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Diseases of Animals (Poultry Feed) Order, 1991.

(S.I. 364 of 1991)

I, MICHAEL WOODS, Minister for Agriculture and Food, in exercise of the powers conferred on me by sections 3 of the Diseases of Animals Act, 1966 (No. 6 of 1966), as adapted by the Agriculture (Alteration of Name of Department and Title of Minister) Order, 1987 (S.I. No. 97 of 1987), hereby order as follows:

Citation and commencement.

1. (1) This Order may be cited as the Diseases of Animals (Poultry Feed) Order, 1991.

(2) This Order shall come into operation on the 1st day of January, 1992.

2. (1) In this Order-

"approved disinfectant" means a disinfectant for the time being approved by the Minister under the Diseases of Animals (Disinfectants) Order, 1975 (S.I. No. 273 of 1975) as amended by the Diseases of Animals (Disinfectants) Order, 1975 (Amendment) Order, 1978 (S.I. No. 345 of 1978) and formaldehyde;

"authorised officer" means a person appointed in writing by the Minister under Article 10 (1) of this Order to be an authorised officer for the purposes of this Order;

"container" means any bin, box, skip, silo, vehicle storage compartment or other rigid container and which is used for the collection, storage or carriage of feed or ingredients thereof;

"feed" means any straight or compound feedingstuffs intended for feeding to poultry other than wheat, barley, oats, grass or any other primary agricultural produce grown on the premises on which the poultry are held;

"heat treated" means treated in accordance with the requirements of Article 4;

"ingredients" means ingredients intended to be used in any feed;

"the Minister" means the Minister for Agriculture and Food; "package" means any bag, bulk bag or similar non-rigid container;

"poultry" means domestic fowls, turkeys, ducks, geese, farmed feathered guinea fowls, partridges, pheasants and quail;

"premises" includes land.

- (2) In this Order any reference to a Schedule is to the Schedule to this Order.

Prohibition on sale, supply, or feeding of non-heat treated feed.

3. (1) Subject to paragraph (3) of this Article, a person shall not—
- (a) sell or supply for feeding to any poultry,
or
 - (b) feed to any poultry,
feed which has not been heat treated.
- (2) Manufacturers of heat treated feed shall have on any premises used for the manufacture of feed or any ingredients automatic monitoring and recording equipment to monitor and record heat treatment.
- (3) Paragraph (1) of this Article shall not apply to the sale, supply or feeding of any feed to poultry in a research establishment under the authority of the Minister where such sale, supply or feeding (as the case may be) is in accordance with the conditions of a license issued by him.

Heat treatment.

4. Any feed intended for feeding to poultry must be subjected to heat treatment to produce a minimum temperature of 75°C at the core for one minute or to such alternative heat treatment approved by the Minister as sufficient to inactivate Newcastle Disease virus. After heat treatment the feed must meet the standards specified in Part VI of the Schedule.

Requirements with regard to premises.

5. (1) The owner or person in charge of any premises used for the manufacture, collection or storage of feed or ingredients shall ensure to the satisfaction of an inspector or authorised officer that—
- (a) the premises and any container therein are vermin and bird proof;
and
 - (b) the feed and ingredients are handled in a manner which deny vermin and birds access thereto.

- (2) The owner or person in charge of any premises used for the manufacture, collection or storage of heat treated feed shall also ensure that—
 - (a) all necessary precautions are taken to prevent contamination of such feed during handling, manufacturing, collecting, packaging and storage;
 - (b) all equipment used in the course of handling, packaging and storage of such feed is cleansed and disinfected as necessary or as required by an inspector or authorised officer; and
 - (c) where equipment is used for the handling of ingredients or feed other than heat treated feed, such equipment shall, before it is used in connection with heat treated feed, be cleansed and disinfected.

Requirements with regard to movement of feed and ingredients.

6. (1) A person shall not move or cause or permit to be moved heat treated feed in a vehicle, container or package which also contains non heat treated feed or ingredients intended to be used in any feed.
- (2) A person shall not use or cause or permit to be used any vehicle for the movement of feed or ingredients unless such feed or ingredients are—
 - (a) carried in a leak-proof container which is enclosed by a tightly fitting cover which prevents spillage and both the container and the cover are capable of being thoroughly cleansed and disinfected with an approved disinfectant;
 - or
 - (b) sealed in a package which had not previously been used for any purpose.
- (3) A person shall not use or cause or permit to be used any vehicle or container for the carriage of feed or ingredients unless that vehicle or container (together with its covering) had not previously been used for any other purpose or was first thoroughly cleansed and disinfected with an approved disinfectant.

Keeping of records.

7. (1) A person who manufactures feed shall, in respect thereof, keep the records specified in Part I of the Schedule.
- (2) A person who sells or supplies feed shall, in respect thereof, keep the records specified in Part II of the Schedule.
- (3) A person who sells or supplies ingredients for use in the manufacture of feed shall, in respect thereof, keep the records specified in Part III of the Schedule.
- (4) The owner or person in charge of poultry to which feed is fed shall in respect thereof keep the records specified in Part IV of the Schedule at the premises where the poultry are maintained.
- (5) A person required to keep records under this Article shall—
 - (a) retain such records for a period of 12 months from the date of the last entry in the records;
and
 - (b) produce such records to an inspector or authorised officer on demand being made by him at any reasonable time during that period and allow him to take a copy of it or an extract from it.

Registration of poultry premises.

8. (1) The owner or person in charge of premises at which 100 or more poultry are normally kept for rearing, breeding, meat or egg production shall register the premises with the Minister in the manner prescribed in Part V of the Schedule and not later than the 14th day of February, 1992.
- (2) Any person who commences to keep 100 or more poultry after 1st day of January, 1992 in a previously unregistered premises shall register it within two months of such commencement.
- (3) The owner or person in charge of registered premises shall, on request and in and within any form and period of time specified, supply the Minister with particulars as to the poultry kept on those premises and their feeding.
- (4) Where a premises registered in accordance with paragraph (1) of this Article ceases to exercise the functions for which it was registered, the owner or person in charge shall notify in writing the Minister within two months of such cessation.

Inspection and sampling.

9. (1) An inspector or an authorised officer may enter any premises, which he has reason to believe contains feed or ingredients and may examine or inspect such feed or ingredients.
- (2) An inspector or an authorised officer may examine or inspect any vehicle or container used or suspected of being used for the collection, storage or carriage of feed or ingredients.
- (3) Where an inspector or authorised officer makes an examination or inspection pursuant to this Article, he may, either on that occasion or on a subsequent occasion, take or cause to be taken from feed or ingredients such samples as he considers necessary.

Authorised Officers.

10. (1) The Minister may appoint in writing such and so many of his officers or other persons as he thinks fit to be authorised officers or inspectors for the purposes of this Order.
- (2) A person appointed under this Article shall be furnished with a warrant of his appointment as an authorised officer or inspector and, when exercising any power conferred on an authorised officer by this Order, shall, if so requested by any person affected, produce the warrant, or a copy thereof, to that person.

Proceedings.

11. In any proceedings in which a contravention of Article 3 of this Order is alleged, it shall be presumed, until the contrary is proved, that where the prosecution proves that feed does not conform to the standards specified in Part VI of the Schedule for the micro organisms listed therein that feed has not been heat treated.

SCHEDULE

Records, Registration, Standards.

PART I

Records of manufacture of feed *Article 7 (1)*

The following records shall be kept by a person who manufactures feed—

- (a) the name and address of the person who manufactured the feed;
- (b) a list of ingredients of each batch of the feed;
- (c) the description and quantity of each batch of the feed and the batch number if applicable;
- (d) proof that the feed was heat treated and, the date and the address at which the heat treatment took place; and
- (e) the address where the feed was stored or consigned to after it was manufactured.

PART II

Records of sale and supply of feed *Article 7 (2)*

In respect of feed sold or supplied by any person, the following records shall be kept by that person—

- (a) the name and address of the person selling or supplying the feed;
- (b) the name and address of the person from whom he purchased or who otherwise supplied him with the feed and the date of that purchase or supply;
- (c) the quantity, a description and batch number, if applicable, of each consignment of feed despatched by the person selling or supplying the feed;
- (d) the name and address of the person to whom the feed was sold or supplied, the date of that sale or supply and the address of the premises to which it was delivered;
- (e) the address of any premises where the feed was collected or held prior to the sale or supply.

PART III

Records of ingredients *Article 7 (3)*

In respect of ingredients sold or supplied by any person for use in the manufacture of feed, the following records shall be kept by that person—

- (a) the name and address of the person selling or supplying the ingredients;
- (b) the address of any premises where the ingredients were collected or held prior to the sale or supply;
- (c) the name and address of the person to whom the ingredients were sold or supplied, the date of that sale or supply and the address of the premises to which they were delivered;
- (d) the quantity and a description of each consignment of ingredients despatched by the person selling or supplying the ingredients; and
- (e) the name and address of the person from whom he purchased or who otherwise supplied him with the ingredients and the date of that purchase or supply.

PART IV

Records of feeding of feed *Article 7 (4)*

In respect of feed fed to poultry, the following records shall be kept by the owner or person in charge of the poultry—

- (a) the name and address of the owner of the poultry;
- (b) the address of the premises where the poultry are kept;
- (c) the name and address of the person who sold or supplied the feedingstuffs and the quantity and description of each consignment of feedingstuffs delivered by or on behalf of that person; and
- (d) the address where the feedingstuffs were collected or held prior to being fed to the poultry.

PART V

Registration of Poultry Premises Article 8

The owner or person in charge of the premises shall forward to the Minister the following particulars addressed to Poultry Division, Department of Agriculture and Food, Agriculture House, Kildare Street, Dublin 2.

- (a) the address of the premises;
- (b) the name and address of the owner or person in charge of the premises;
- (c) the name and address of the owner or person in charge of the poultry on the premises;
- (d) the species of poultry maintained on the premises;
- (e) the purpose for which poultry are kept;
- (f) current capacity and stocking rate on the premises;
- (g) name(s) and address(es) of feed suppliers;
- (h) the manner in which feed is stored on the premises.

PART VI

Requirements concerning feed after heat treatment Articles 4 and 11

Samples of heat treated feed taken at the point of sale, supply or use must comply with the following standards:

Salmonella : absence in 25 grams.

Enterobacteriaceae : maximum of 3×10^2 in 1 gram.

At least five subsamples taken at random and in a hygienic manner throughout the sampled lot should be aggregated to form each final sample. Analysis should be carried out in accordance with recognised standards.

GIVEN under my Official Seal,
this 24th day of December, 1991.

MICHAEL WOODS,
Minister for Agriculture and Food.

EXPLANATORY NOTE.

For purposes connected with the prevention of Newcastle disease this Order requires the heat treatment of feed intended for feeding to poultry. It also specifies ancillary conditions concerning premises, hygienic handling, storage and transport of feed and keeping of records.