VERŻJONI ELETTRONIKA

L.N. 225 of 2012

VFETERINARY SERVICES ACT
(CAP. 437)

Measures for the Eradication of Salmonella Regulations, 2012

IN exercise of the powers conferred by article 5(1) of the Veterinary Services Act, the Minister for Resources and Rural Affairs, with the concurrence of the Minister of Finance, the Economy and Investment, has made the following regulations:-

1. The title of these regulations is the Measures for the Eradication of Salmonella Regulations, 2012. Citation.

2. For the purposes of these regulations and unless the context otherwise requires: Interpretation.

"the Act" means the Veterinary Services Act; Cap. 437.

"broiler" means a bird of the *Gallus gallus* or turkey (*Meleagris gallopavo*) species of either sex that is bred and farmed for the production of meat;

"competent authority" means the Veterinary Services as defined in the Act;

"condemned flock" means a group of birds which has tested positive for etiological agents that are deemed as zoonotic agents by the competent authority;

"culling" means the destruction of the flock of birds that will not be used for food for human consumption;

"Department" means the Department for Veterinary Services;

"Director" means the Director for Veterinary Services;

"first time isolation" means the first instance that an etiological agent of regulatory importance has been isolated by a laboratory from samples taken from a poultry farm;

"flock" means all the poultry of the same health status kept on the same premises or in the same enclosure and constituting a single epidemiological unit; in the case of housed poultry, this includes all birds sharing the same airspace;

"layer" means a bird of the species *Gallus gallus* or *Meleagris gallopavo* that is bred and kept for the production of eggs;

"Minister" means the Minister responsible for veterinary services;

"poultry" means birds of the species *Gallus gallus* or turkeys (Meleagris gallopavo), geese, ducks, guinea fowl, pheasants, quails and other such species.

"poultry farm" means a holding that is licensed to produce broilers for slaughter and layers for egg production;

"producer" means any person or legal entity that keep, breed and fatten poultry of the family *Gallus gallus* or turkeys (*Meleagris gallopavo*) for the production of food for human consumption;

"repeated isolation" means the positive identification of an etiological agent of regulatory importance by a laboratory of the same agent for a number of times on consequent sampling occasions;

"Salmonella" means *Salmonella typhimurium* or *Salmonella enteritidis*;

"pests" vermin including birds, mice, rats, insects (such as flies, mites, litter beetles) and wildlife.

Plans for accelerating the eradication of Salmonella.

3. For the purposes of these regulations when the poultry populations are infected with Salmonella, the competent authority shall implement plans for accelerating the eradication of the disease in Malta.

Salmonella Control Programme.

4. (1) The plans for accelerating the eradication of Salmonella in Malta shall be those laid down in the Schedule. These should be read together with EC Regulation 2160/2003, EC Regulation 1168/2006, EC Regulation (EC) 1177/2006 and EC Regulation 646/2007, and any amendments and new relative regulation thereto; the provisions of the said Regulations shall be directly applicable.

(2) The Director shall order the culling of poultry infected with Salmonella and instruct producers as to the procedure to be undertaken for such culling or recovery.

Compensation for infected poultry.

5. Producers shall be compensated for infected poultry culled and infected eggs destroyed in terms of the Schedule at rates as the Minister may from time to time prescribe by notice in the Gazette:

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Provided that such compensation rates shall not exceed the average market price of poultry or eggs for the previous three months.

Revocation of licence.

6. (1) The Director shall revoke a poultry farm's licence in the event of three repeated isolations of Salmonella being verified within any twelve-month period.

(2) The Director shall revoke a poultry farm's licence and not compensate any flocks or products if the testing on behalf of the operator does not reflect the findings of the official testing.

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Schedule

[Regulation 4(1)]

Salmonella Control Programme

1. Producers Eligible for Compensation under the Salmonella Control Programme

In order for a producer to be eligible for compensation for culled poultry flocks (broilers or layer flocks of *Gallus gallus* or turkeys (*Meleagris gallopavo*)) under the Salmonella Control Programme, all the following conditions shall be satisfied:

(a) the poultry farm shall be licensed by the Department for Veterinary Services as a poultry farm;

(b) the poultry farm or producer shall not be undergoing any legal proceedings related to withdrawal of the poultry farm's license;

(c) the producer shall collaborate with public officials and grant access to authorised personnel from the Department for testing and sampling at all times;

(d) the producer shall follow, to the best of his abilities, all advice and recommendations regarding biosecurity measures to prevent Salmonella infection;

(e) the use of antimicrobial agents as a preventive measure for Salmonella infection shall be prohibited and such agents shall not be administered for such purpose. The use of such antimicrobial agents or the presence of their residues shall render the poultry flock ineligible for compensation;

(f) the producer shall receive an official communication from the Director stating that the flocks present on his poultry farm are infected with *Salmonella enteritidis* or *Salmonella typhimurium* and therefore the flock and their products are unfit for human consumption in the actual state and consequently condemned.

2. Status required of flocks for producer to be eligible for compensation:

In order for a producer to be eligible for compensation under these regulations, the culled poultry flocks shall satisfy all the following conditions:

(a) the flock shall have been bred in a licensed farm and shall have been regularly registered with the Department;

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(b) the flock shall undergo a census carried out by authorised public officers prior to or during culling;

(c) the flock shall have been culled and destroyed or referred for recovery by or under the supervision of authorised public officials;

(d) the products of condemned flocks shall have been collected and destroyed or referred for recovery by or under the supervision of authorised public officers;

(e) in the event of the recovery of flocks or products, the producer shall not be eligible for full compensation. In such a case the compensation will top up the proceeds from the recovery to the amount of full compensation. Condemned products and flocks will not be eligible for any compensation if the period for recovery extends more than one hundred and twenty days. The value of recovery of flocks or products will be estimated by the Department if the proper commercial documents of the value of the recovery are not presented.

3. Procedure for compensation.

(a) Sampling and analysis for Salmonella infection shall be carried out by authorised personnel from the Department or Approved Laboratories. Positive results shall only be considered following official sampling and authorised official analysis.

(b) Producers shall be informed of the results of such official sampling and analysis by officials from the Department as early as possible.

(c) The Department shall instruct the producers as to the actions required to be taken in order to effect the culling of the infected flocks.

(d) The producer shall ensure that none of the infected flocks, eggs, feed or manure leave the poultry farm without prior authorisation from the Department.

(e) The producer is obliged to follow all instructions given by the Department.

(f) Following the authorised or supervised culling and subsequent removal for recovery of condemned flocks and destruction of condemned products, the producer shall be presented with an official receipt stating the precise quantity of birds and products culled and destroyed. These quantities shall form the basis upon which compensation will be calculated.

(g) Producers shall be compensated within three months of the date of approval of compensation of infected flocks and related products.

(h) On first time isolation of *Salmonella enteritidis* or *Salmonella*

typhimurium, the producer shall receive full compensation.

(i) On second repeated isolation of *Salmonella enteritidis* or *Salmonella typhimurium*, the producer shall receive:

(i) a maximum of 70% of compensation rates, provided biosecurity measures have been respected and any alterations recommended in terms of point 4(b) were carried out;

(ii) a maximum of 25% of compensation rates if biosecurity measures were not adhered to and any alterations recommended in terms of point 4(b) were not carried out.

(j) On the third repeated isolation of *Salmonella enteritidis* or *Salmonella typhimurium*, the producer shall receive:

(i) a maximum of 40% of compensation rates, provided biosecurity measures have been respected and any alterations recommended in terms of point 4(b) were carried out;

(ii) no compensation if biosecurity measures were not adhered to and if alterations recommended in terms of point 4(b) were not carried out.

(k) No compensation shall be given to producers on the fourth repeated isolation of *Salmonella enteritidis* or *Salmonella typhimurium*.

4. Re-stocking of poultry farms

(a) The producer shall carry out alterations to improve biosecurity on the poultry farm as instructed by the Department. Such written instructions shall be given within two weeks following the culling of infected flocks. The producer shall carry out such instructions within the stipulated time indicated by the Department.

(b) The producer shall have all restrictions removed from an infected poultry farm and be permitted to re-stock following the verification of negative results from official samples collected from such depopulated poultry farms.

(c) Written approval for re-stocking shall be issued by the Department.

5. Calculation of compensation

(a) Producers shall be compensated for infected poultry culled and infected eggs destroyed in terms of this Schedule at rates as the Minister may from time to time prescribe by notice in the Gazette:

Provided that such compensation rates shall not exceed the average market price of poultry or eggs for the previous three months.

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(b) Culled infected stock shall be evaluated according to numbers taken before or during culling, and such stock shall be weighed at a weighbridge.

(c) (i) The maximum amount of compensation due shall be reduced by 2% per any infringement listed below, as reported by the Department:

a. The absence of a disinfection pit at the entrance of the poultry farm;

b. The lack of wholesomeness of the rearing areas of the flocks to prevent contamination by pests;

c. The lack of a documented Pest Control Programme of the Farm;

d. The deficient wholesomeness of the storage of feed against contamination by pests or water;

e. Lack of use of separate clothing on the farm;

f. Lack of use of specific footwear for the poultry houses;

g. Lack of production record sheets for the flocks and their products;

h. Lack of mortality records of the flocks.

ii. The maximum amount of compensation due shall be reduced by 10% per any infringement of conditions listed below, as detected by the Department:

a. The clinical condition of the flock;

b. The welfare conditions for the flock;

c. In the case of layer flocks the final compensation calculated as per paragraphs above shall be reduced by 40% for every year and pro rata for parts of year of production of the flock.

d. The funds made from the recovery of products will be deducted from the calculated compensation.

e. The cost of culling and incineration will be deducted from the compensation.

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