



STATUTORY INSTRUMENTS.

**S.I. No. 522 of 2009**



DISEASES OF ANIMALS ACT 1966 (CONTROL OF SALMONELLA IN  
SWINE) ORDER 2009

**(Prn. A9/1833)**

## DISEASES OF ANIMALS ACT 1966 (CONTROL OF SALMONELLA IN SWINE) ORDER 2009

I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, in exercise of the powers conferred on me by sections 3, 13, 19 20 and 28 (as amended by section 6 of the Diseases of Animals (Amendment) Act 2001 (No. 3 of 2001)) of the Diseases of Animals Act 1966 (No. 6 of 1966) as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 705 of 2007), hereby order as follows:

*Citation*

1. (1) This Order may be cited as the Diseases of Animals Act 1966 (Control of salmonella in swine) Order 2009 and shall come into effect on 1 January 2010.

(2) This Order shall not apply to premises where swine are farmed for the production of meat that deliver less than 200 pigs for slaughter in the previous 12 months.

*Interpretation*

2. (1) In these Regulations—

“authorised officer” means an authorised officer within the meaning of section 17A (inserted by the Diseases of Animals (Amendment) Act 2001 (No. 3 of 2001)) of the Diseases of Animals Act 1966 (No. 6 of 1966),

“national pig salmonella control programme” means an agreement signed by the Minister and representatives of the pig meat industry.

“premises” includes land, buildings, structures, vehicles or containers.

*Salmonella control plan*

3. (1) The owner or person in charge of a premises where swine are farmed shall develop and put in place a programme for the control of salmonella, (“salmonella control plan”) on the premises in accordance with the national pig salmonella programme.

(2) A salmonella control plan shall, as a minimum comprise of—

- (a) bio security measures including staff, equipment, visitor access, pest control and control of animals and their products,
- (b) managerial practices including work flows, outputs, disinfection procedures, standard operating procedures and bacteriological sampling,

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 22nd December, 2009.*

- (c) restocking, including sourcing from herds or stock that have a low incidence of salmonella serovars,
- (d) transport, including segregation and disinfection of vehicles and equipment, and
- (e) the identity of the record keeper and maintenance of all relevant documentation.

(3) A person shall comply with a salmonella control plan including a salmonella control plan modified in accordance with paragraph (4) or (5).

(4) No later than December in any year, the owner or person in charge of a premises where swine are farmed shall review the salmonella control plan relating to the premises and introduce any modification necessary to take effect from 1 January immediately following.

(5) An authorised officer may direct that specified modifications are introduced into a salmonella control plan and a person shall comply with the direction.

(6) The owner or person in charge of a premises where swine are farmed shall, no later than 6 months after it comes into operation, furnish a copy of a salmonella control plan (including any modification to the salmonella control plan) to the Minister in a manner that the Minister may determine.

#### *Prevalence*

4. (1) The owner or person in charge of a premises where swine are farmed shall establish the prevalence of salmonella in the herd on the premises by means of a serological test.

(2) The results of the serological test required under paragraph (1) shall be transmitted to the Minister in a manner to be determined by the Minister.

(3) The Minister may make a declaration on the level of prevalence of salmonella in that herd on the basis of the results submitted under paragraph (2) and other information as may appear appropriate to him or her.

(4) The Minister shall inform the owner or person in charge of swine of a declaration under paragraph (3).

#### *Bacteriological testing*

5. (1) The owner or person in charge of a premises where swine are kept for production of breeding animals shall arrange—

- (a) for bacteriological testing on the swine or their environment on the premises in accordance with national pig salmonella programme, and
- (b) for the test samples to be analysed in laboratories approved for the purposes of Regulation (EC) No. 2160/2003 of the European Parliament and of the Council of 17 November 2003<sup>1</sup>.

<sup>1</sup> OJ L 325, 12.12.2003, p.1

(2) The results of the bacteriological test required under paragraph (1) shall be transmitted to the Minister in a manner to be determined by the Minister.

(3) Where microbiological contamination is found, on foot of analysis or otherwise, the Minister may require of the owner or person in charge of the swine to take such actions as the Minister considers necessary for the eradication of the contamination or for the protection of public or animal health.

*Special measures for swine from herds with high prevalence*

6. Swine from a premises where there is a prevalence in excess of a level set by the Minister indicated by analysis or otherwise shall—

- (a) be transported separately from other swine, and
- (b) not be used for breeding purposes.

*Notice*

7. (1) An authorised officer may, by notice in writing, direct an owner or a person in charge of swine to take such action as are necessary for the prevention or eradication of salmonella or other microbiological contaminants of public health concern.

(2) The authorised officer may specify a time limit within which the actions contained in the notice shall be completed by.

(3) The owner or person in charge of swine shall comply with the notice issued under paragraph (1).

*Records*

8. The owner or person in charge of swine shall keep, and retain for a period of at least two years, a record of the movement of swine onto and off the premises including—

- (a) the date of the movement,
- (b) the number of swine moved,
- (c) name and address of the premises from which incoming swine were brought, and
- (d) name and address of the premises to which outgoing swine were sent.

*Offences*

9. A person shall not—

- (a) tamper or otherwise interfere with any sample taken under Articles 4 or 5,
- (b) tamper or otherwise interfere with a pig so as to procure that any sample of it taken under Articles 4 or 5 does not correctly represent the pig or the environment of the premises,

- (c) treat or allow treatment of a pig which causes any sample to be invalid,
- (d) forge, or utter knowing it to be forged, a record referred to in this Order,
- (e) fail to comply with a request of an authorised officer made under this Order.

*Revocation*

10. The Diseases of Animals Act 1966 (Salmonella in Swine) Order 2007 (S.I. No. 111 of 2007) is revoked.



GIVEN under my Official Seal,  
8 December 2009.

BRENDAN SMITH,  
Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

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

This Order provides the legal basis for the implementation of the Pig Salmonella Control Programme on farms.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
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