
WELSH STATUTORY INSTRUMENTS

2007 No. 1627

**The Animals and Animal Products (Import and Export) (Wales)
(Laboratories, Circuses and Avian Quarantine) Regulations 2007**

**Amendment to the Animals and Animal Products (Import and Export) (Wales) Regulations
2006**

8. For regulation 19 substitute—

“Quarantine of captive birds

19.—(1) No person may operate a quarantine centre or quarantine facility for the quarantine of captive birds pursuant to Article 11(1) of Commission Regulation (EC) No. 318/2007 unless the quarantine centre or quarantine facility has been approved by the Welsh Ministers.

(2) Schedule 8 (quarantine of captive birds) has effect.

(3) A quarantine manager must—

(a) ensure that the quarantine centre or quarantine facility is maintained and operated in accordance with—

(i) the minimum conditions in Chapter 1 of Annex IV to Commission Regulation (EC) No. 318/2007 (requirements as to construction and equipment);

(ii) paragraph (1)(a) and (c) of Chapter 2 of that Annex (management requirements); and

(iii) any other conditions attached to an approval granted under this regulation;

(b) provide such information to the Welsh Ministers as they may request to enable them to comply with Article 17(2) of Commission Regulation (EC) No. 318/2007 (requiring annual reports from member States to the European Commission as to the number of imported birds, mortality rates and confirmed cases of disease);

(c) provide such assistance to any veterinary inspector carrying out the functions of the official veterinarian under Commission Regulation (EC) No. 318/2007 as that veterinary inspector may reasonably require.

(4) In relation to any consignment of captive birds placed in quarantine pursuant to Article 11(1) of Commission Regulation (EC) No. 318/2007, the quarantine manager must—

(a) ensure compliance with the following Articles of that Commission Regulation—

(i) 10(1)(b) (requiring notification of the arrival of a consignment at the quarantine centre or quarantine facility);

(ii) 11(1);

(iii) 12(2) and (3) (imposing requirements in relation to the use of sentinel birds);
and

(iv) 15 (requiring action where *Chlamydophyla psittaci* is suspected);

- (b) ensure there is surveillance of the captive birds during their quarantine which is adequate for the purposes of the Regulation, and consult with and seek the supervision of a veterinary inspector in respect of any analyses or treatments required under the Regulation;
 - (c) ensure compliance with the management requirements in paragraphs 2 to 10, and 12 to 15 of Chapter 2 of Annex IV to the Regulation;
 - (d) where any captive bird or sentinel bird dies during quarantine, make its carcase available to the veterinary inspector for examination in the official laboratory.
- (5) No person may—
- (a) contravene any requirement in paragraphs 4 to 6 of Chapter 2 of Annex IV to Commission Regulation (EC) No. 318/2007;
 - (b) in relation to a captive bird or a sentinel bird which dies during quarantine, remove or dispose of its carcase during the quarantine of captive birds, unless he or she is authorised to do so by a veterinary inspector;
 - (c) release captive birds in breach of Article 16 of Commission Regulation (EC) No. 318/2007 (requiring written authorisation by the official veterinarian for the release of birds from quarantine).
- (6) A person is unauthorised for the purpose of paragraph 4 of Chapter 2 of Annex IV to Commission Regulation (EC) No. 318/2007 (which prohibits unauthorised persons from entering quarantine centres and quarantine facilities), unless, in relation to a quarantine centre or quarantine facility—
- (a) he or she is the quarantine manager;
 - (b) he or she is a member of staff who enters with the authority of the quarantine manager;
 - (c) he or she has been authorised to enter by the Welsh Ministers or by a veterinary inspector; or
 - (d) he or she otherwise enters in fulfilment of a statutory function in relation to animal health, animal welfare or species conservation which he or she is appointed by the Welsh Ministers or by the local authority to perform.
- (7) In so far as not provided for under regulation 30, a veterinary inspector may, in relation to the quarantine of captive birds,—
- (a) enter a quarantine centre or quarantine facility to check compliance with these Regulations or with an approval granted under this regulation, or to assess whether it is appropriate to grant such an approval;
 - (b) inspect and arrange for copies to be taken of any documents or records (including those in electronic form) which he or she reasonably considers relevant for checking compliance as described in sub-paragraph (a); and
 - (c) take samples and carry out official veterinary supervision.
- (8) A veterinary inspector exercising powers under this regulation must produce, if required to do so, some duly authenticated document showing his or her authority to exercise those powers.
- (9) For the purposes of sampling and testing required under or in connection with Commission Regulation (EC) No. 318/2007, the Veterinary Laboratories Agency (an executive agency of Defra) is the official laboratory.
- (10) In this regulation and Schedule 8—

- (a) “official veterinary supervision” means the functions of the official veterinarian under Commission Regulation (EC) No. 318/2007 in relation to a consignment of captive birds to which Article 11(1) of that Commission Regulation applies;
- (b) “quarantine manager” means the person in charge of a quarantine centre or quarantine facility for which approval is required pursuant to Article 11 of Commission Regulation (EC) No. 318/2007;
- (c) references to sampling and the taking of samples are to the taking of samples required under that Commission Regulation, or which are taken for purposes of reaching a suspected or confirmed diagnosis of *Chlamydothlypsittaci*.”