(2) POULTRY

The Live Poultry (Regulation of Sales, Exhibitions and Movements) (No. 3) Order, 1948

1948 No. 1970

Made - - - - *22nd August*, 1948
Coming into Operation *1st September*, 1948

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under the Diseases of Animals Acts, 1894 to 1937, and of every other power enabling him in this behalf, hereby orders as follows:—

Prohibition of Sales of Poultry

1. The sale or the offer or exposure for sale or the hawking of poultry in the area specified in the First Schedule hereto is hereby prohibited.

Provided that this prohibition shall not apply to (*a*) a sale, offer or exposure for sale of poultry on any premises to which no poultry, other than "show poultry" as defined in Article 14 of this Order, have been moved on the day of sale, offer or exposure for sale and within the 28 days next preceding such day; or (*b*) a sale, offer or exposure for sale at a market, fair or sale of poultry, the holding of which has been authorised by a licence issued by a Local Authority under Article 2 or 3 of this Order; or (*c*) a sale of poultry at a show that has been authorised by the Minister by a licence signed by a Veterinary Inspector or other officer of the Ministry.

Licensed Sales of Poultry intended for immediate slaughter

2.—(1) A Local Authority may grant a licence authorising the holding in the area specified in the First Schedule hereto of a market, fair or sale of poultry intended for immediate slaughter, provided that no licence shall be granted by a Local Authority for the holding of such a market, fair or sale of poultry on any premises on any day on which a market, fair or sale of poultry not intended for immediate slaughter has been or is to be held thereon.

(2) All poultry offered or exposed for sale at such an authorised market, fair or sale of poultry intended for immediate slaughter shall be slaughtered under the supervision of an Inspector or other Officer of the Local Authority which authorised the holding of the market, fair or sale.

Licensed Sales of Store Poultry

3.—(1) A Local Authority may grant a licence authorising the holding in the area specified in the First Schedule hereto of a market, fair or sale of poultry not intended for immediate slaughter (hereinafter referred to as store poultry) provided that no licence shall be granted by a Local Authority for the holding of such a market, fair or sale of poultry on any premises on any day on which a market, fair or sale of poultry intended for immediate slaughter has been or is to be held thereon.

(2) No person shall bring or send any poultry to such an authorised market, fair or sale of store poultry unless the birds are brought or sent thereto direct from the premises on which they were bred or reared.

(3) No person other than the breeder or rearer thereof shall bring or send any poultry for sale at such an authorised market, fair or sale of store poultry.

(4) No breeder or rearer shall bring or send for sale at such an authorised market, fair or sale of store poultry any number of poultry less than 25.

(5) No person shall bring or send poultry to such an authorised market, fair or sale of store poultry unless the birds are accompanied by a declaration in writing made by the breeder or rearer of the birds, specifying the number, species and breed of the birds and stating

(i) that the birds have been bred or reared by him;

(ii) that they are being brought or sent to the market, fair or sale direct from specified premises on which they have been bred or reared; and

(iii) in the case of birds that are brought or sent to the market, fair or sale from premises that are situated within the area specified in the First Schedule hereto, that no poultry, other than " show poultry " as defined in Article 14 of this Order, have been or will be moved on to such premises on the day of sale, offer or exposure for sale and within the 28 days next preceding such day.

Any such declaration as aforesaid shall be surrendered to the proper officer of the Local Authority on arrival of the birds at the premises on which the market, fair or sale is to take place.

Prohibition of Exhibitions of Poultry for Show Purposes

4.—(1) Except at shows the holding of which has been specially authorised by the Minister, the exhibition of poultry for show purposes in the area specified in the First Schedule hereto is hereby prohibited.

(2) No poultry may be taken or sent to a show specially authorised by the Minister unless they are taken or sent direct from premises on to which, up to the time of such taking or sending, there had been no movement of poultry, other than " show poultry " as defined in Article 14 of this Order, for a period of at least 28 days.

(3) Any poultry exhibited at such a show shall forthwith be removed from the place of exhibition if so required by the service of a Notice in writing signed by a Veterinary Inspector of the Ministry or other Veterinary Surgeon authorised by the Minister. Any such Notice shall be sufficiently served if delivered to the owner or person in charge of the poultry or to a responsible official of the show.

(4) Except as provided in the last preceding paragraph of this Article, no poultry may be moved from such a show unless accompanied by a licence authorising such movement granted by a Veterinary Inspector of the Ministry. Poultry moved with such a licence shall be isolated from all other poultry for a period of 28 days after arrival at the place of destination specified in the licence and shall not during that period be moved therefrom except to another show the holding of which has been authorised by the Minister.

Prohibition of Movement of Poultry

5.—(1) In the area specified in the First Schedule hereto, the taking or sending of poultry from any premises on to which there has been a movement of poultry, other than " show poultry " as defined in Article 14 of this Order, within a period of 28 days up to the time of such taking or sending is hereby prohibited. This provision shall not prevent the removal of poultry from a

show, market, fair or sale of poultry the holding of which has been authorised by the Minister or a Local Authority.

(2) No poultry whatsoever shall be moved into the area specified in the Second Schedule hereto from any other part of Great Britain.

(3) No poultry shall be moved through the area specified in the First Schedule hereto from the area specified in the Second Schedule hereto to Wales or to any part of England not included in the area specified in the said First Schedule.

(4) No poultry shall be moved out of the area specified in the First Schedule hereto.

(5) A poultry dealer shall not bring together in the area specified in the First Schedule hereto poultry moved from more than one farm, holding or other place.

Keeping of Records by Poultry Dealers

6. Every poultry dealer shall keep a record in which there shall be correctly entered the following particulars in respect of each purchase by him of poultry and of day-old chicks of poultry, namely:—

(i) the date and place of purchase;

(ii) the number, species and breed of birds bought;

(iii) the name and address of the person from whom the birds were bought;

(iv) the date and manner of disposal of the birds; and

(v) the names and addresses of the persons, if any, to whom the birds have been transferred or sold.

Keeping of Records by Auctioneers

7. Every auctioneer who conducts a market, fair or sale of poultry shall keep a record in which there shall be correctly entered the following particulars in respect of each lot of poultry offered or exposed for sale at such market, fair or sale, namely:—

(i) the name and address of the person who entered the birds for sale;

(ii) the number, species and breed of birds so entered for sale; and

(iii) the names and addresses of the purchasers of the birds.

Provision as to the making and retention of Records

8.—(1) Every entry in a record required by this Order to be kept shall be made in ink or indelible pencil within the appropriate one of the undermentioned periods, namely:—

(i) in the case of a dealer's record, the thirty-six hours next after the purchase or disposal has taken place;

(ii) in the case of an auctioneer's record, the thirty-six hours next after the close of the market, fair or sale of poultry.

(2) Every record required by this Order to be kept by any person shall be retained by him for a period of twelve months from the date thereof, and shall be produced by him for inspection at all reasonable times on demand of any Veterinary Inspector of the Ministry or any Inspector of a Local Authority or any Police Officer, and the Inspector or Officer shall be entitled to make copies of any entries therein.

(3) A Local Authority may supply forms of record for the purposes of this Order to any person in the district of the Local Authority.

Prohibition of Consignment of Poultry to Railway Stations

9. No owner, vendor or purchaser of any poultry shall consign or cause to be consigned such poultry to any person or to the order of any person at a railway station or at any place other than premises in the occupation of that person.

Cleanliness of Crates, etc., used for Poultry

10.—(1) At a market, fair or sale of poultry, no poultry shall be placed in a crate, basket, box or other receptacle, unless the said crate, basket, box or other receptacle shows evidence of having been thoroughly cleansed since last being used by or for poultry.

(2) If an Inspector of the Local Authority is not satisfied that a crate, basket, box or other receptacle has been so cleansed, he may issue a Notice to that effect, whereupon it shall be unlawful for such crate, basket, box or other receptacle to be used for poultry until it has been cleansed to the satisfaction of the Inspector. Any such Notice shall be sufficiently issued if delivered to the owner or person in charge of the receptacle, or affixed or attached to such receptacle.

Local Authorities and Police to enforce Order

11. The provisions of this Order shall be executed and enforced by the Local Authority and the Police.

Revocation

12. The Live Poultry (Regulation of Sales, Exhibitions and Movements) (No. 2) Order of 1948(a) is hereby revoked.

Offences

13. If any person required by this Order to keep a record fails to keep the same or omits from a record any of the particulars required by this Order to be entered therein, or makes any false entry therein or fails to produce a record for inspection on demand under this Order, or if any person commits or aids, abets, counsels or procures the commission of any breach of the provisions of this Order he will be liable on conviction to the penalties provided by Sections 52 and 53 of the Diseases of Animals Act, 1894, and Section 5 of the Diseases of Animals Act, 1927.

Interpretation

14. For the purpose of this Order:—

" Poultry " means live birds of the following species, that is to say, domestic fowls, turkeys, geese and ducks, but does not include day-old chicks of the same species.

" Show poultry " means poultry that have in accordance with the terms of a licence issued by a Veterinary Inspector of the Ministry been moved to any premises direct from a show, the holding of which has been authorised by the Minister, and that are and have since their arrival on the premises been kept isolated from all other poultry.

" Poultry Dealer " means a person habitually engaged in the business of buying and reselling poultry or day-old chicks of poultry but does not include a person who as auctioneer sells poultry or day-old chicks of poultry which

(a) S.I. 1948 No. 1115.

are the property of another person, and a person shall not be deemed to be a poultry dealer by reason only that he sells for slaughter poultry which he has purchased and fed for that purpose.

" Premises " includes land with or without buildings.

" Minister " and " Ministry " mean the Minister and the Ministry of Agriculture and Fisheries respectively.

Title and Commencement

15.—(1) This Order may be cited as the Live Poultry (Regulation of Sales, Exhibitions and Movements) (No. 3) Order, 1948.

(2) This Order shall come into operation on the first day of September, nineteen hundred and forty-eight.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twenty-second day of August, nineteen hundred and forty-eight.

(L.S.) *T. Williams,*

Minister of Agriculture and Fisheries.

FIRST SCHEDULE

An area comprising:—

The counties of Bedford, Berks, Buckingham, Cambridge, Chester, Derby, Essex, Hertford, Huntingdon, Isle of Ely, Kent, Leicester, Lincoln (Parts of Holland), Lincoln (Parts of Kesteven), Lincoln (Parts of Lindsey), London, Middlesex, Norfolk, Northampton, Nottingham, Oxford, Rutland, Soke of Peterborough, Southampton, Stafford, East Suffolk, West Suffolk, Surrey, East Sussex, West Sussex, Warwick, Wilts, the East Riding of Yorkshire, the North Riding of Yorkshire and the West Riding of Yorkshire, together with the boroughs geographically situated therein;

In the administrative county of Lancaster, the petty sessional divisions of South Lonsdale, Hornby, Garstang, Kirkham, Amounderness, Clitheroe, Coln (including its detached part), Burnley, Blackburn, Church, Darwen (including its detached part), Leyland, Walton le Dale, Rossendale, Southport (including its detached part), Leyland Hundred, Bolton (including its detached part), Ormskirk, Middleton, Bury (including its detached part), Oldham, Kirkdale, Widnes, Prescot, St. Helens, Wigan, Warrington, Leigh (including its detached part), Manchester (including its detached part) and Ashton under Lyne.

The city of London;

The cities and county boroughs of Birmingham, Bradford, Canterbury, Chester, Coventry, Kingston-upon-Hull, Leeds, Lincoln, Liverpool, Manchester, Norwich, Nottingham, Oxford, Portsmouth, Salford, Sheffield, Stoke-upon-Trent, Wakefield and York;

The county boroughs of Barnsley, Birkenhead, Blackburn, Blackpool, Bolton, Bootle, Bournemouth, Brighton, Burnley, Burton-upon-Trent, Bury, Croydon, Derby, Dewsbury, Doncaster, Dudley, Eastbourne, East Ham, Great Yarmouth, Grimsby, Halifax, Hastings, Huddersfield, Ipswich, Leicester, Middlesbrough, Northampton, Oldham, Preston, Reading, Rochdale, Rotherham, St. Helens, Smethwick, Southampton, Southend-on-Sea, Southport, Stockport, Wallasey, Walsall, Warrington, West Bromwich, West Ham, Wigan and Wolverhampton.

SECOND SCHEDULE

An area comprising:—

Scotland;

The administrative counties of Cumberland, Durham, Northumberland and Westmorland.

The cities and county boroughs of Carlisle and Newcastle-upon-Tyne.

The county boroughs of Barrow-in-Furness, Darlington, Gateshead, South Shields, Sunderland, Tynemouth and West Hartlepool.

In the administrative county of Lancaster, the petty sessional divisions of Hawkshead and North Lonsdale.

The borough of Berwick-upon-Tweed.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order revokes and re-enacts, with modifications, the provisions of the Live Poultry (Regulation of Sales, Exhibitions and Movements) (No. 2) Order of 1948. It applies, within the area described in the First Schedule, restrictions on sales, exhibitions and movements of poultry, and prohibits the movement of poultry from that area into other parts of Great Britain. It requires the keeping by poultry dealers and auctioneers throughout Great Britain of records of transactions of poultry and contains provisions relating to the consignment of poultry to railway stations and the cleanliness of crates and other receptacles in which poultry are placed at markets, fairs and sales.

The Live Poultry (Regulation of Sales, Exhibitions and Movements) (No. 3) (Amendment) Order, 1948

1948 No. 2009

Made - - - -	31*st August*, 1948
Coming into Operation	8*th September*, 1948

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under the Diseases of Animals Acts, 1894 to 1937, and of every other power enabling him in this behalf, hereby orders as follows:—

Amendment of First Schedule to the Live Poultry (Regulation of Sales, Exhibitions and Movements) (No. 3) Order, 1948

1. The First Schedule to the Live Poultry (Regulation of Sales, Exhibitions and Movements) (No. 3) Order, 1948(a), shall be read and have effect as if there were included therein the city of Lancaster, the boroughs of Accrington, Ashton-under-Lyne, Bacup, Chorley, Clitheroe, Colne, Crosby, Darwen, Eccles, Farnworth, Fleetwood, Haslingden, Heywood, Leigh, Lytham St. Annes, Middleton, Morecambe and Heysham, Mossley, Nelson, Prestwich, Radcliffe, Rawtenstall, Stretford, Swinton and Pendlebury and Widnes.

(a) S.I. 1948 No. 1970, p. 222 above.