

1972 No. 2025

POULTRY

The Poultry and Hatching Eggs (Importation) Order 1972

<i>Made</i>	- - -	21st December 1972
<i>Laid before Parliament</i>		3rd January 1973
<i>Coming into Operation</i>		1st February 1973

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly in exercise of the powers conferred by sections 1(1), 33(1), 45, 49(1), 84(2) and (3) and 85(1) of the Diseases of Animals Act 1950(a) and now vested in them(b), as adapted to air transport by section 11(1) of the Agriculture (Miscellaneous Provisions) Act 1954(c), and all other powers enabling them in that behalf, hereby order as follows:—

Citation and commencement

1. This order, which may be cited as the Poultry and Hatching Eggs (Importation) Order 1972, shall come into operation on 1st February 1973.

Interpretation

2.—(1) In this order unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

“the Act” means the Diseases of Animals Act 1950 as amended or extended by any other enactment;

“day old chick” means a live bird of any of the species hereinafter defined as poultry, during the first 72 hours of its life or while it has not been fed, whichever period is the shorter;

“disease” means Anatipestifer infection (duck septicaemia); Arizona infection; Avian influenza; Bacillary white diarrhoea (Pullorum Disease); Contagious bronchitis (Infectious bronchitis); Duck virus enteritis (duck plague); Duck virus hepatitis; Eastern equine encephalomyelitis; Fowl cholera (pasteurellosis); Fowl pest in any of its forms including Newcastle disease and fowl plague; Fowl paralysis (Marek’s disease); Fowl pox; Fowl typhoid; Goose influenza; Infectious avian encephalomyelitis; Infectious bursal disease (Gumboro’ disease); Infectious laryngo-tracheitis; Leucosis; Mycoplasmosis; Ornithosis (d), Pneumo-encephalitis; Salmonellosis; Transmissible enteritis of turkeys; Tuberculosis and Vibrionic hepatitis;

“hatching eggs” means the eggs of poultry declared on the Customs’ entry when imported to be intended for hatching;

“local authority” means a local authority for the purpose of the Act;

“the Minister” means, in the application of this order to England and Wales, the Minister of Agriculture, Fisheries and Food, and in its corresponding application to Scotland, the Secretary of State;

(a) 1950 c. 36.

(b) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958; 1955 I, p. 1184).

(c) 1954 c. 39.

(d) For the extension of the expression “disease” as applied to poultry in section 84(3)(b) of the Diseases of Animals Act 1950 to include ornithosis, see S.I. 1953/38 (1953 II, p. 1672).

“poultry” means live birds of the following species, that is to say all species of fowls, turkeys, geese, ducks, guinea fowls, pheasants, partridges, and quails;

“veterinary inspector” means a veterinary inspector appointed by the Minister of Agriculture, Fisheries and Food.

(2) For the purpose of this order—

(a) the definition of the expression “poultry” in section 84(2)(a) of the Act is hereby extended so as to comprise fowls, turkeys, geese, ducks and guinea fowls of all species, and

(b) the definition of the expression “disease” in section 84(3)(b) of the Act (which relates to the meaning of that expression in relation to poultry) shall be extended so as to comprise Anatipestifer infection (duck septicaemia); Arizona infection; Avian influenza; Duck virus enteritis (duck plague); Duck virus hepatitis; Eastern equine encephalomyelitis; Goose influenza; Infectious avian encephalomyelitis; Infectious bursal disease (Gumboro’ Disease) Leucosis; Mycoplasmosis; Salmonellosis; Transmissible enteritis of turkeys; Tuberculosis and Vibrionic hepatitis.

(3) The Interpretation Act 1889(d) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament, and as if this order and the orders hereby revoked were Acts of Parliament.

Regulation of Import of Poultry and Hatching Eggs

3.—(1) The landing in Great Britain of any poultry or hatching eggs from any country outside Great Britain other than Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man is hereby prohibited unless—

(a) the landing is authorised by a licence in writing issued by the Minister and containing such conditions (if any) as to quarantine, movement and any other matters relative to the prevention of the introduction and spread of disease as the Minister may think necessary; and

(b) each consignment is accompanied by a certificate of freedom from disease signed by a veterinary officer duly authorised for the purpose of the government of the exporting country, and in a form approved by the Minister.

(2) Failure to comply with any condition of a licence issued under this order shall be an offence against the Act.

Prohibition on movement from quarantine

4. No person shall move or cause to be moved any poultry or hatching eggs which are in quarantine in accordance with the conditions of a licence issued under article 3 of this order out of the premises in which such poultry or hatching eggs are quarantined without the written authority of the Minister.

Production of licences and certificates

5. Any licence or certificate referred to in article 3 of this order shall on demand be produced to any police officer, or any officer of the Minister or of

the local authority or Customs and Excise, and shall be delivered to an officer of Customs and Excise or of the Minister at the time of landing by the person in charge of the poultry or hatching eggs to which the licence or certificate refers.

Power to require re-exportation of poultry and hatching eggs landed in contravention of this order

6. Any officer of the Minister may serve a notice on the owner or person in charge of any poultry or hatching eggs which have been landed in contravention of this order, requiring the export of such poultry and hatching eggs, and that pending export such poultry and hatching eggs shall forthwith be detained and isolated at premises approved by the Minister.

Transshipment

7. The transshipment at a port or airport in Great Britain of any poultry (other than day old chicks) brought from any country outside Great Britain other than Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man, is hereby prohibited, unless such transshipment is authorised by, and is carried out in accordance with, a licence issued by the Minister.

Local Authority to enforce order

8. This order shall, except where it is otherwise provided, be executed and enforced by the local authority.

Transitional provisions

9. Until 31st March 1973 any licence granted by any order revoked by article 10 of this order, and in force immediately before the coming into operation of this order, shall have effect as if issued under this order.

Revocation of orders

10. The orders specified in the Schedule to this order are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st December 1972.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

Gordon Campbell,
Secretary of State for Scotland.

20th December 1972.

SCHEDULE

Article 10

Orders revoked	Reference
The Poultry and Hatching Eggs (Importation) Order of 1947	S.R. & O. 1947/1426 (Rev. XVIII, p. 450: 1947 I, p. 1841).
Poultry and Hatching Eggs (Importation) (Amendment) Order 1952	S.I. 1952/586 (1952 III, p. 2627)
The Poultry and Hatching Eggs (Importation) (Amendment) Order 1959	S.I. 1959/1788 (1959 II, p. 2207).
The Poultry and Hatching Eggs (Importation) (Amendment) Order 1963	S.I. 1963/1102 (1963 II, p. 1866)
The Poultry and Hatching Eggs (Importation) Amendment (No. 2) Order 1963	S.I. 1963/2150 (1963 III, p. 4799)
The Poultry and Hatching Eggs (Importation) Amendment Order 1964	S.I. 1964/2006 (1964 III, p. 5074)
The Poultry and Hatching Eggs (Importation) Amendment Order 1965	S.I. 1965/78 (1965 I, p. 130)
The Poultry and Hatching Eggs (Importation) Amendment Order 1967	S.I. 1967/790 (1967 II, p. 2317)

EXPLANATORY NOTE

(This Note is not part of the order.)

This order revokes and re-enacts with amendments the Poultry and Hatching Eggs (Importation) Order of 1947, as amended by S.I. 1952/586, 1959/1788, 1963/1102, 1963/2150, 1964/2006, 1965/78 and 1967/790.

The principal provision of the new order is a prohibition upon the landing in Great Britain of any poultry or hatching eggs from any country outside Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man without a licence from the Minister, which may contain conditions as to quarantine, movement etc. and an appropriate veterinary certificate (Article 3).

Where quarantine has been imposed under the conditions of a licence, the movement of any poultry or hatching eggs to which such quarantine conditions apply from the quarantine premises is prohibited without the written authority of the Minister.

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