



STATUTORY INSTRUMENTS.

S.I. No. 111 of 2007

DISEASES OF ANIMALS ACT 1966 (SALMONELLA IN PIGS) ORDER
2007

(Prn. A7/0392)

DISEASES OF ANIMALS ACT 1966 (SALMONELLA IN PIGS) ORDER
2007

I, MARY COUGHLAN, Minister for Agriculture and Food, in exercise of the powers conferred on me by sections 3 and 11 of the Diseases of Animals Act 1966 (No. 6 of 1966) as adapted by the Agriculture, Food and Rural Development (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 306 of 2002), hereby order as follows—

Citation

1. This Order may be cited as the Diseases of Animals Act 1966 (Salmonella in Pigs) Order 2007.

Interpretation

2. In this Order—

“certificate of categorisation” means a certificate, issued in accordance with this Order, indicating the salmonella categorisation of a pig herd;

“herd” means a pig or pigs, any part of the meat of which is intended to be used for human consumption, kept on a particular premises;

“test” means a test of a type approved in writing by the Minister and conducted on a set of samples submitted in accordance with Article 4 for the purpose of establishing whether the pigs to which the samples relate exhibit serological evidence of exposure to salmonella bacteria;

“test result” comprises the percentage of the samples in a set as referred to in Article 4 that test positive.

Authorisation of body to issue certificates

3. (1) The Minister may approve, on application, a body for the purpose of issuing certificates of categorisation of pig herds with regard to salmonella (“approved body”).

(2) A person who applies for approval of a body under this paragraph shall furnish to the Minister such information as the Minister may reasonably require.

(3) The Minister may lay down conditions for the approval of a body, may attach conditions to an approval, revoke an approval or refuse an application.

(4) The Minister may revoke an approval granted under this Article and when it is proposed to do so shall—

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 16th March, 2007.*

- (a) notify in writing the owner or person in charge of the approved body of the proposal to so revoke and of the reasons for the proposed revocation,
- (b) notify in writing that person that he or she may make representations to the Minister in relation to the proposal within 14 days of the issue of the notification, and
- (c) consider representations duly made before deciding whether or not to proceed with the proposal.

Certificate of categorisation

4. (1) The owner or person in charge of a herd shall have the herd tested within such period and in accordance with such direction as may be specified for the purpose of giving effect to, and in accordance with, this Order.

(2) The owner or person in charge of a herd shall ensure that—

- (a) he or she has a valid certificate of categorisation in respect of his or her herd,
 - (b) the certificate of categorisation is presented on request to—
 - (i) an authorised person, or
 - (ii) the owner, person in charge or employee of an establishment at which pigs are presented for slaughter, and
 - (c) subject to paragraph (3), samples of tissue, blood or other relevant material are taken 3 times annually (at intervals of not less than 3 months and not more than 5 months) from 24 pigs belonging to his or her herd and submitted together to a laboratory approved in accordance with Article 6 for the purpose of facilitating the tests referred to in Article 5.
- (3) (a) If the number of pigs from a herd that is presented for slaughter on an individual date is less than 24, then samples shall be taken from 24 pigs from that herd over the course of every period of 4 months.
- (b) If the number of pigs from a herd presented for slaughter is too low to facilitate the level of sampling provided for in paragraph (2)(c) or (3), then samples shall be taken from all pigs from that herd presented for slaughter.

Herd testing and categorisation

5. (1) An approved body shall issue an initial certificate of categorisation in respect of a herd when 2 tests relating to that herd are completed.

(2) For the purposes of paragraph (1) herd categorisation shall be established by calculating the simple average of the 2 test results.

(3) After the 2 test results referred to in paragraph (1) are completed in respect of a herd, an approved body shall issue a further certificate of categorisation in respect of the pig herd following the completion of each test relating to that herd.

(4) For the purposes of paragraph (3) herd categorisation shall be established by weighting the results of the 3 most recent test results relevant to the pig herd concerned in accordance with the following Table:

TABLE

Test	Weighting
Most recent	0.5
Second most recent	0.3
Third most recent	0.2

(5) The certificate of categorisation shall state whether a herd is categorised as category 1, category 2 or category 3.

(6) A herd shall be categorised as—

- (a) category 1 if the average of the test results does not exceed 10 per cent,
- (b) category 2 if the average of the test results exceeds 10 per cent but does not exceed 50 per cent, or
- (c) category 3 if the average of the test results exceeds 50 per cent, if the number of samples submitted does not comply with Article 4 or the nature, condition or quality of samples does not facilitate testing.

(7) Herd categorisation shall be established on the basis of tests conducted by a laboratory approved for the time being by the Minister in accordance with Article 6.

(8) A certificate of categorisation is valid for 5 months from the date of issue.

Authorisation of laboratory to conduct tests

6. (1) The Minister may, on application, approve a laboratory to conduct tests for the purposes of this Order.

(2) A person who applies for approval of a laboratory shall furnish to the Minister such information as may reasonably be required.

(3) The Minister may lay down conditions for the approval of a laboratory and may attach to an approval such terms or conditions as are considered appropriate.

(4) The Minister may revoke an approval granted under this paragraph and when it is proposed to do so shall—

- (a) notify in writing the owner or person in charge of the laboratory of the proposal to so revoke and of the reasons for the proposed revocation,
- (b) notify in writing that person that he or she may make representations to the Minister in relation to the proposal within 14 days of the issue of the notification, and
- (c) consider representations before deciding whether or not to proceed with the proposal.

Breeding pigs

7. (1) The owner or person in charge of a herd shall not introduce a breeding pig into the herd unless—

- (a) it originates in a herd in respect of which a certificate of categorisation, stating that the herd is categorised as Category 1, exists at the time of introduction, and
- (b) it is brought directly from the herd of origin without coming in contact with pigs from any other herd or passing through a livestock mart.

(2) The owner or person in charge of a pig herd shall keep a record and written evidence of the herd categorisation of the herd of origin of each breeding pig.

(3) A person by whom a record is kept under paragraph (2) shall—

- (a) make the record available on request to an authorised person, and
- (b) keep the record for a period of 3 years after the expiration of the year to which the record relates.

Continuation of approvals

8. An approval or certificate of categorisation granted under the Fourth Schedule of the Abattoirs Act 1988 (Veterinary Examination) Regulations 1992 (S.I. No. 89 of 1992) (inserted by the Abattoirs Act 1988 (Veterinary Examination) (Amendment) Regulations 2002 (S.I. No. 165 of 2002)) in force immediately before the making of this Order is considered to be an approval or certificate granted under this Order and may, until it expires or is revoked or withdrawn, be dealt with as if granted under the appropriate provision of this Order.

Amendment of Act

9. Part III of the First Schedule to the Diseases of Animals Act 1966 (No. 6 of 1966) (inserted by the Diseases of Animals Act 1966 (First Schedule) Order 2001 (S.I. No. 469 of 2001)) is amended by the insertion after “varroasis” of

“16. For the purposes of the Diseases of Animals Act 1966 (Salmonella in Pigs) Order 2007, salmonella in pigs”.



GIVEN under my Official Seal,
8 March 2007

MARY COUGHLAN
Minister for Agriculture and Food

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

This Order provides for the categorisation of pig herds in accordance with their salmonella status.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHAN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2
nó tríd an bpost ó
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(Teil: 01 - 6476834/35/36/37; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
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or through any bookseller.

€2.54

ISBN 1-4064-1271-6



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