



---

OFFERYNNAU STATUDOL  
CYMRU

---

**2010 Rhif 65 (Cy.15)**

**ANIFEILIAID, CYMRU**

**IECHYD ANIFEILIAID**

**Gorchymyn Rheoli Salmonela  
mewn Heidiau o Dyrcwn (Cymru)  
2010**

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

Mae'r Gorchymyn hwn yn gorfodi Rheoliad y Comisiwn 584/2008(1) a Rheoliad y Comisiwn 1177/2006(2).

Mae'n gwneud darpariaeth ar gyfer profi heidiau o dyrcwn am Salmonela. Mae hefyd yn gwahardd defnyddio gwrthficrobiaid a brechlyn Salmonela byw i reoli Salmonela.

Yr awdurdod lleol sy'n gorfodi'r Gorchymyn hwn.

Mae torri'r Gorchymyn yn dramgwydd o dan adran 73 o Ddeddf Iechyd Anifeiliaid 1981 (p. 22), y gellir ei gosbi yn unol ag adran 75 o'r Ddeddf honno.

Mae asesiad effaith rheoleiddiol llawn o'r effaith a gaiff yr offeryn hwn ar gostau busnes a'r sector gwirfoddol ar gael ar wefan Llywodraeth Cynulliad Cymru.

---

WELSH STATUTORY  
INSTRUMENTS

---

**2010 No. 65 (W.15)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Control of Salmonella in  
Turkey Flocks (Wales) Order  
2010**

**EXPLANATORY NOTE**

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

This Order enforces Commission Regulation 584/2008(1) and Commission Regulation 1177/2006(2).

It makes provision for the testing of turkey flocks for Salmonella. It also prohibits the use of antimicrobials and live Salmonella vaccine for the control of Salmonella.

The Order is enforced by the local authority.

Breach of the Order is an offence under section 73 of the Animal Health Act 1981 (c. 22), punishable in accordance with section 75 of that Act.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available on the Welsh Assembly Government's website.

---

(1) OJ Rhif L 162, 21.6.2008, t. 3.

(2) OJ Rhif L 212, 2.8.2006, t. 3.

---

(1) OJ No L 162, 21.6.2008, p. 3.

(2) OJ No L 212, 2.8.2006, p. 3.

**2010 Rhif 65 (Cy.15)**

**ANIFEILIAID, CYMRU**

**IECHYD ANIFEILIAID**

**Gorchymyn Rheoli Salmonela  
mewn Heidiau o Dyrchwyn (Cymru)  
2010**

<i>Gwnaed</i>	<i>13 Ionawr 2010</i>
<i>Gosodwyd gerbron Cynulliad Cenedlaethol Cymru</i>	<i>15 Ionawr 2010</i>
<i>Yn dod i rym</i>	<i>5 Chwefror 2010</i>

Mae Gweinidogion Cymru yn gwneud y Gorchymyn hwn drwy arfer y pwerau a roddwyd gan adrannau 1 ac 8 o Ddeddf Iechyd Anifeiliaid 1981(1) a pharagraff 1A o Atodlen 2 i Ddeddf y Cymunedau Ewropeaidd 1972(2).

Mae Gweinidogion Cymru o'r farn ei bod yn hwylus i gyfeiriadau at yr offerynnau Cymunedol a roddir ar waith gan y Gorchymyn hwn gael effaith fel cyfeiriadau at yr offerynnau hynny fel y'u diwygir o dro i dro.

**Enwi, cymhwyso a chychwyn**

1. Enw'r Gorchymyn hwn yw Gorchymyn Rheoli Salmonela mewn Heidiau o Dyrchwyn (Cymru) 2010. Mae'n gymwys o ran Cymru ac yn dod i rym ar 5 Chwefror 2010.

**Dehongli**

2.–(1) Yn y Gorchymyn hwn—

ystyr "daliad" ("*holding*") yw unrhyw ddaliad lle y cedwir neu y bwriedir cadw un neu ragor o heidiau o dyrchwyn;

---

(1) 1981 p. 22. Trosglwyddwyd swyddogaethau'r Gweinidog a'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan O.S. 1999/672 ac O.S. 2004/3044. Mae swyddogaethau Cynulliad Cenedlaethol Cymru yn arferadwy gan Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006.

(2) 1972 p. 68. Mewnosodwyd paragraff 1A gan adran 28 o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51).

**2010 No. 65 (W.15)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Control of Salmonella in  
Turkey Flocks (Wales) Order  
2010**

<i>Made</i>	<i>13 January 2010</i>
<i>Laid before the National Assembly for Wales</i>	<i>15 January 2010</i>
<i>Coming into force</i>	<i>5 February 2010</i>

The Welsh Ministers make this Order in exercise of the powers conferred by sections 1 and 8 of the Animal Health Act 1981(1) and paragraph 1A of Schedule 2 to the European Communities Act 1972(2).

The Welsh Ministers consider it expedient that references to the Community instruments implemented by these Regulations should have effect as references to those instruments as amended from time to time.

**Title, application and commencement**

1. The title of this Order is the Control of Salmonella in Turkey Flocks (Wales) Order 2010. It applies in relation to Wales and comes into force on 5 February 2010.

**Interpretation**

2.–(1) In this Order—

"flock" ("*haid*") means all turkeys of the same health status kept on the same premises or in the same enclosure and constituting a single

---

(1) 1981 c. 22. Functions of the Minister and the Secretary of State transferred to the National Assembly for Wales by S.I. 1999/672 and S.I. 2004/3044. Functions of the National Assembly for Wales are exercisable by the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

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

ystyr "haid" ("*flock*") yw'r holl dyrcwn o'r un statws iechyd â'i gilydd a gedwir yn yr un fangre neu yn yr un cae ac sy'n ffurfio un uned epidemiolegol ac, yn achos tyrcwn dan do, yn cynnwys pob aderyn sy'n rhannu'r un gofod awyr;

ystyr "haid o dyrcwn" ("*turkey flock*") yw—

- (a) haid o fwy na 250 o dyrcwn a gedwir at fridio;
- (b) haid o fwy na 500 o dyrcwn a gedwir at gynhyrchu cig y bwriedir i bobl ei fwyta oni bai—
  - (i) bod llai na 10,000 o dyrcwn unigol yn cael eu cadw mewn unrhyw gyfnod o 12 mis ar y daliad lle y ceir yr haid, a
  - (ii) bod yr holl gig yn cael ei gyflenwi i'r defnyddiwr terfynol neu i sefydliadau manwerthu lleol;

ystyr "meddiannydd" ("*occupier*") o ran unrhyw ddaliad yw'r person sydd â gofal y daliad.

(2) Yn y Gorchymyn hwn, mae cyfeiriad at—

- (a) Rheoliad (EC) Rhif 584/2008 yn gyfeiriad at Reoliad y Comisiwn (EC) Rhif 584/2008 sy'n rhoi ar waith Reoliad (EC) Rhif 2160/2003 o ran targed Cymunedol ar gyfer gostwng mynychder *Salmonella enteritidis* a *Salmonella typhimurium* mewn tyrcwn (1),
- (b) Rheoliad (EC) Rhif 646/2007 yn gyfeiriad at Reoliad y Comisiwn (EC) Rhif 646/2007 sy'n rhoi ar waith Reoliad (EC) Rhif 2160/2003 o ran targed Cymunedol ar gyfer gostwng mynychder *Salmonella enteritidis* a *Salmonella typhimurium* mewn brwyliaid ac yn diddymu Rheoliad (EC) Rhif 1091/2005(2),
- (c) Rheoliad (EC) Rhif 1177/2006 yn gyfeiriad at Reoliad y Comisiwn (EC) Rhif 1177/2006 sy'n rhoi ar waith Reoliad (EC) Rhif 2160/2003 Senedd Ewrop a'r Cyngor o ran gofynion ynghylch defnyddio dulliau rheoli penodol yn fframwaith y rhaglenni gwladol i reoli *Salmonella* mewn dofednod (3),

ym mhob achos fel y'u diwygir o dro i dro.

### Awdurdod cymwys

3. Gweinidogion Cymru yw'r awdurdod cymwys at ddibenion—

- (a) Rheoliad (EC) Rhif 584/2008;

epidemiological unit and, in the case of housed turkeys, includes all birds sharing the same airspace;

"holding" ("*daliad*") means any holding on which one or more turkey flocks are kept or are intended to be kept;

"occupier" ("*meddiannydd*") means, in relation to any holding, the person in charge of the holding;

"turkey flock" ("*haid o dyrcwn*") means—

- (a) a flock of more than 250 turkeys kept for breeding;
- (b) a flock of more than 500 turkeys kept for the production of meat intended for human consumption unless—
  - (i) less than 10,000 individual turkeys are 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.

(2) In this Order, a reference to—

- (a) Regulation (EC) No 584/2008 is a reference to Commission Regulation (EC) No 584/2008 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in turkeys(1),
- (b) Regulation (EC) No 646/2007 is a reference to Commission Regulation (EC) No 646/2007 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in broilers and repealing Regulation (EC) No 1091/2005(2),
- (c) Regulation (EC) No 1177/2006 is a reference to 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(3),

in each case as amended from time to time.

### Competent authority

3. The Welsh Ministers are the competent authority for the purposes of—

- (a) Regulation (EC) No 584/2008;

---

(1) OJ Rhif L 162, 21.6.2008, t. 3.

(2) OJ Rhif L 151, 13.6.2007, t. 21.

(3) OJ Rhif L 212, 2.8.2006, t. 3.

---

(1) OJ No L 162, 21.6.2008, p. 3.

(2) OJ No L 151, 13.6.2007, p. 21.

(3) OJ No L 212, 2.8.2006, p. 3.

- (b) Rheoliad (EC) Rhif 646/2007; ac
- (c) Rheoliad (EC) Rhif 1177/2006.

### Samplu

4.–(1) Rhaid i'r meddiannydd samplu yn unol â phwyntiau 1 a 2 o'r Atodiad i Reoliad (EC) Rhif 584/2008 a rhaid iddo anfon samplau i labordy a gymeradwywyd yn unol â phwynt 3.1 o'r Atodiad hwnnw (ac at ddibenion y pwynt hwnnw mae "express mail" yn cynnwys post dosbarth cyntaf).

(2) O ran pob sampl rhaid i'r meddiannydd ddarparu'r wybodaeth a ganlyn–

- (a) enw'r meddiannydd;
- (b) cyfeiriad y daliad;
- (c) math y samplau;
- (ch) y dyddiad pryd y cymerwyd y samplau;
- (d) dull adnabod yr haid, pan fo mwy nag un haid ar y daliad;
- (dd) y dyddiad pryd y symudodd yr haid i'r daliad;
- (e) oed yr haid.

### Cofnodion samplau

5.–(1) Rhaid i'r meddiannydd, cyn gynted ag y bo'n rhesymol ymarferol ar ôl cymryd sampl, gofnodi–

- (a) y math o sampl a gymerwyd;
- (b) y dyddiad pryd y cymerwyd y sampl;
- (c) pan fo mwy nag un haid ar y daliad, dull adnabod yr haid y cymerwyd y sampl ohoni;
- (ch) oed yr haid a samplwyd;
- (d) y labordy yr anfonwyd y sampl iddo;
- (dd) dyddiad cigydda arfaethedig yr haid a samplwyd.

(2) Rhaid i'r meddiannydd gofnodi canlyniad pob prawf pan gaiff ef gan y labordy.

### Cofnodion symudiadau

6. Pan fo adar yn cael eu symud i ddaliad neu oddi arno rhaid i'r meddiannydd gofnodi ar gyfer pob haid–

- (a) dyddiad y symud;
- (b) ai i'r daliad ynteu oddi arno y symudwyd yr adar;
- (c) nifer yr adar a symudwyd;
- (ch) oed yr adar a symudwyd;
- (d) yn achos symud haid gyfan, dull adnabod yr haid honno, pan fo mwy nag un haid ar y daliad;
- (dd) manylion adnabod yr adeilad neu'r grŵp o adeiladau y symudwyd yr adar iddo, iddynt, oddi wrtho neu oddi wrthynt;

- (b) Regulation (EC) No 646/2007; and
- (c) Regulation (EC) No 1177/2006.

### Sampling

4.–(1) The occupier must carry out sampling in accordance with points 1 and 2 of the Annex to Regulation (EC) No 584/2008 and must despatch samples to an approved laboratory in accordance with point 3.1 of that Annex (and for the purposes of that point "express mail" includes first class post).

(2) In relation to each sample the occupier must 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;
- (e) the identification of the flock, where there is more than one flock on the holding;
- (f) the date on which the flock moved onto the holding;
- (g) the age of the flock.

### Records of samples

5.–(1) The occupier 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) where there is more than one flock on the holding, 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) intended date of slaughter of the flock sampled.

(2) The occupier must record the result of each test when it is received from the laboratory.

### Records of movements

6. When birds are moved on to or off a holding the occupier must record for each flock–

- (a) the date of the movement;
- (b) whether the movement was onto or off the holding;
- (c) the number of birds moved;
- (d) the age of the birds moved;
- (e) in the case of the movement of an entire flock, the identification of that flock, where there is more than one flock on the holding;
- (f) the identity of the building or group of buildings into or from which the birds were moved;

(e) cyfeiriad y daliad y daethant ohono neu'r lladddy neu'r daliad yr anfonwyd hwy iddo.

(g) the address of the holding that they came from or the slaughterhouse or holding they were sent to.

### **Dyletswyddau'r person sydd â gofal labordy**

7. Pan fo labordy yn profi samplau, rhaid i'r person sydd â gofal y labordy sicrhau eu bod yn cael eu profi yn unol â phwynt 3 o'r Atodiad i Reoliad (EC) Rhif 584/2008.

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

7. Where a 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 Regulation (EC) No 584/2008.

### **Gwahardd defnyddio gwrthficrobiaid**

8. Ni chaiff neb roi unrhyw wrthficrobiad i unrhyw dyrcwn fel dull penodol i reoli Salmonella yn groes i Erthygl 2(1) o Reoliad (EC) Rhif 1177/2006 (defnyddio gwrthficrobiaid).

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

8. No person may administer any antimicrobial to any turkeys as a specific method to control Salmonella in breach of Article 2(1) of Regulation (EC) No 1177/2006 (use of antimicrobials).

### **Gwahardd defnyddio brechlynnau**

9. Ni chaiff neb roi unrhyw frechlyn Salmonella byw i unrhyw dyrcwn yn groes i Erthygl 3(1) o Reoliad (EC) Rhif 1177/2006 (defnyddio brechlynnau).

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

9. No person may administer any live Salmonella vaccine to any turkeys in breach of Article 3(1) of Regulation (EC) No 1177/2006 (use of vaccines).

### **Cofnodion**

10. Rhaid i unrhyw berson y mae'n ofynnol iddo gadw cofnod o dan y Gorchymyn hwn ei gadw am ddwy flynedd ar ôl dyddiad ei wneud a rhaid iddo ei ddangos i un o arolygwyr neu swyddogion Gweinidogion Cymru os bydd gofyn a chaniatáu gwneud copi neu gymryd darn ohono.

### **Records**

10. Any person required to keep a record under this Order 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 Welsh Ministers and allow a copy of it to be made or an extract from it to be taken.

### **Ymyrryd â samplau**

11. Rhaid i berson beidio ag ymyrryd â sampl na gwneud dim iddi sy'n debygol o effeithio ar ganlyniad unrhyw brawf y mae'n ofynnol ei gynnal o dan y Gorchymyn hwn.

### **Tampering with samples**

11. 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 Order.

### **Pwerau Gweinidogion Cymru mewn achosion o fethu â chydymffurfio**

12. Os bydd unrhyw berson yn methu â chymryd unrhyw gamau sy'n ofynnol gan y Gorchymyn hwn, caiff arolygydd drefnu i'r cyfryw gamau gael eu cymryd ar draul y person sydd wedi methu â chydymffurfio.

### **Powers of the Welsh Ministers in cases of default**

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

### **Gorfodi**

13.–(1) Yr awdurdod lleol sydd yn gorfodi'r Gorchymyn hwn.

(2) Caiff Gweinidogion Cymru gyfarwyddo, mewn perthynas ag achosion o ddisgrifiad penodol neu ag unrhyw achos penodol, mai Gweinidogion Cymru yn hytrach na'r awdurdod lleol fydd yn gorfodi'r Gorchymyn hwn.

### **Enforcement**

13.–(1) This Order is enforced by the local authority.

(2) The Welsh Ministers may direct, in relation to cases of a particular description or any particular case, that the Welsh Ministers will enforce this Order instead of the local authority.

*Elin Jones*

Y Gweinidog dros Faterion Gwledig, un o Weinidogion  
Cymru

Minister for Rural Affairs, one of the Welsh Ministers

13 Ionawr 2010

13 January 2010

---

© Hawlfraint y Goron 2010

---

© Crown copyright 2010

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office  
Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei  
Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

Printed and Published in the UK by the Stationery Office Limited  
under the authority and superintendence of Carol Tullo,  
Controller of Her Majesty's Stationery Office and Queen's Printer of  
Acts of Parliament.

---

OFFERYNNAU STATUDOL  
CYMRU

---

**2010 Rhif 65 (Cy.15)**

**ANIFEILIAID, CYMRU**

**IECHYD ANIFEILIAID**

Gorchymyn Rheoli Salmonela  
mewn Heidiau o Dyrwyn (Cymru)  
2010

---

WELSH STATUTORY  
INSTRUMENTS

---

**2010 No. 65 (W.15)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

The Control of Salmonella in  
Turkey Flocks (Wales) Order  
2010