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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 248**

**ANIMALS**

**ANIMAL HEALTH**

**The Control of Salmonella in Turkey Flocks  
Scheme Order (Northern Ireland) 2010**

*Made - - - - 26th July 2010*

*Coming into operation 19th August 2010*

The Department of Agriculture and Rural Development(1), 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(2), as read with paragraph 1A of Schedule 2 to the European Communities Act 1972(3) 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.

The Department considers it expedient that references to the Community instruments implemented by this Order should have effect as references to those instruments as amended from time to time.

**Citation and commencement**

1. This Order may be cited as the Control of Salmonella in Turkey Flocks Scheme Order (Northern Ireland) 2010 and comes into operation on 19<sup>th</sup> August 2010.

**Commencement Information**

**II** Art. 1 in operation at 19.8.2010, see [art. 1](#)

**Control of salmonella in turkey flocks scheme**

2. For the purposes of keeping turkey flocks, so far as is practicable, free from Salmonella and controlling and, so far as practicable, reducing the prevalence of Salmonella, the Department makes the Scheme set out in the Schedule.

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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  
(3) 1972 c. 68 Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51)

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**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Turkey Flocks Scheme Order (Northern Ireland) 2010. (See end of Document for details)

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**Commencement Information**

**I2** Art. 2 in operation at 19.8.2010, see [art. 1](#)

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 26<sup>th</sup> July 2010

(L.S.)

*C. McMaster*  
A senior officer of the Department of Agriculture  
and Rural Development

Sealed with the Official Seal of the Department of Finance and Personnel on 26<sup>th</sup> July 2010

(L.S.)

*Adrian Arbuthnot*  
A senior officer of the Department of Finance  
and Personnel

## SCHEDULE

Article 2

### CONTROL OF SALMONELLA IN TURKEY FLOCKS SCHEME (NORTHERN IRELAND) 2010

#### Citation

1. This Scheme may be cited as The Control of Salmonella in Turkey Flocks Scheme (Northern Ireland) 2010 and comes into operation on 19<sup>th</sup> August 2010.

#### Commencement Information

**I3** Sch. para. 1 in operation at 19.8.2010, see [art. 1](#)

#### Interpretation

2.—(1) In this Scheme—

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

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

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

“holding” means any holding on which one or more turkey flocks are kept or are intended to be kept;

“identity of the flock” means—

- (a) the date when that flock was placed on the holding; and
- (b) the epidemiological unit or house relating to that flock;

“keeper” means any natural or legal person responsible for or in charge of turkeys in terms of contract or by law whether on a permanent or temporary basis;

“turkeys” means birds of the species *Meleagris gallopavo*;

“turkey flock” means—

- (c) a flock of more than 250 turkeys kept for breeding;
- (d) a flock of more than 500 turkeys kept for the production of meat intended for human consumption unless—
  - (i) the flock has less than 10,000 individual turkeys kept in any 12 month period at the holding where the flock is found, and
  - (ii) all the meat is supplied to the final consumer or to local retail establishments.

[<sup>F1</sup>(2) In this Scheme, a reference to—

- (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; and
- (b) [Commission Regulation \(EU\) No 1190/2012](#) concerning a Union target for the reduction of *Salmonella Enteritidis* and *Salmonella Typhimurium* in flocks of turkeys, as provided for in Regulation (EC) No 2160/2003,

**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Turkey Flocks Scheme Order (Northern Ireland) 2010. (See end of Document for details)

is, in each case, a reference to those instruments as amended from time to time.]

**F1** Sch. para. 2(2) substituted (11.4.2019) by The Animal Health and Welfare (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/82), reg. 1, **Sch. 4 para. 12(a)**

**Commencement Information**

**I4** Sch. para. 2 in operation at 19.8.2010, see **art. 1**

**Competent authority**

[<sup>F2</sup>3. The Department is the competent authority for the purposes of—

[<sup>F3</sup>(za) Commission Regulation (EC) No 2160/2003 on the control of salmonella and other food-borne zoonotic agents;]

- (a) Commission Regulation (EC) No 1177/2006; and
- (b) Commission Regulation (EU) No 1190/2012.]

**F2** Sch. 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. 12(b)**

**F3** 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), 4; 2020 c. 1, Sch. 5 para. 1(1)

**Commencement Information**

**I5** Sch. para. 3 in operation at 19.8.2010, see **art. 1**

**Notification of turkey flocks**

4.—(1) Subject to paragraph 3 the keeper of one or more turkey flocks must notify the Department of the information in paragraph (4)—

- (a) within three months of the coming into operation of this Order; or
- (b) in the case of a holding on which one or more turkey flocks are kept which is established after the date this Order comes into operation, within three months of the establishment of the holding.

(2) The keeper 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 keeper who has notified the Department of that information under any other statutory provision.

(4) 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 keeper and (if different) of the person who owns each flock on the holding;
- (c) the number of flocks on the holding;
- (d) the identity of the flock;
- (e) the number of turkeys in each flock;
- (f) the expected date of arrival at the holding of every new flock intended to be moved onto the holding at least two weeks before the expected date of arrival.

**Commencement Information**

**I6** Sch. para. 4 in operation at 19.8.2010, see [art. 1](#)

**Sampling**

[<sup>F4</sup>5.—(1) The keeper must carry out sampling in accordance with point 1 and 2 of the Annex to Regulation 1190/2012 and must dispatch samples to an approved laboratory in accordance with point 2.2.4 of that Annex (and for the purposes of that point “express mail” includes first class post).]

**F4** Sch. para. 5(1) substituted for Sch. para. 5(1) (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, [Sch. 4 para. 12\(c\)](#)

**Commencement Information**

**I7** Sch. para. 5 in operation at 19.8.2010, see [art. 1](#)

**Records of samples**

- 6.—(1) The keeper must, as soon as is reasonably practicable after taking a sample, record—
- (a) the type of sample taken;
  - (b) the date on which the sample was taken;
  - (c) the identity of the flock from which the sample was taken;
  - (d) the age of the flock sampled;
  - (e) the approved laboratory to which the sample was sent;
  - (f) the intended date of slaughter of the flock sampled.
- (2) The keeper must record the result of each test when it is received from the approved laboratory.

**Commencement Information**

**I8** Sch. para. 6 in operation at 19.8.2010, see [art. 1](#)

**Records of movements**

- 7.—(1) When turkeys are moved on to a holding the keeper must record for each flock—
- (a) the number of turkeys moved;
  - (b) the age of the turkeys moved;
  - (c) the identity of the flock.
- (2) When turkeys are moved off a holding the keeper must record for each flock—
- (a) the date of the movement;
  - (b) the number of turkeys moved;
  - (c) the age of the turkeys moved;
  - (d) the identity of the flock;
  - (e) the address of the holding or the slaughterhouse to which they were sent.

**Changes to legislation:** There are currently no known outstanding effects for the The Control of Salmonella in Turkey Flocks Scheme Order (Northern Ireland) 2010. (See end of Document for details)

**Commencement Information**

**I9** Sch. para. 7 in operation at 19.8.2010, see [art. 1](#)

**Duties of the person in charge of an approved laboratory**

8. Where an approved laboratory tests samples, the person in charge of the laboratory must ensure that they are tested in accordance with point 3 of the Annex to [<sup>F5</sup>Commission Regulation (EU) 1190/2012] .

**F5** Words in [Sch. para. 8](#) substituted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, [Sch. 4 para. 12\(d\)](#)

**Commencement Information**

**I10** Sch. para. 8 in operation at 19.8.2010, see [art. 1](#)

**Prohibition on the use of antimicrobials**

9. A person may not administer any antimicrobial to any turkey as a specific method to control salmonella in breach of Article 2 of Commission Regulation ([EC](#)) 1177/2006 (use of antimicrobials).

**Commencement Information**

**I11** Sch. para. 9 in operation at 19.8.2010, see [art. 1](#)

**Prohibition on the use of vaccines**

10. A person may not administer any live salmonella vaccine to any turkey in breach of Article 3(1) of Commission Regulation ([EC](#)) 1177/2006 (use of vaccines).

**Commencement Information**

**I12** Sch. para. 10 in operation at 19.8.2010, see [art. 1](#)

**Records**

11. 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 on demand to an inspector or officer of the Department and allow a copy of it to be made or an extract from it to be taken.

**Commencement Information**

**I13** Sch. para. 11 in operation at 19.8.2010, see [art. 1](#)

**Tampering with samples**

12. 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.

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**Commencement Information**

**I14** Sch. para. 12 in operation at 19.8.2010, see [art. 1](#)

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

13. If any 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.

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**Commencement Information**

**I15** Sch. para. 13 in operation at 19.8.2010, see [art. 1](#)

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**EXPLANATORY NOTE**

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

This Order enforces Commission Regulation (EC) No.584/2008 and Commission Regulation (EC) No.1177/2006.

It makes provision for the registration of turkey flocks of birds of the species *Meleagris gallopavo*, and imposes record-keeping requirements.

It makes provision for sampling turkey flocks of birds of the species *Meleagris gallopavo*.

It prohibits the use of antimicrobials and live Salmonella vaccine for the control of Salmonella.

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 Turkey Flocks Scheme Order (Northern Ireland) 2010.