a) in the case of breeding flocks, four-week-old birds; and

**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008. (See end of Document for details)

- (b) in the case of both breeding flocks and laying flocks, birds two weeks before the date they are moved to a laying unit or (if they are not moved) the date they are expected to come into lay.
- (2) The sample must consist of—
- (a) a minimum of two pairs of boot swabs; or
  - (b) a composite faeces sample.
- (3) In this paragraph, “a composite faeces sample” means a sample of faeces consisting of at least sixty samples each of which weighs not less than 1 gram and each of which is taken from a site selected at random to represent the flock from which it is taken.

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**Commencement Information**

**I26** [Annex 2 para. 2](#) in operation at 28.7.2008, see [art. 1](#)

**Method of sampling during the laying period**

[<sup>F83</sup>. Samples taken during the laying period must be taken in accordance with point 2.2.2.1 of the Annex to Commission Regulation (EU) 200/2010 (in the case of breeding flocks) or point 2.2 of the Annex to [Commission Regulation \(EU\) No 517/2011](#) (in the case of laying flocks)]

**F8** [Annex 2 para. 3](#) substituted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, [Sch. 4 para. 6](#)

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**Commencement Information**

**I27** [Annex 2 para. 3](#) in operation at 28.7.2008, see [art. 1](#)

ANNEX 3

Paragraphs 5, 13 and 14

**Samples**

1. The information to be recorded is—
  - (a) the type of sample taken;
  - (b) the date on which the sample was taken;
  - (c) the identification of the flock from which the sample was taken;
  - (d) the age of the flock sampled;
  - (e) the laboratory to which the sample was sent;
  - (f) the result of each test when it is received from the laboratory.

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**Commencement Information**

**I28** [Annex 3 para. 1](#) in operation at 28.7.2008, see [art. 1](#)

**Movements**

2. The information to be recorded is—

- (a) the date of the movement;
- (b) whether the movement was on to or off the holding;
- (c) the number of birds or eggs moved;
- (d) the age of the birds moved;
- (e) in the case of the movement of an entire flock, the identification of that flock;
- (f) the identity of the building or group of buildings in to or from which the birds or eggs were moved;
- (g) the address of the holding that they came from or were sent to.

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**Commencement Information**

**I29** [Annex 3 para. 2](#) in operation at 28.7.2008, see [art. 1](#)

**Movements in a hatchery incubating *Gallus gallus***

3. The information to be recorded is—
- (a) the date of the movement;
  - (b) the number of eggs or chicks moved;
  - (c) whether the movement is on to or off the hatchery;
  - (d) if the movement is off the hatchery, the holding of destination; and
  - (e) in the case of eggs brought on to the hatchery for incubation, the holding of origin.

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**Commencement Information**

**I30** [Annex 3 para. 3](#) in operation at 28.7.2008, see [art. 1](#)

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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) 2007. The principal change is that it extends the sampling provision in the earlier Scheme to laying flocks (the earlier Scheme was confined to breeding flocks) of birds of the species *Gallus gallus*.

It enforces [Commission Regulation \(EC\) No 1003/2005](#), [Commission Regulation \(EC\) No 1168/2006](#) and [Commission Regulation \(EC\) No 1177/2006](#).

It makes provision for the registration of hatcheries, breeding flocks and laying flocks of birds of the species *Gallus gallus*, turkeys, ducks and geese, and imposes record-keeping requirements.

It makes provision for sampling breeding and laying flocks of birds of the species *Gallus gallus*.

Breach of the Order is an offence under Article 52 of the Disease of Animals Order 1981.

**Changes to legislation:** *There are currently no known outstanding effects for the The Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008. (See end of Document for details)*

**Changes to legislation:**

There are currently no known outstanding effects for the The Control of Salmonella in Poultry Scheme Order (Northern Ireland) 2008.