

## EXECUTIVE NOTE

### **The Control of Salmonella in Poultry (Breeding, Laying and Broiler Flocks) (Scotland) Order 2009 SSI 2009/229**

The above instrument was made under sections 1, 8(1) and 87(5) of the Animal Health Act 1981 and section 2(2) and paragraph 1A of Schedule 2 to the European Communities Act 1972. It is subject to negative Parliamentary procedure.

#### **Policy Objective**

The Control of Salmonella in Poultry (Breeding, Laying and Broiler Flocks) (Scotland) Order 2008 sets out specific sampling requirements for broiler flocks of domestic fowl (*Gallus gallus*) required by the UK National Control Programme (UK NCP) for Salmonella.

Council Directive (EC) 2003/99 concerning the monitoring of zoonoses and zoonotic agents and Council Regulation (EC) 2160/2003 concerning the control of salmonella and other food-borne zoonotic agents, provide for the protection of human health against zoonoses and zoonotic agents in animals and products of animal origin.

Commission Regulation (EC) 646/2007 follows Regulation 2160/2003 and sets a Community target for the reduction of salmonella in broiler flocks. The aim is to reduce the prevalence of the two most important types of salmonella affecting humans, which are *Salmonella* Enteritidis (SE) and *Salmonella* Typhimurium (ST). An EU wide survey established that current levels of these two particular serotypes in the UK are amongst the lowest in Europe at around 0% for SE and 0.3% for ST. As a result, the UK has been set a target of maintaining this level and ensuring that the maximum percentage of broiler flocks remaining positive for these salmonellas is 1% or less by 31 December 2011.

The UK NCP for Broilers applies to all flocks unless a holding has a capacity of less than 2000 chickens present at any one time and the operator supplies small quantities direct to the consumer (i.e. farm gate sales) or via local retailers which only supply the final consumer (essentially householders). The only other exception is where all production is for private domestic use.

The UK NCP requires flock owners to take operator samples three weeks before depopulation. All costs associated with this sampling have to be met by the flock owners. Costs will also be recovered from flock owners for any official sampling work undertaken by Animal Health. Official samples will only be taken from units that have 5000 birds or more, at which point the use of antimicrobials will be checked for in accordance with Regulation EC1177/2006. Powers to conduct this official sampling are already provided for by virtue of The Zoonoses (Monitoring) (Scotland) Regulations 2007.

In addition, the UK NCP provides specific control measures following the detection of SE or ST to protect human health. These are intended to prepare producers for the microbiological criteria for Salmonella absence in 25 grams in fresh poultry meat.

The Control of Salmonella in Poultry Order 2008 incorporates the UK NCP for breeding flocks of domestic fowl and the UK NCP for laying flocks of domestic fowl. Initially, the UK NCP for breeding flocks was introduced in January 2007 by virtue of The Poultry Breeding Flocks and Hatcheries (Scotland) Order 2007. Subsequently, this Order was revoked by the introduction of The Control of Salmonella in Poultry Order 2008 which implements the requirements under European law for the UK NCP for laying flocks and incorporates the UK NCP for breeding flocks. The Control of Salmonella In Poultry Order 2008 will now be revoked by the proposed Control of Salmonella in Poultry (Breeding, Laying and Broiler Flocks) (Scotland) Order 2009. The new Order will implement the UK NCP for Broiler Flocks (which meets requirements under European law) and incorporates the UK NCP for both breeding and laying flocks.

## **Consultation**

A UK-wide consultation exercise ran from July 2007 to October 2007. In addition, the Scottish Government ran an informal consultation on the Regulatory Impact Assessment with Stakeholders in Scotland from February 2009 to March 2009. Regular working group meetings have taken place with major stakeholders across the UK poultry industry. Stakeholders and Government officials from all UK administrations continue to meet regularly to discuss the implementation of the National Control Programmes. Technical experts at the Veterinary Laboratories Agency, the Food Standards Agency and the Health Protection Agency have also contributed to the programme.

## **Financial Effects**

The implementation of the National Control Programme will have financial implications for organisations, groups and individuals responsible for the health and welfare of poultry. Costs will be borne by the operators and not Scottish Government. Powers to recover costs associated with official sampling, in respect of the UK NCP for Broiler Flocks, will be provided for by way of an amendment to The Zoonoses and Animal By-Products (Fees) (Scotland) Regulations 2007. Presently the Fees Order allows for recovery of costs for services required under Commission Regulation (EC) 1003/2005, Commission Regulation (EC) 1168/2006, Commission Regulation (EC) 1237/2007 and the Animal By-Products (Scotland) Regulations 2003. All producers will face some increased costs in relation to sampling of their flocks and submitting samples to approved laboratories for testing.

## Operator Sampling

Operator samples are those collected by the operator (or their staff) without direct supervision from the Competent Authority. The cost estimates include baseline costs which will cover the operator sampling, these include the cost of collecting and testing the samples. The estimates also include charging by Government for services in relation to official control sampling.

Samples should be collected 3 weeks before the start of depopulation. Usually, this will be 2 pairs of boot swabs. Occasionally, in small houses with less than 100 birds, this can be hand drag swabs. Assuming that there will be one flock per holding the cost will be:

£16 x 2 for collecting the samples (assuming 2 hours per flock of operator time)  
£15 x 1 for testing samples (2 pairs of boot swab pooled into 1 sample)  
£1.50 x 1 for sampling equipment (2 samples per flock)

**Total:** £48.50 for one sampling occasion

## Sampling under the control of the Competent Authority

Official samples are those which are collected under the control of an authorised Government official. Samples should be collected from 10% of holdings with more than 5000 birds (official control samples), from all flocks on a holding that produced a positive operator sample and from a replacement flock on holding after a positive official sample. Usually, this will be two pairs of boot swab samples. Per flock the following costs will be incurred:

£16 x 2 operator time for collecting the samples under supervision of competent authority / accompanying the competent authority as they collect samples (assuming 2 hours per flock of operator time)  
£66 x 1 competent authority base fee for taking or supervising the taking of official samples  
£29 x 4 competent authority investigation fee  
£15.30 x 1 VLA (or other) examination fee  
£1.50 x 1 equipment to collect samples

**Total:** £230.80 for one sampling occasion

Estimates of the costs for official samples for broilers are based on charges which have been applied to laying and breeding flock holdings from August 2007.

<http://www.scotland.gov.uk/Topics/Agriculture/animal-welfare/Diseases/SpecificDisease/Salmonellae/ZoonDir>

## **Administration Costs**

The administration costs for operators include:

£16 x 2 cost of familiarisation with legislation (two hours per annum at £16 per hour),  
£16 x 6 costs of keeping records of test results (six hours per annum at £16 per hour)

£16 x ½ cost of producing records for inspection (half an hour per annum at £16 per hour)

**Total:** £136 per annum

Note: For those keepers who are already sampling in-line with the requirements it is assumed that only the additional costs of the legislation are incurred (i.e. the costs of Animal Health time).

## **Scottish Government Rural Directorate**

On the basis of the national prevalence survey in 2007 the UK broiler industry has already met its reduction target. The Scottish Government is seeking to encourage industry to enhance monitoring and controls to comply with the UK NCP rather than imposing a new regime on already successful parties.

Not surprisingly industry have concerns about the UK NCP for broilers flocks given that the UK has already met its targets. The Scottish Government has allayed these concerns a by assuring industry that UK NCP meets the minimum of requirements under Council Regulation (EC) 2160/2003 and Commission Regulation (EC) 646/2007 in order to reduce the cost implications for the broiler industry in Scotland.